



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 190

An Act respecting the city of LaSalle

Introduction

**Introduced by
Mr Gilles Fortin
Member for Marguerite-Bourgeois**

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Bill 190

An Act respecting the city of LaSalle

WHEREAS the city of LaSalle has used a garbage dump within its territorial limits;

Whereas various kinds of substances have been buried on that site;

Whereas the presence of those substances could be hazardous to public health;

Whereas a residential development was built on the garbage dump site;

Whereas work must be carried out for the decontamination of the site;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The city of LaSalle is authorized to acquire the immovables described in the schedule and to carry out thereon the decontamination, restoration and burying operations that are required to preserve public health.

The city may also carry out such operations on an immovable described in the schedule although it has not acquired it. Where that is the case, it shall obtain the consent of the owner.

2. Notwithstanding section 53 of the Expropriation Act (R.S.Q., chapter E-24), where the city acquires by expropriation an immovable described in the schedule, transfer of title is effected by service on the owner by the city of a notice of expropriation consistent with section 40 of the said Act.

3. A by-law authorizing a loan for the purposes set out in section 1 shall require no authorization other than that of the Minister of Municipal Affairs.

4. The city may alienate an immovable acquired under section 1 and where that is the case, the price of alienation must be sufficient to cover any cost incurred in respect of it. In determining the price of alienation, the city may, however, not take into account the costs incurred by it for the decontamination and restoration of the immovable.

The city may alienate an immovable acquired under section 1, for a lesser amount or by gratuitous title, in favour of the Government, any of its ministers or agencies, the Communauté urbaine de Montréal, a school board, its municipal housing bureau or any other non-profit corporation.

5. The amount of the provisional indemnity provided in section 53.11 of the Expropriation Act paid in respect of the expropriation of an immovable described in the schedule must be equal to or greater than 50% of the municipal assessment.

6. Acquisition by agreement of an immovable described in the schedule by the city shall terminate any lease affecting it. In the case of the lease of a dwelling, the city shall pay an indemnity equal to three months' rent to the lessee.

In the case of a commercial or industrial lease, if the city and the lessee fail to agree on the amount of the indemnity, either may apply to the Commission municipale du Québec, which shall determine the indemnity.

7. The city may pass a by-law delimiting a sector contiguous to the immovables described in the schedule. In order to protect public health, it may evict the persons residing in the sector for a period not exceeding the duration of the decontamination and restoration operations.

The by-law shall prescribe the compensation to be paid to the lessees and to the owners by reason of the eviction. The compensation may differ according to classifications established in the by-law.

The by-law requires the approval of the Bureau de la protection civile du Québec.

The enforcement of the by-law shall not terminate a lease affecting an immovable located in the sector delimited by the by-law.

The city is authorized to erect a fence around the sector delimited by the by-law referred to in the first paragraph even if it is not the owner of the immovable on which the fence is erected, in which case it is not required to pay an indemnity. After completion of the work referred to in section 1, the city shall restore the immovable to its condition prior to the erection of the fence.

8. No action may be taken by reason of any work referred to in section 1 being carried out according to accepted practice or the consequences thereof, or by reason of the enforcement of a by-law passed under section 7.

9. This Act comes into force on (*insert here the date of assent to this Act*).

SCHEDULE

I — A territory situated in the city of Lasalle and consisting of 8 sectors described as follows and as shown on plan number 005/A0, file 046560, prepared by André Marsan & Associés Inc.

A — SECTORS A, B, C, D, G AND H

Starting at point "A" on the said plan, being the point of intersection of the centre line of track with the interior face of the sidewalk located on the south side of Shevchenko Boulevard; thence, generally in an easterly direction along the interior face of the sidewalk for a distance (scaled) of fifty-one metres and five tenths (51.5 m) to point "1", point of commencement, the said point "1" being located at a distance of two metres and five tenths (2.5 m) from a point located in front of an hydrant; thence, in a south-westerly direction for a distance of fifteen metres (15.0 m) to point "2" on the said plan; thence, in a south-easterly direction for a distance of thirteen metres (13.0 m) to point "3" on the said plan; thence, in a southerly direction forming an exterior angle of 143° with the preceding course for a distance of eight metres and five tenths (8.5 m) to point "4" on the said plan; thence, in another southerly direction forming an exterior angle of 168° with the preceding course for a distance of eight metres and five tenths (8.5 m) to point "5" on the said plan; thence, in a south-westerly direction forming an exterior angle of 139° with the preceding course for a distance of thirteen metres (13.0 m) to point "6" on the said plan; thence, in a south-easterly direction forming an interior angle of 92° with the preceding course for a distance of twenty-five metres (25.0 m) to point "7" on the said plan; thence, in a north-easterly direction forming an interior angle of 88° with the preceding course for a distance of forty-six metres (46.0 m) to point "8" on the said plan; thence, in a south-easterly direction for a distance of thirteen metres (13.0 m) to point "9" on the said plan; thence, in another south-easterly direction forming an exterior angle of 165° with the preceding course for a distance of ninety-six metres (96.0 m) to point "10" on the said plan; thence, in a south-westerly direction for a distance of thirty-six metres (36.0 m) to point "11" on the said plan; thence, in a westerly direction forming an exterior angle of 157° with the preceding course for a distance of fourteen metres and five tenths (14.5 m) to point "12" on the said plan; thence, in a north-westerly direction forming an exterior angle of 112° with the preceding course for a distance of twenty-four metres and five tenths (24.5 m) to point "13" on the said plan; thence, in a south-westerly direction forming an interior angle of 89° with the preceding course for a distance of twenty-five metres (25.0 m) to point "14" on the said plan; thence, in a south-easterly direction forming an interior angle

of 88° with the preceding course for a distance of thirteen metres (13.0 m) to point "15" on the said plan; thence, in a southerly direction forming an exterior angle of 120° with the preceding course for a distance of fourteen metres (14.0 m) to point "16" on the said plan; thence, in a south-easterly direction forming an interior angle of 102° with the preceding course for a distance of fifty-eight metres (58.0 m) to point "17" on the said plan; thence, in a north-easterly direction forming an interior angle of 120° with the preceding course for a distance of twenty metres (20.0 m) to point "18" on the said plan; thence, in a north-easterly direction forming an interior angle of 150° with the preceding course for a distance (scaled) of seven metres (7.0 m) to point "19", the said point "19" coincides with the exterior face of the south-west wall of a group of six (6) duplex structure; thence, in a north-westerly direction along the exterior face of the south-west wall of a group of six (6) duplex structure for a distance of twelve metres and five tenths (12.5 m) to point "20" on the said plan; thence, in a north-easterly direction along the exterior face of the north-west wall of a group of six (6) duplex structure to point "21" on the said plan; thence, in a south-easterly direction along the exterior face of the north-east wall at the rear of a group of six (6) duplex structure and its prolongation for a distance (scaled) of fifty-three metres (53.0 m) to point "22" on the said plan; thence, in a north-easterly direction for a distance (scaled) of seven metres (7.0 m) to point "23" on the said plan; thence, in a south-easterly direction for a distance (scaled) of five metres (5.0 m) to point "24" on the said plan; thence, in a north-easterly direction for a distance (scaled) of seven metres (7.0 m) to point "25" on the said plan; thence, in a north-westerly direction along the exterior face of the south-west wall at the rear of a group of six (6) duplex structure for a distance (scaled) of fifty-three metres (53.0 m) to point "26" on the said plan; thence, in a north-easterly direction along the exterior face of the north-west wall of a group of six (6) duplex structure to point "27" on the said plan; thence, in a south-easterly direction along the exterior face of the north-east wall of a group of six (6) duplex structure to point "28" on the said plan; thence, in a north-easterly direction for a distance of four metres (4.0 m) to point "29" on the said plan; thence, in another north-easterly direction forming an interior angle of 152° with the preceding course for a distance of nineteen metres (19.0 m) to point "30" on the said plan; thence, in an easterly direction forming an exterior angle of 105° with the preceding course for a distance of five metres (5.0 m) to point "31" on the said plan; thence, in a north-easterly direction forming an interior angle of 134° with the preceding course for a distance of seventeen metres (17.0 m) to point "32" on the said plan, the said point "32" being located on the exterior face of the building Brault-Clement Inc.; thence, in a north-westerly direction along the exterior face of the building Brault-Clement Inc.

for a distance of ten metres and five tenths (10.5 m) to point "33" on the said plan; thence, along the exterior face of the west side of the building Brault-Clement Inc. for consecutive distances (scaled) of eight metres and five tenths (8.5 m), fourteen metres (14.0 m), thirty-four metres and five tenths (34.5 m), fifteen metres (15.0 m), three metres (3.0 m) and eight metres (8.0 m) to point "34" on the said plan; thence, in a northerly direction for a distance (scaled) of seven metres (7.0 m) to point "35" on the said plan; thence, in a westerly direction along the exterior face of the south wall and its prolongation of a group of four (4) duplex structure for a distance (scaled) of thirty-eight metres (38.0 m) to point "36" on the said plan; thence, in a northerly direction along the exterior face of the west wall of a group of four (4) duplex structure and its prolongation for a distance (scaled) of fifteen metres (15.0 m) to point "37" on the said plan, the said point "37" coincides with the interior face of the sidewalk; thence, generally in an easterly direction along the interior face of the sidewalk for a distance (scaled) of twenty-three metres (23.0 m) to point "38" on the said plan; thence, in a northerly direction for a distance (scaled) of four metres and five tenths (4.5 m) to point "39" on the said plan; thence, in a westerly direction for a distance (scaled) of eight metres (8.0 m) to point "40" on the said plan; thence, in a south-westerly direction for a distance (scaled) on nine metres (9.0 m) to point "41" on the said plan; thence, in a westerly direction for a distance (scaled) of seven metres (7.0 m) to point "42" on the said plan; thence, in a south-westerly direction for a distance (scaled) of fifteen metres (15.0 m) to point "43" on the said plan; thence, in a north-westerly direction for a distance (scaled) of twenty-six metres (26.0 m) to point "44" on the said plan, the said point "44" being located on the inside face of the sidewalk; thence, generally in a westerly direction along the inside face of the sidewalk located on the south side of Shevchenko Boulevard for a distance (scaled) of one hundred and seventy-eight metres (178.0 m) to point "1", point of commencement, the whole as recorded by J.-Paul Arsenault, land surveyor at Montréal, in a description dated 6 May 1986 and bearing number 2469-1 of his minutes.

The perimeter hereinabove described determines an emplacement containing an area of nineteen thousand four hundred and five square metres (19 405 m²).

B — SECTORS E AND F

Starting at point "45" on the said plan, being the point of intersection of the prolongation of the exterior face of the south-west wall of the building Legion, Local 212, with the interior face of the sidewalk and being point of commencement; thence, generally in a westerly direction along the interior face of the sidewalk located on the north side of Shevchenko Boulevard for a distance (scaled) of one hundred and sixty-five metres (165.0 m) to point "46" on the said plan; thence, in a north-easterly direction forming an interior angle of 60° with the preceding course for a distance of fifteen metres (15.0 m) to point "47" on the said plan; thence, in an easterly direction forming an interior angle of 120° with the preceding course for a distance of ten metres (10.0 m) to point "48" on the said plan; thence, in another easterly direction forming an exterior angle of 146° with the preceding course for a distance of seventy-eight metres and five tenths (78.5 m) to point "49" on the said plan, the said point "49" being located on the exterior face of the building Couvre Plancher LaSalle Inc.; thence, along the south-west exterior face of the building Couvre Plancher LaSalle Inc. for consecutive distances (scaled) of thirty-two metres (32.0 m), three metres (3.0 m) and five metres (5.0 m) to point "50" on the said plan, being the south corner of the building Couvre Plancher LaSalle Inc.; thence, in a north-easterly direction along the exterior face of the building Couvre Plancher LaSalle Inc. for a distance (scaled) of twelve metres (12.0 m) to point "51" on the said plan; thence, in a southerly direction forming an interior angle of 55° with the preceding course for a distance of eighteen metres and five tenths (18.5 m) to point "52" on the said plan; thence, in another southerly direction forming an interior angle of 159° with the preceding course for a distance of eighteen metres and five tenths (18.5 m) to point "53" on the said plan, being the west corner of the building Legion, Local 212; thence, in a south-easterly direction along the south-west exterior face of the building Legion, Local 212 and its prolongation for a distance (scaled) of thirty-two metres (32.0 m) to point "45", point of commencement, the whole as recorded by J.-Paul Arsenault, land surveyor at Montréal, in a description dated 6 May 1986 and bearing number 2469-2 of his minutes.

The perimeter hereinabove described determines an emplacement containing an area of five thousand three hundred and five square metres (5 305 m²).

II — A certain parcel of land of rectangular figure affecting part of lot 1013 of the cadastre of the Parish of Lachine, Registration Division of Montreal, in the municipality of the "Ville de LaSalle".

Bounded to the north-west and the north-east by part of lot 1013, to the south-east by part of lot 1013 (proposed right of passage), (hereinafter described), to the south-west by part of lot 1013 (existing refuse basin).

Measuring three hundred and forty-two metres and seventy-three hundredths (342.73 m) to the north-west and the south-east, one hundred and thirty-two metres (132.0 m) to the north-east and the south-west.

Containing an area of forty-five thousand two hundred and forty square metres (45 240 m²).

A certain parcel of land of rectangular figure being part of lot 1013 of the cadastre of the Parish of Lachine, Registration Division of Montreal, in the municipality of the "Ville de LaSalle".

Bounded to the north-west by part of lot 1013, by another part of lot 1013 (existing refuse basin) and by another part of lot 1013 (hereinabove described), to the north-east and the south-east by part of lot 1013, to the south-west by des Trinitaires Boulevard (proposed).

Measuring four hundred and sixty-one metres and seventy-three hundredths (461.73 m) to the north-west and the south-east, nine metres and one tenth (9.1 m) to the north-east and the south-west.

Containing an area of four thousand two hundred and two square metres (4 202 m²).

The whole as shown in the description and plan prepared on 6 May 1986 by J-Paul Arsenault, land surveyor, and bearing number 2468 of his minutes.

III — A certain emplacement of rectangular figure composed of parts of lots 1021-1 and 1013 of the cadastre of the Parish of Lachine, Registration Division of Montreal, in the municipality of the "Ville de LaSalle".

Bounded to the north-west by parts of lots 1021-1 and 1013, to the north-east by part of lot 1021-1, to the south-east by part of lot 1021-1, by another part of lot 1021-1 (proposed right of passage), (hereinafter described) and by part of lot 1013, to the south-west by part of lot 1013.

Measuring two hundred and ninety metres (290.0 m) to the north-east and the south-west, one hundred and thirty metres (130.0 m) to the north-west and the south-east.

Containing an area of thirty-seven thousand and seven hundred square metres (37 700 m²).

The north-west limit of the emplacement hereinabove described is parallel to and at a distance of fifteen metres (15.0 m) from the three basins of Gas Metropolitan.

A certain parcel of land of trapezoidal figure being part of lot 1021-1.

Bounded to the north-west by part of lot 1021-1 (emplacement hereinabove described), to the north-east by part of lot 1021-1, to the south-east by Newman Boulevard, to the south-west by part of lot 1013.

Measuring ninety-one metres and seven tenths (91.7 m) to the south-west, by a width of nine metres and one tenth (9.1 m).

Containing an area of eight hundred and thirty-four square metres (834 m²).

The whole as shown on plan number 011/A0, file 046560 and prepared by André Marsan & Associés Inc., attached to the description prepared on 6 May 1986 by J-Paul Arsenault, land surveyor, and bearing number 2470 of his minutes.