



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 237

(Private)

An Act respecting Municipalité de Saint-Donat

Introduced 10 November 2005

Passage in principle 9 December 2005

Passage 9 December 2005

Assented to 13 December 2005

**Québec Official Publisher
2005**

Bill 237

(Private)

AN ACT RESPECTING MUNICIPALITÉ DE SAINT-DONAT

AS it is in the interest of Municipalité de Saint-Donat that it be granted certain powers and that certain acts be validated;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité de Saint-Donat may prescribe in its zoning or subdivision by-law, as a prerequisite 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 an immovable of the municipality 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).

The servitude may also be created prior to an application for the issue of a building permit or for the approval of a plan relating to a cadastral operation. Any such contribution is to be credited when an application for the issue of a building permit or for the approval of a plan relating to a cadastral operation is filed.

In all cases, the reference values are those that apply on the date the application for the issue of a building permit or for the approval of a plan relating to a cadastral operation is filed.

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 an immovable of the municipality is considered to be a parcel of land transferred to the municipality.

2. A deed under which a servitude was created, on or after 13 June 2002, in favour of an immovable of the municipality for the purposes referred to in section 117.1 of the Act respecting land use planning and development, or in

anticipation of such purposes, and the acts performed by the municipality to achieve those purposes may not be invalidated on the ground that the law did not enable the municipality to require the creation of a servitude.

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

3. This Act comes into force on 13 December 2005.