

R.S.Q., chapter C-11.4

CHARTER OF VILLE DE MONTRÉAL

[...]

CHAPTER VI

TECHNOPARC SAINT-LAURENT

232.

The city may, by by-law, acquire, by agreement or expropriation, any immovable situated in the territory described in the second paragraph for the purposes of alienating it in favour of Technoparc Saint-Laurent for the establishment of a high technology park.

The territory referred to in the first paragraph shall be established pursuant to the Schedule to chapter 69 of the Statutes of 1992 respecting Technoparc Saint-Laurent which continues to apply for that purpose.

233.

All appropriations referred to in the acquisition by-law must derive from the general fund of the city.

Before the by-law provided for in section 232 is passed, Technoparc Saint-Laurent shall provide the city with an amount of money or an irrevocable letter of credit issued by a bank, a savings and credit union or a trust company, for an amount equal to the amount established by the expropriation by-law.

The by-law provided for in section 232 must indicate the amount referred to in the preceding paragraph or indicate that the irrevocable letter of credit has been received.

234.

The city shall become the owner of an expropriated immovable from the day of registration in the land register of the notice of expropriation together with

1) proof establishing that the provisional indemnity has been paid to the expropriated party or deposited, on his or her behalf, at the office of the Superior Court ; and

2) proof of the service on the expropriated party of the notice of expropriation.

The notice of expropriation must be accompanied by the text of this section regarding the immediate transfer of title and must omit the second provision of subparagraph 3 of the first paragraph of section 40 of the Expropriation Act (chapter E-24), regarding contestation of the right to expropriate.

Section 44 of the Expropriation Act does not apply to any expropriation made under this Act.

235.

The city's offer may not exceed the standardized value of the immovable.

The provisional indemnity of the expropriated party shall be equal to 90% of the city's offer.

The provisional indemnity for a lessee or occupant in good faith, even if he or she operates a business or an industry, shall be equal to three months' rent.

In the case of a commercial or industrial operation, the provisional indemnity shall include an amount equal to 25% of the rental value entered on the roll of rental values.

The period during which an expropriated party may remain in possession of the expropriated immovable may not exceed three months from the date of service of the notice of expropriation.

The period during which a lessee or occupant in good faith may remain in possession of the immovable may not exceed three months from the date of service of a notification to that effect.

The city may take possession of the immovable only after paying the provisional indemnity to the lessee or occupant in good faith or depositing the amount at the office of the Superior Court.

236.

Once the city has become the owner of an immovable under section 234, the city may alienate it to Technoparc Saint-Laurent.

Technoparc Saint-Laurent must pay the city an amount equal to the difference between the city's offer and the final indemnity granted by the court of last instance or fixed after agreement between the parties to the expropriation proceedings, and the interest and costs.

The amount must be paid within sixty days after notice to that effect is served on Technoparc Saint-Laurent by the city.

The agreement referred to in the second paragraph must be authorized by Technoparc Saint-Laurent.

237.

The amount corresponding to the difference between the city's offer and the final indemnity as well as the interest and other costs shall be, from 1 January 1994, deemed to be a property tax secured by a prior claim constituting a real right, on all movable and immovable property of Technoparc Saint-Laurent.

The city may renounce all or part of the prior claim in respect of the property affected by the prior claim.

238.

Technoparc Saint-Laurent may, with the city's authorization, alienate any immovable acquired under section 236, for the purpose of establishing a high technology park or for related purposes, even if the payment referred to in section 236 has not yet been made.

239.

If the city takes back an immovable alienated under this Act, it may, with the authorization of the Minister of Economic and Regional Development and Research and the Minister of Municipal Affairs and Regions, dispose of it in favour of a third party for the same purposes as those provided for in section 232, or it may use it for municipal purposes.

[...]

241.

Sections 232 to 239 have effect notwithstanding the Act to preserve agricultural land and agricultural activities (chapter P-41.1).

Where the city acquires, by expropriation, an immovable situated in an agricultural zone, the owner of the immovable may, within 30 days after the notice of expropriation is served, exclude the immovable from the agricultural zone by filing a notice to that effect with the registry office. A copy of that notice shall be served on the Commission de protection du territoire agricole du Québec and on the city.

Filing the notice with the registry office shall have the same effect as a decision of the Commission excluding the immovable from the agricultural zone at the request of the owner.

For the purposes of establishing the expropriation indemnity, the immovable shall be considered never to have been included in the agricultural zone.