



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 224

(Private)

**An Act respecting the subdivision of a lot
located in the Maison Louis-Degneau
protection area and partly in the Maison
de Saint-Hubert protection area**

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Passed in principle 8 December 2017

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Assented to 8 December 2017

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(Private)

AN ACT RESPECTING THE SUBDIVISION OF A LOT LOCATED IN THE MAISON LOUIS-DEGNEAU PROTECTION AREA AND PARTLY IN THE MAISON DE SAINT-HUBERT PROTECTION AREA

AS, on 16 September 1960, the Commission des monuments et sites historiques ou artistiques classified “Maison Prévost”, a stone house, owned by Antoine Prévost and located in the parish of Saint-Hubert, county of Chambly, on part of lot 86 of the official cadastre of the parish of Saint-Hubert, now known as “Maison Louis-Degneau”, as a historic monument, by resolution and with the owner’s consent;

AS, on 25 October 1960, by Order in Council 1834, the Office of the Conseil exécutif approved the classification;

AS Order in Council 1834 was registered at the registry office of the registration division of Chambly in Longueuil on 17 November 1964 under number 248199;

AS, on 17 November 1964, the registrar of the registration division of Chambly registered a notice in the land register under number 248200, classifying Maison Prévost as a historic monument and site;

AS, on 30 November 1961, the Commission des monuments historiques classified “Maison des Sœurs-du-Sacré-Cœur-de-Jésus”, a house it owned, located in the municipality of the parish of Saint-Joseph de Chambly, on part 456 of lot 86 of the official cadastre of the parish of Saint-Hubert, now known as “Maison de Saint-Hubert”, as a historic monument, by resolution;

AS, on 17 January 1962, by Order in Council 50, the Office of the Conseil exécutif approved the classification;

AS, on 1 May 1965, the registrar of the registration division of Chambly registered a notice, to which Order in Council 50 was attached, in the land register under number 254824, classifying Maison des Sœurs-du-Sacré-Cœur-de-Jésus as a historic monument and site;

AS, on 28 October 1975, the Minister of Cultural Affairs of Québec gave notice that the Maison Prévost and Maison des Sœurs-du-Sacré-Cœur-de-Jésus protection areas covered all or part of numerous lots of the official cadastre of the parish of Saint-Hubert, registration division of Chambly;

AS the said notices of the Minister of Cultural Affairs of Québec were registered at the registry office of the registration division of Chambly on 31 October 1975, in particular under numbers 439038 and 439045;

AS, on 25 June 2014, 9290-0455 Québec Inc. acquired an immovable known and designated as lot 5137040 of the cadastre of Québec, registration division of Chambly, from 9270-1747 Québec Inc.;

AS the agreement of sale was registered at the registry office of the registration division of Chambly on 27 June 2014 under number 20872724;

AS the immovable is located in the protection area of Maison Louis-Degneau and partly in the protection area of Maison de Saint-Hubert, both of which are classified heritage immovables within the meaning of the Cultural Heritage Act (chapter P-9.002);

AS section 49 of the Cultural Heritage Act stipulates 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 26 August 2014, as part of a cadastral operation, lot 5137040 of the cadastre of Québec, registration division of Chambly, was subdivided by the creation of lots 5557044, 5557045, 5557046, 5557047, 5557048, 5557049, 5557050, 5557051, 5557052 and 5557053 of the cadastre of Québec, registration division of Chambly;

AS, prior to the subdivision of lot 5137040, 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 9290-0455 Québec Inc. sold lot 5557045 of the cadastre of Québec, registration division of Chambly, to 9295-2613 Québec Inc. by a deed of sale registered at the registry office of that registration division on 19 December 2014 under number 21967770;

AS 9290-0455 Québec Inc. sold lot 5557046 of the cadastre of Québec, registration division of Chambly, to Giannina Denisse Trabucco Villanueva by a deed of sale registered at the registry office of that registration division on 24 November 2015 under number 21982801;

AS 9290-0455 Québec Inc. sold lot 5557047 of the cadastre of Québec, registration division of Chambly, to Érick Leblanc-Tardif by a deed of sale registered at the registry office of that registration division on 15 June 2015 under number 21615212;

AS 9290-0455 Québec Inc. sold lot 5557048 of the cadastre of Québec, registration division of Chambly, to Diane Pauzé and Dominique Prévost by a deed of sale registered at the registry office of that registration division on 5 October 2015 under number 21878096;

AS 9290-0455 Québec Inc. sold lot 5557049 of the cadastre of Québec, registration division of Chambly, to Anthony G. Desjardins, Alejandra Molina Gomez and others by a deed of sale registered at the registry office of that registration division on 28 October 2015 under number 21924250;

AS 9290-0455 Québec Inc. sold lot 5557050 of the cadastre of Québec, registration division of Chambly, to Marie-Aude Giguère by a deed of sale registered at the registry office of that registration division on 29 June 2015 under number 21657643;

AS 9290-0455 Québec Inc. sold lot 5557051 of the cadastre of Québec, registration division of Chambly, to Kelly Rivest by a deed of sale registered at the registry office of that registration division on 19 December 2014 under number 21267769;

AS 9290-0455 Québec Inc. sold lot 5557052 of the cadastre of Québec, registration division of Chambly, to Jean-Marie Bourque and Jacqueline Lemyre by a deed of sale registered at the registry office of that registration division on 28 October 2015 under number 21923416;

AS 9290-0455 Québec Inc. sold lot 5557053 of the cadastre of Québec, registration division of Chambly, to Francine Chaput and Luc Bourbonnière by a deed of sale registered at the registry office of that registration division on 5 November 2015 under number 21946223;

AS it is important to the owners that the failure to obtain the required authorization prior to the cadastral operation that created the immovables henceforth known and designated as lots 5557044, 5557045, 5557046, 5557047, 5557048, 5557049, 5557050, 5557051, 5557052 and 5557053 of the cadastre of Québec, registration division of Chambly, be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

I. Despite section 196 of the Cultural Heritage Act (chapter P-9.002), the subdivision of lot 5137040 of the cadastre of Québec, registration division of Chambly, and, consequently, the creation of lots 5557044, 5557045, 5557046, 5557047, 5557048, 5557049, 5557050, 5557051, 5557052 and 5557053 of the cadastre of Québec, registration division of Chambly, cannot be cancelled on the ground that the authorization required under section 49 of that Act was not obtained.

2. This Act must be registered at the registry office of the registration division of Chambly and the appropriate entries registered against lots 5557044, 5557045, 5557046, 5557047, 5557048, 5557049, 5557050, 5557051, 5557052 and 5557053 of the cadastre of Québec, registration division of Chambly.

3. This Act comes into force on 8 December 2017.

