

PLANS OF THE TOWN

17. Section 53 of the act 58 Victoria, chapter 55, is repealed. 58 V., c. 55,
s. 53, re-
pealed.

18. For the purpose of opening or widening any street, lane or public place indicated on the said plans or maps, the town may, by expropriation, notwithstanding any law to the contrary governing the town, or by mutual agreement, acquire and take possession of all the immoveables situated within the limits of the town required for the opening or widening of the said streets, lanes or public places. The town shall be bound to effect such opening or widening within two years following the presentation of a petition to the council to that end, signed by a number of proprietors owning more than one-half of the whole front line of any such street, lane or public place as indicated on said plans or maps or by those representing or administering the said bordering properties or who are interested therein as tutors, administrators, guardians, institutes, curators, trustees or in any other capacity; in any case the corporation shall be bound to expropriate within five years after application shall have been made to it in writing by any of the parties interested above mentioned, in default whereof the portion of the plan on account of which such a petition for expropriation has been made shall no longer be binding. Expropria-
tion for cer-
tain pur-
poses.

When streets
&c., to be
opened, &c.

19. This act shall come into force on the day of its sanction. Coming into
force.

CHAP. 53

An Act to incorporate the town of Notre Dame de Grâces

[Assented to 9th March, 1906]

WHEREAS the corporation of the village of Notre Dame de Grâces West has, by petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, and has prayed to be incorporated as a town, in accordance with the provisions of the Cities and Towns' Act, 1903, and to be given certain powers not granted by the said act; and whereas it is expedient to grant the prayer of the said petition;

Preamble.
Grâces West has, by petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, and has prayed to be incorporated as a town, in accordance with the provisions of the Cities and Towns' Act, 1903, and to be given certain powers not granted by the said act; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec. enacts as follows:

Territory
erected into
a town.
Name.
Name of cor-
poration.

1. The territory comprised within the limits of the present municipality of Notre Dame de Grâce West is erected into a town municipality under the name of the "Town of Notre Dame de Grâce", and the inhabitants of the said municipality are constituted a town corporation under the name of the "Town of Notre Dame de Grâce."

Law to
govern.

2. The town shall be governed by the provisions of the act 3 Edward VII, chapter 38, "Cities and Towns' Act, 1903," except in so far as the same may be derogated from by the present act or by such of its provisions as may be inconsistent therewith.

Existing
procès ver-
bauz, &c.

3. All *procès verbaux*, assessment-rolls, title-deeds, by-laws, orders, lists, rolls, plans of the town, resolutions, ordinances, agreements, undertakings and all other municipal acts whatsoever, done and consented to by the council of the said village, shall continue to have full effect until repealed, amended, set aside or executed.

Outstanding
notes, &c.

4. All notes, bonds, securities or debentures, as well as all warranties and all contracts and undertakings whatsoever, subscribed, accepted, endorsed, issued or contracted by the said council, until the coming into force of this act, shall continue to have their lawful effect, notwithstanding the promulgation of the present act.

Town suc-
ceeds to vil-
lage in all its
rights.

5. The town of Notre Dame de Grâce hereby established succeeds to all the rights and obligations of the village of Notre Dame de Grâce West.

Valuation of
farming
lands, &c., in
event of an-
nexation to
city of Mont-
real.

6. In the event of the annexation of the present municipality to the city of Montreal, all land under cultivation or farmed, or serving as pasturage for farm stock, and all uncleared land or wood land situate within the limits of the said municipality of Notre Dame de Grâce, all agricultural implements, farm stock, etc., used in farming such lands shall be valued for municipal purposes as farm property only and shall not be taxed by the said city of Montreal for such municipal purposes for any amount exceeding one quarter per cent. of their said valuation, so long as such lands, etc., shall be used for farming.

First elec-
tion under
act.

7. The first election for aldermen in the town shall take place on the thirtieth day following the coming into force of this act.

Returning
officer for
first election.

8. The returning officer for such first election shall be a person appointed by the Lieutenant-Governor in Council.

9. The territory of the town shall be divided into seven wards, as hereinafter set forth: Division into wards:

Ward No. 1 shall comprise all the territory bounded as follows: Ward No. 1; to the southeast by the Lachine canal, on the northeast by the Côte Saint Paul road, on the northwest by the Lachine road, on the southwest by the division line between the official numbers 176 and 177 of the parish of Montreal and the prolongation of such line to the Lachine canal;

Ward No. 2 shall comprise all the present territory of the Ward No. 2; town situate to the northeast of the Notre Dame de Grâces road and the prolongation of the said road to the northwest limits of the town, and bounded on the northwest by the northwest limits of the town and to the southeast by the Upper Lachine road;

Ward No. 3 shall comprise all the territory situate to the Ward No. 3; southwest of the Notre Dame de Grâces road and its prolongation extending to the northwestern and southwestern limits of the town, and bounded on the south by the Côte Saint Luc road;

Ward No. 4 shall comprise all the territory bounded to the Ward No. 4; north by the Côte Saint Luc road, to the northeast by the Notre Dame de Grâces road, to the southeast by the Upper Lachine road, to the southwest by the division line between the official numbers 176 and 176b on one side, and on the other by Nos. 66, 176a and 177 of the parish of Montreal and the prolongation of the said line to the Lachine canal;

Ward No. 5 shall comprise all the territory bounded by the Ward No. 5; southwest limits of No. 4 and extending to the northeastern limits of lot No. 156 of the parish of Montreal and the prolongation of such line to the Lachine canal and on the northwest and southeast by the limits of the town;

Ward No. 6 shall comprise all the territory bounded to the Ward No. 6; northeast by ward No. 5, to the southwest by the division line between Nos. 147 and 149 of the parish of Montreal and its prolongation to the Lachine canal, on the northwest and southeast by the limits of the town;

Ward No. 7 shall comprise all the territory bounded on the Ward No. 7. northeast by lot No. 6, on the northwest, southwest and southeast by the limits of the town.

10. Each of such wards shall be represented by one alderman. Representation of wards.

11. The mayor shall be chosen from among the aldermen, Election of mayor. and be elected by them at the first general or special meeting of the council held after the general elections for aldermen or after any vacancy in the office of mayor.

3 Ed. VII, c.
38, art. 108,
replaced, for
town.

Qualification
of mayor and
aldermen.

12. Article 108 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

“**108.** No person shall be either nominated or elected mayor or alderman or occupy such office unless he, during the twelve months immediately preceding the day of his nomination, has been seized of and has possessed, as proprietor, in his own name or in that of his wife, immoveable property in the municipality of the value of five thousand dollars, after payment or deduction of all charges imposed thereon; such qualification required by this article to be established by the valuation roll in force at the date of the nomination.”

By-law for
determining
line of build-
ings, &c.

13. In addition to the powers conferred by article 383 of the aforesaid act, the council may make, amend and repeal by-laws for the purpose of determining the line of buildings, and fixing places where such buildings, houses and dependencies shall be erected.

Id., 475, re-
placed for
town.

Taxation of
certain lands.

14. Article 475 of the said act is replaced, for the town, by the following:

“**475.** All land under cultivation or farmed or used as pasture for cattle, as well as all uncleared land or wood lots within the limits of the municipality, shall be taxed for an amount not exceeding one-quarter of one per cent.

Amendment
of valuation
roll in case
of building
lots being
detached
from farm
lands.

The council may cause to be added to the valuation roll or to be struck therefrom, at any time, by the assessors in office on the valuation by them made, any portion of such land which has been detached therefrom as a building lot, and shall thus have become liable to taxation after the closing of the valuation roll, and to exact the said tax as upon all other lots entered on the said roll.”

Id., 519, re-
placed for
town.

Power to
borrow for
certain pur-
poses.
Proviso.

15. Article 519 of the said act is replaced, for the town, by the following:

“**519.** The council may borrow, from time to time, various sums of money for improvements in the municipality and generally for all objects within its jurisdiction, provided the aggregate amount of such loans shall not amount to a total representing more than ten per cent. of the value of the taxable immoveables of the municipality entered on the valuation roll.”

Id., 525, re-
placed for
town.
How loans
effected.

16. Article 525 of the said act is replaced, for the town, by the following:

“**525.** Loans, whether by the issue of bonds, obligations or debentures or otherwise, for any amount exceeding that mentioned in the foregoing article are only made under a by-law of the council to that effect, approved by a majority in number

and in real value of the proprietors who are municipal electors and who have voted."

17. Article 531 of the said act is replaced, for the town, by the following: Id., 531, replaced, for town.

"**531.** Subject to the application of articles 519 and 525 of the act 3 Edward VII, chapter 38, as amended by this act, every by-law authorizing a loan shall be submitted for the approval of the electors, in accordance with articles 354 to 367 of this act, within thirty days after the council has passed the same." Approval required of by-law authorizing loans.

18. The act 40 Victoria, chapter 40, is repealed; the act 40 V., c. 40, 4 Edward VII, chapter 68, shall in future be read as applying to the town of Notre-Dame de Grâces instead of the village of Notre-Dame de Grâces West. repealed, and application of 4 Ed. VII, c. 68, to town.

19. It shall be lawful for all owners of lots immediately adjoining and contiguous to the limits of the town of Notre Dame de Grâces and situate in a rural municipality, upon notice being given by such owners to the municipal authorities of the town, and with the consent of the said authorities, signified by a by-law passed by them to that effect in the usual manner, to ask and obtain that such owner or owners be included within the town limits, and so on in succession in the case of other owners of property adjoining property so successively included within the town limits as aforesaid; and, when the including of such lots shall have been declared by by-law as above prescribed, the said owners, whose properties shall be so included within the town limits, shall have and possess all municipal privileges, and be subject to all the by-laws, obligations, duties and charges imposed on persons and property originally included within the town limits. Annexation of lots adjoining town.

20. Article 386 of the act 3 Edward VII, chapter 38, is amended, for the town, by adding the following clause thereto: 3 Ed. VII, c. 38, art 386, amended for town.

"33. To expropriate private streets or avenues that may exist or be opened on lands and lots situate in the municipality and charge the cost of such expropriation upon the owners of lots fronting or bordering on the said streets or avenues, provided such by-law be passed at the written request of the majority in number and in value of the owners of lots bound by this section to bear the cost of such expropriation." Expropriation of streets, &c.

21. This act shall come into force on the day of its sanction. Coming into force.