



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 210
(Private)

An Act respecting the subdivision of a lot located in the Maison Roussil protection area in Terrebonne and partly in the Maison Bélisle protection area in Terrebonne

Introduction

**Introduced by
Mr. Mathieu Lemay
Member for Masson**

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Bill 210

(Private)

AN ACT RESPECTING THE SUBDIVISION OF A LOT LOCATED IN THE MAISON ROUSSIL PROTECTION AREA IN TERREBONNE AND PARTLY IN THE MAISON BÉLISLE PROTECTION AREA IN TERREBONNE

AS, on 6 June 1972, by resolution of the Commission des monuments historiques du Québec and with the owner's consent, the following was classified as a historic monument:

“A stone house dating from around 1823, the “Maison ROUSSIL”, corresponding to numbers 870-872 Rue Saint-Louis in Terrebonne and located on a part of original lot number two hundred seventy (Pt. 270) of the official cadastre of Ville de Terrebonne, registration division of Terrebonne”;

AS the classification was made under Order in Council 1832-72 dated 28 June 1972, a copy of which was registered at the registry office of Terrebonne on 8 August 1972 under number 406 220;

AS, on 25 August 1973, by decision of the Minister of Cultural Affairs of Québec, on the advice of the Commission des biens culturels and by virtue of the powers vested by the Cultural Property Act (1972, chapter 19), the following immovable was classified as a historic monument:

“A stone house, owned by Wilfrid Bélisle, the “Maison Bélisle”, corresponding to number 844 Rue Saint-François in Terrebonne and located on lot two hundred ninety-three (293) and part of lot two hundred ninety-four (Pt. 294) of the official cadastre of Ville de Terrebonne, registration division of Terrebonne”;

AS the classification was made under a decision of the Minister of Cultural Affairs of Québec dated 30 October 1973 under file number 111-010, a copy of which was registered at the registry office of Terrebonne on 2 November 1973 under number 429 883;

AS the notices of classification for “Maison Roussil” and “Maison Bélisle” were registered against original lot 269 of the official cadastre of Ville de Terrebonne, registration division of Terrebonne, under numbers 467 123 and 544 545, respectively, since original lot 269 of the official cadastre of Ville de Terrebonne is totally and partially located in the protection area of the said historic monuments;

AS, on 15 November 2012, the Syndicat de la copropriété Les berges de l'étang acquired lot 5 001 932 of the cadastre of Québec, registration division of Terrebonne, from Conrad Therrien to install a community garden there for the benefit of the co-owners of Les berges de l'étang co-ownership, thus establishing a real and perpetual non-construction servitude on the said lot to maintain the current state of the premises;

AS, after the acquisition of lot 5 001 932 of the cadastre of Québec, registration division of Terrebonne, the declaration of Les berges de l'étang co-ownership was amended to include, for each of the 18 private portions, a right of use of the community garden;

AS the sale, the servitude of non-construction and the amendment to the declaration of co-ownership were registered at the registry office of the registration division of Terrebonne under numbers 19 566 873 and 19 651 925, respectively;

AS lot 5 001 932 of the cadastre of Québec, registration division of Terrebonne, is located in the "Maison Roussil" protection area and partly in the "Maison Bélisle" protection area, both houses being classified as heritage immovables within the meaning of the Cultural Heritage Act (chapter P-9.002);

AS section 49 of the Cultural Heritage Act states that no person may divide, subdivide, redivide or parcel out a lot, make a construction, as defined by regulation of the Minister, or demolish all or part of an immovable in a protection area without the Minister's authorization;

AS, on 3 October 2012, prior to the acquisition of lot 5 001 932 by the Syndicat de la copropriété Les berges de l'étang, a cadastral operation that subdivided lot 2 438 361 of the cadastre of Québec, registration division of Terrebonne (formerly original lot 269), to create lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne, was carried out;

AS, prior to the subdivision of lot 2 438 361 of the cadastre of Québec, registration division of Terrebonne, the Minister's authorization required under section 49 of the Cultural Heritage Act was not obtained;

AS section 196 of the Cultural Heritage Act provides that the division, subdivision, redivision or parcelling out of land in contravention of section 49 or 64 may be annulled and that any interested party, including the Minister, may apply to the Superior Court for a declaration of nullity;

AS it is important to the owners that the failure to obtain the required authorization prior to the cadastral operation that created the lots henceforth known and designated as lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne, be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite section 196 of the Cultural Heritage Act (chapter P-9.002), the subdivision of lot 2 438 361 of the cadastre of Québec, registration division of Terrebonne, and, consequently, the creation of lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne, cannot be annulled on the ground that the authorization under section 49 of that Act was not obtained.
- 2.** This Act must be registered at the registry office of the registration division of Terrebonne and the appropriate entries registered against lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne.
- 3.** This Act comes into force on (*insert the date of assent to this Act*).

