

NATIONAL ASSEMBLY
Thirty-second Legislature, fourth session

1983, chapter 73

AN ACT CONCERNING THE CITY OF BUCKINGHAM

Bill 230

Introduced by Mr Mark Assad

First reading: 18 October 1983

Second reading: 21 December 1983

Third reading: 21 December 1983

Assented to: 21 December 1983

Coming into force: 21 December 1983

Act amended:

None



CHAPTER 73

An Act concerning the city of Buckingham

[Assented to 21 December 1983]

Preamble WHEREAS it is necessary for the proper administration of the city of Buckingham that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Private rail-
way siding **1.** The city of Buckingham may, by by-law, order the construction of a private railway siding, consisting of a railway bridge over the Le Lièvre river and a railway, to be situated in the territory described in the schedule to this Act.

Use The private siding shall serve the Erco Industries Limited plant and other industries wishing to use the infrastructure.

Acquisition
of
immovables **2.** The council may, for the purposes set out in section 1, acquire by agreement or by expropriation the immovables, servitudes or other necessary rights.

Maintenance
and repair **3.** The city may award contracts for the maintenance and repair of the railway siding contemplated in section 1 and, in that respect, sections 573 and 573.1 of the Cities and Towns Act (R.S.Q., chapter C-19) do not apply.

Taxable
immovables **4.** The unsubsidized cost incurred for the construction of the private railway siding contemplated in section 1 is charged on all taxable immovables to be served by the works executed under section 1 and any special tax ordered under a loan by-law passed for such purpose shall be levied for a ten-year period on those immovables, on the basis of their value as entered on the assessment roll in force each year.

Compensati-
on

5. The city may, by by-law, impose a compensation for the use of the private railway siding to cover maintenance, repair and insurance costs and any other current expenditure. The compensation may be based on the annual tonnage of merchandise transported or on such other criteria as may be determined by the council.

By-law
amended

6. Paragraph *f* of section 2 of by-law 1983-5 of the city of Buckingham, passed on 6 June 1983 and ordering the annexation to its territory of part of lot 11C, Range IV, township of Buckingham, is replaced by the following paragraph:

Maximum
value of
services

“In order to compensate the municipality of l’Ange-Gardien for the loss of real estate taxes caused by the annexation to the city of Buckingham of the territory which is the object of this by-law, the city of Buckingham will provide to the municipality of l’Ange-Gardien the services of its fire protection department for a five-year period from 1 January 1984. The value of the services provided free of charge will be limited to a maximum annual sum of \$25 000. The value of the services provided will be computed annually in accordance with the tariff in force on 21 December 1983, under the Act respecting municipal fire fighting cooperation (R.S.Q., chapter E-11).”

Exception

7. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

Coming into
force

8. This Act comes into force on the day of its sanction.

SCHEDULE

A parcel of land comprising, with reference to the cadastre of the township of Buckingham, part of lots 11C, 11C-1, 10B-144, 10B-156 and 10C-6 of Range V of the said township and which may be described as follows, to wit:

PARCEL "A"

Owned by Erco Industries Limited

Starting at the southwest corner of lot 10B-145; thence, a straight line running $S89^{\circ} 36' W$ and measuring 234.44 metres, to a point on the west bank of the Du Lièvre river, starting point of this perimeter; from that point, a straight line running $S80^{\circ} 53' W$ and measuring 5.12 metres; another straight line running $N16^{\circ} 49' E$ and measuring 33.89 metres; another straight line running $N80^{\circ} 53' E$ and measuring 4.86 metres to the west bank of the Du Lièvre river; finally, the west bank of the said river downstream to the starting point.

PARCEL "B"

Owned by Erco Industries Limited

Starting at the southwest corner of lot 10B-145; thence, a straight line running $N48^{\circ} 55' W$ and measuring 46.25 metres; another straight line running $S80^{\circ} 53' W$ and measuring 61.34 metres to the starting point of this perimeter; from that point, a straight line running $S80^{\circ} 53' W$ and measuring 3.81 metres to the east bank of the Du Lièvre river; the east bank of the said river upstream to a point; another straight line running $S5^{\circ} 8' E$ and measuring 15.86 metres, to the starting point.

PARCEL "C"

Owned by McLaren Company Limited

Starting at the southwest corner of lot 10B-145; thence, a straight line running $N48^{\circ} 55' W$ and measuring 46.25 metres, to the starting point of this perimeter; from that point, a straight line running $S80^{\circ} 53' W$ and measuring 61.34 metres; another straight line running $N5^{\circ} 8' W$ and measuring 15.86 metres to the east bank of the Du Lièvre river; the east bank of the said river upstream to a point; another straight line running $N80^{\circ} 53' E$ and measuring 41.98 metres; another straight line running $S33^{\circ} 38' E$ and measuring 33.50 metres, to the starting point.

PARCEL "D"

Owned by Aurèle Gauthier

Starting at the southwest corner of lot 10B-145; thence, a straight line running $N33^{\circ} 38' W$ and measuring 39.05 metres, to the starting point of this perimeter; from that point, a straight line running $N33^{\circ} 38' W$ and measuring 27.21 metres; another straight line running $N69^{\circ}$

1'E and measuring 27.81 metres; another straight line running N80° 53'E and measuring 14.87 metres; another straight line running S3° 20'W and measuring 31.21 metres; another straight line running S80° 53'W and measuring 24.05 metres, to the starting point.

PARCEL "E"

Owned by Erco Industries Limited

Starting at the southwest corner of lot 10B-145; thence, a straight line running N3° 20'E and measuring 36.39 metres, to the starting point of this perimeter; from that point, a straight line running N3° 20'E and measuring 31.21 metres; another straight line running N80° 53'E and measuring 27.08 metres; a curved line running in an easterly direction and measuring 24.73 metres, measured along a curve of 160.78 metres of radius; a straight line running S47° 18'E and measuring 53.50 metres; a curved line running in a westerly direction and measuring 59.77 metres, measured along a curve of 130.30 metres of radius; a straight line running S80° 53'W and measuring 33.81 metres, to the starting point.

PARCEL "F"

Part of the Du Lièvre river

Starting at the southwest corner of lot 10B-145; thence, a straight line running S89° 36'W and measuring 234.44 metres, to the starting point of this perimeter; from that point along the west bank of the Du Lièvre river upstream to a point; a straight line running N80° 53'E and measuring 131.69 metres to the east bank of the said Du Lièvre river; the east bank of the said river downstream to a point; a straight line running S80° 53'W and measuring 136.96 metres, to the starting point.

The whole as shown on a plan prepared by Raynald Nadeau, land surveyor, on 7 November 1983.

In this description and in the plan accompanying it, the dimensions are given in metres (SI), and the directions are astronomical.