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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 791

**An Act to allow public transit  
authorities to develop real estate  
projects near or above their public  
transit infrastructures**

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**Introduction**

**Introduced by  
Mr. Monsef Derraji  
Member for Nelligan**

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**Québec Official Publisher  
2024**

## **EXPLANATORY NOTES**

*This bill amends the Act respecting public transit authorities and the Act respecting the Réseau de transport métropolitain to specify that a public transit authority and the Réseau de transport métropolitain (Network) have all the powers necessary to carry out real estate projects near or above their infrastructures as well as the management and operating activities of their immovable assets.*

*The bill also provides that a public transit authority and the Réseau de transport métropolitain may unite with a private-sector enterprise to design, build and operate a real estate development project near or above their public transport infrastructures and to design and build a project to integrate a real estate development with their infrastructures. For that purpose, the bill provides that a transit authority and the Network shall adopt rules relating to the selection of partners and projects to ensure fairness among interested enterprises, transparency and healthy competition.*

*The bill provides that a transit authority and the Network shall, in conjunction with their strategic plans, produce real estate development plans. It specifies that their capital expenditures programs shall be produced in accordance with the real estate development plan.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Act respecting the Réseau de transport métropolitain (chapter R-25.01);
- Act respecting public transit authorities (chapter S-30.01).

## Bill 791

### AN ACT TO ALLOW PUBLIC TRANSIT AUTHORITIES TO DEVELOP REAL ESTATE PROJECTS NEAR OR ABOVE THEIR PUBLIC TRANSIT INFRASTRUCTURES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE RÉSEAU DE TRANSPORT MÉTROPOLITAIN

**1.** Section 9 of the Act respecting the Réseau de transport métropolitain (chapter R-25.01) is amended

(1) by replacing “Sections 92.1 to 108.2” by “The second paragraph of section 86 as well as sections 92.1 to 108.2”;

(2) by adding the following paragraph at the end:

“The rules adopted by the Network under the second paragraph of section 92.4 of that Act shall be approved by the board of directors of the Network.”

**2.** The heading of Division IV of Chapter III of the Act is amended by adding “AND REAL ESTATE DEVELOPMENT PLAN” at the end.

**3.** The Act is amended by inserting the following section after section 18:

“**18.1.** A transit authority shall produce a real estate development plan in conjunction with its organizational strategic plan for the same period covered by the latter plan.”

**4.** Section 19 of the Act is amended by inserting “, its real estate development plan” after “with its strategic plan”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

**5.** Section 86 of the Act respecting public transit authorities (chapter S-30.01) is amended by adding the following paragraph at the end:

“The transit authority also has all the powers necessary to carry out real estate projects near or above its infrastructures as well as the management and operating activities of its immovable assets.”

**6.** Section 92.4 of the Act is amended

(1) by inserting the following paragraph after the first paragraph:

“A transit authority may also unite, gratuitously, with a private-sector enterprise to design, build and operate a real estate development project near or on top of its public transport infrastructures and to design and build a project to integrate a real estate development with its infrastructures. It shall adopt rules relating to the selection of partners and projects to ensure fairness among interested enterprises, transparency and healthy competition, which must be approved by the council of the city.”;

(2) by inserting “or second” after “the first” in the second paragraph.

**7.** The Act is amended by inserting the following paragraph after section 131:

**“131.1.** A transit authority shall, in conjunction with its strategic plan referred to in section 130 or 130.1, produce a real estate development plan for the next five years.”

**8.** Section 132 of the Act is amended by inserting “and its real estate development plan” at the end of the first paragraph.

**9.** Section 158.3 of the Act is amended by inserting “or to carrying out a real estate project referred to in the second paragraph of section 86” after “subway network” in the first paragraph.

**10.** Section 162.7 of the Act is amended by inserting “or to carrying out a real estate project referred to in the second paragraph of section 86” after “tramway network” in the first paragraph.

FINAL PROVISION

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