



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 206

(Private)

An Act respecting Ville de Mont-Tremblant

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(Private)

AN ACT RESPECTING VILLE DE MONT-TREMBLANT

WHEREAS it is in the interest of Ville de Mont-Tremblant that it be granted certain powers and that certain deeds be validated ;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Ville de Mont-Tremblant may prescribe in the zoning or subdivision by-law, as the case may be, as a requisite condition for the issue of a building permit or for the approval of a plan relating to a cadastral operation, that the owner undertake to gratuitously create a real servitude in favour of the city for the purposes referred to in section 117.1 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1).

For the purposes of sections 117.1 to 117.15 of that Act :

(1) a corridor for recreational and sports activities is considered to be a park ;

(2) the development of a parcel of land includes the construction of works related to pedestrian and vehicular traffic in a corridor referred to in subparagraph 1 ; and

(3) a servitude created in favour of the city is considered to be a parcel of land transferred to the city.

2. Notwithstanding section 117.15 of the said Act, the city may transfer gratuitously to the social trust referred to in section 4 an immovable acquired for the purposes of establishing or enlarging a park or playground or for the preservation of a natural area. The fund referred to in that section may be used to grant a subsidy to the trust.

Every decision of the council having as its object the transfer of an immovable or the payment of a subsidy referred to in the first paragraph requires the authorization of the Minister of Municipal Affairs and Greater Montréal.

The city may also use the fund for the purposes mentioned in section 117.15 in relation to immovables in respect of which an agreement has been made with a school board, a regional county municipality, the Government or any of its ministers or bodies.

3. Resolution 2001-1027 of Ville de Mont-Tremblant passed on 10 December 2001 approving the lease of a parcel of land and ratifying the contracts granted and expenses incurred, may not be invalidated on the grounds that

(1) work was carried out on a parcel of land which did not belong to the city;

(2) a contract was not awarded in accordance with section 573.1 of the Cities and Towns Act (R.S.Q., chapter C-19);

(3) the making of the contract was not authorized by the council;

(4) the resolution was not passed in accordance with section 2 of the Municipal Works Act (R.S.Q., chapter T-14); or

(5) the lease to which Resolution 2001-1027 refers has effect as of 1 April 2001.

4. The trust deed creating the Domaine Saint-Bernard social trust, executed on 20 November 2000 before François Rainville, notary, under number 10960 of his minutes and published on 22 November 2000 at the registry office of the registration division of Terrebonne under registration number 1243992, may not be invalidated on the ground that the former Municipalité de Mont-Tremblant constituted a trust patrimony and transferred to that distinct patrimony all its rights of ownership attached to Domaine Saint-Bernard.

5. An act whereby a servitude was created as of 1 January 1992 in favour of the former Municipalité de Mont-Tremblant or Ville de Mont-Tremblant for the purposes referred to in section 117.1 of the Act respecting land use planning and development, and the acts performed by those municipalities to achieve those purposes, may not be invalidated on the ground that the law did not enable them to require the creation of the servitude.

No illegality or irregularity may result from the fact that the municipalities spent moneys taken out of the fund referred to in section 117.15 of the Act respecting land use planning and development on the site of such a servitude.

6. Section 2 has effect from 22 November 2000.

7. This Act comes into force on 20 December 2001.