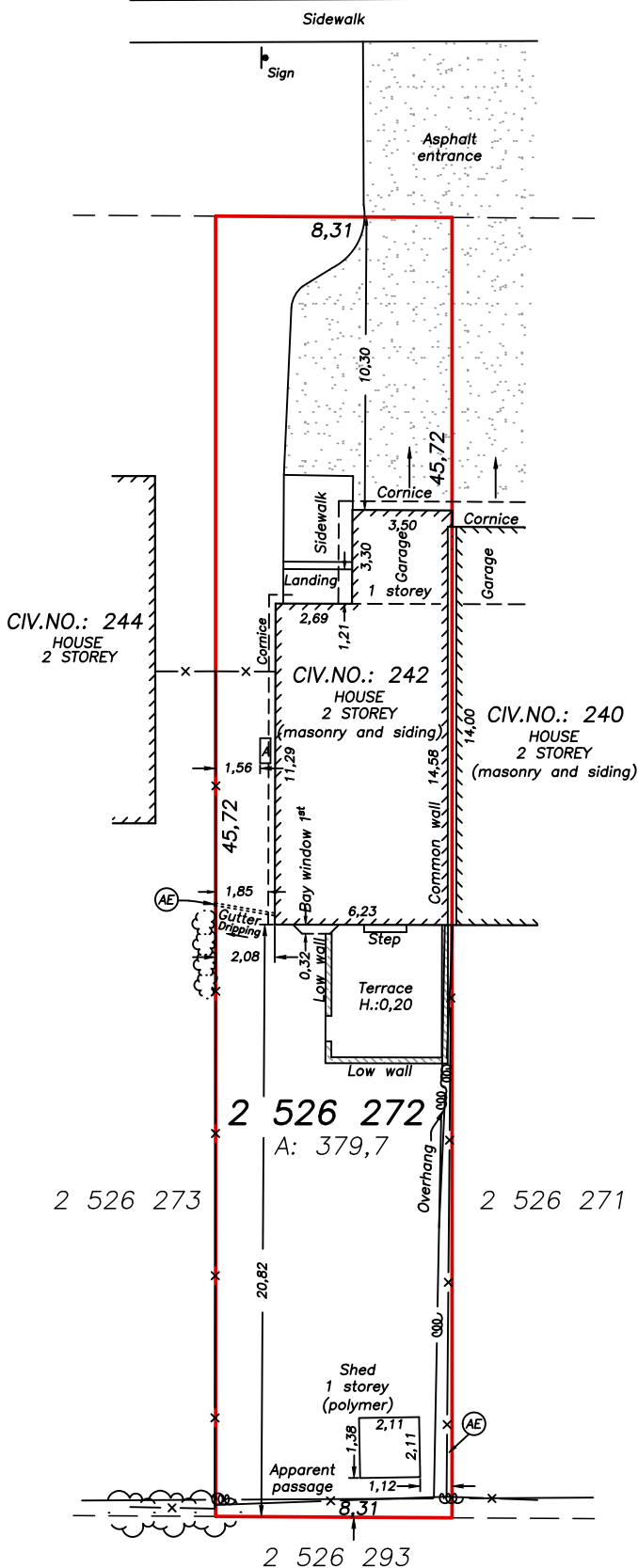


AVENUE STILLVIEW  
2 526 794



Municipal zone : Rc10  
Airport zoning : YES ☐ NO ☒  
Field work, October 3, 2024

LEGEND

- PROPERTY LIMIT
- LOT LIMIT
- FENCE
- HEDGE
- HOUSE
- OVERHEAD WIRES
- HEAT PUMP OR AIR CONDITIONING SYSTEM
- APPEARANCE OF ENCROACHMENT

BENOIT PÉLOQUIN



Arpenteur-géomètre inc.

Quebec Land Surveyor

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Dossier File 240460 Minute 1046

Signed in Dorval October 10, 2024

PAUL DESCHAMPS a.-g. / q.l.s.

Copie conforme/True copy

Plan

LOCATION CERTIFICATE

Cadastre

CADASTRE DU QUÉBEC

Lot(s)

2 526 272

Municipalité  
Municipality

VILLE DE POINTE-CLAIRE

Circon. Foncière  
Reg. division

MONTREAL

Échelle  
Scale 1:250 IS

Note(s)

This plan and the accompanying report form an integral part of the location certificate which was prepared for the purpose of an immovable transaction by the mandator mentioned in the report and for the financing required for such immovable transaction. It must not, at any time, be used or invoked for any other purposes without the written authorisation of the undersigned.

The dimensions between the building and the property limit were taken from the foundation.

Canada  
Province of Québec  
Registry Division of Montréal

**LOCATION CERTIFICATE**  
**Report**

**1. MANDATE**

At the request of Lisa Shaughnessy, I prepared this document in which I give my opinion on the present situation of the property hereinafter mentioned, in relation to the property deed, the cadastre and the laws and by-laws affecting it, the whole in the meaning of the *Regulation respecting standards of practice for location certificates* (CQLR c.A-23, r.10).

**2. UPDATED PROPERTY DESCRIPTION, AGREEMENT WITH THE DEED, CADASTRE AND OCCUPATION.**

**2.1 Updated property description**

The immovable property is known within the limits of the cadastre du Québec, registry division of Montréal, as being:

**Lot 2 526 272**

Bounded towards the NORTH-EAST by lot 2 526 794 (avenue Stillview), measuring 8,31 metres in this limit.

Bounded towards the SOUTH-EAST by lot 2 526 271, measuring 45,72 metres in this limit.

Bounded towards the SOUTH-WEST by lot 2 526 293, measuring 8,31 metres in this limit.

Bounded towards the NORTH-WEST by lot 2 526 273, measuring 45,72 metres in this limit.

Containing an area of 379,7 square metres.

**2.2 Agreement between the limits, the dimensions and area(s) measured on the site, written on the title and on the cadastral plans**

The limits, the dimensions and area(s) measured on the site are in agreement with the limits, the dimensions and area(s) referred on the deed, mentioned on the renovated cadastral plan and on the former cadastral plan.

### **2.3 Agreement between the limits measured on the site and the occupation**

The occupation marks are approximately in conformity with the property limits measured on the site, save and except the elements mentioned in paragraph 7.2.1. and the SOUTH-WEST fence situated within the limits of the present property.

### **3. SITE-SURVEY OPERATIONS**

On October 3, 2024, I took on the site the measurements required to verify the occupation and the boundaries of the property.

### **4. PROPERTY DEED**

The searches at the land register were executed on September 23, 2024.

Lisa Shaughnessy is the owner of the property according to a deed of sale which was registered on April 25, 2013, under number 19 885 688.

### **5. CADASTRAL HISTORIC**

The present property has been registered at the land register as follows:

Part of lot 131 cadastre of the parish of Pointe-Claire, on November 2, 1877.

Part of lot 131-108 cadastre of the parish of Pointe-Claire, on June 28, 1976.

Lot 131-114 cadastre of the parish of Pointe-Claire, on June 13, 1980.

Lot 2 526 272 cadastre du Québec, on November 12, 2003.

### **6. REGISTERED SERVITUDES**

There is no servitude registered as such on the land register that concerns the present property, save and except the following deed(s):

**3 305 137**: Servitude of views.

**2 612 394**: Cancellation of the servitude in favour of Hydro-Québec and Bell Canada registered under number 849 360.

**222 599**: Uncertain right.

However, a complete title search done by a notary may reveal additional rights affecting the present property.

**7. APPARENT CHARGES: VIEWS, OPENINGS, ENCROACHMENTS AND OTHER OBSERVATIONS**

**7.1 Views**

In my opinion there is no direct view in favour or against the present property in the meaning of articles 993 and 994 of the *Civil Code of Quebec*.

**7.2 Appearance of encroachments**

**7.2.1 Appearance of encroachments concerning the property limits**

The SOUTH-EAST fence is situated on and within the limits of the present property, in such a manner that part of the neighbour's back yard is occupying a part of the present lot.

The center line of the NORTH-WEST hedge is situated outside the limits of the present property.

Part of one of the NORTH-WEST gutters is situated upon the neighbour's lot 2 526 273.

**7.2.2 Other appearance of encroachments**

There is no other apparent encroachment affecting the present property.

**7.3 Other observations**

Some overhead wires supplying the neighbour's lot 2 526 271 overhang a part of the present lot.

One of the NORTH-WEST gutters of the present property's house is not constructed in such a manner that the rain fall on lot 2 526 272 in the meaning of article 983 of the Civil Code of Québec.

There exists along the SOUTH-WEST limit of the present property an apparent passage for the maintenance of some public utilities equipments.

Subject to the foregoing, there is no other apparent charge that would likely be subject to a servitude and that may affect the immovable property.

**8. DESCRIPTION OF THE BUILDING**

The house with garage bearing civic number 242 avenue Stillview, ville de Pointe-Claire, is a one and two storey structure of masonry and siding exterior, with measurements as shown on the attached plan. Its ancillary building is a one storey shed of polymer exterior.

## **9. COMMON WALL**

The SOUTH-EAST wall is presumed common in the meaning of article 1003 of the *Civil Code of Québec* on a length of 14,00 metres.

## **10. ACTUAL CONDITION OF IMMOVABLE ACCORDING TO CERTAIN LAW OR REGULATION WHICH MAY AFFECT IT.**

### **10.1 Municipal regulation**

#### **10.1.1 Compliance of the position of structures, buildings and dependencies**

The present property is situated in the Rc10 zone. In my opinion, the position of the structures, building and its dependencies in relation to the boundaries of the immovable property, meet the requirements of the present municipal zoning by-law, save and except the following element:

- The distance between the house and the NORTH-WEST limit of the present property (2,08 metres) is less than the minimum setback required by the present zoning by-law (3,00 metres).
- The distance between the house's cornice and the NORTH-WEST limit of the present property (1,85 metres) is less than the minimum setback required by the present zoning by-law (2,40 metres).

However, according to article 11.3 of the present zoning By-law:

*“Une construction dérogatoire ne jouit de droits acquis qu’en autant qu’elle a déjà fait l’objet d’un permis légalement émis en vertu d’un règlement de zonage antérieur au présent règlement”*

The fact that the location of the house and its cornice are protected by acquired rights remains to be established.

When preparing a location certificate only the position of structures from the property limits is verified. All other by-law restrictions concerning the position of structures or dependencies from each other, their area, their maximal or minimal dimensions, their height, their clearance or occupation ratio are not the object of the present report.

#### **10.1.2 Heritage property, protected area or heritage site**

The property is not a heritage property described in the current zoning by-law.

The present property is not situated within a protected area or heritage site mentioned by the municipal zoning by-law.

### **10.1.3 High current flood zone**

The present property is not situated in whole or in part within the high current flood zone under the *Règlement sur les activités dans les milieux humides, hydriques et sensibles* (RLRQ, c. Q-2, r. 0.1).

### **10.1.4 Low current flood zone**

The present property is not situated in whole or in part within the low current flood zone in the meaning of the *Règlement sur les activités dans les milieux humides, hydriques et sensibles* (RLRQ, c. Q-2, r. 0.1).

#### **10.1.4.1 Flooded territory**

The present property is not situated in whole or in part within the flooded territory as defined in the “*Règlement sur les activités dans les milieux humides, hydriques et sensibles*” (RLRQ, c. Q-2, r. 0.1).

### **10.1.5 Riverbank**

The present property is not affected by the riverbank regulation in the meaning of the “*Règlement sur les activités dans les milieux humides, hydriques et sensibles*” (RLRQ, c. Q-2, r. 0.1).

### **10.1.6 Risk Zone**

The present property is not situated in whole or in part within a risk zone mentioned by the municipal zoning by-law.

### **10.1.7 Protected zone**

The present property is not situated in whole or in part within a protected zone mentioned by the municipal zoning by-law.

## **10.2 Cultural heritage**

There is no notice registered on the land register stipulating that the immovable property is heritage property or located in whole or in part within a protected area or heritage site under the *Cultural Heritage Act* (CQLR, c.P-9.002).

## **10.3 Expropriation**

There is no notice of expropriation or reserve for public purposes registered as such on the land register which affect the present property.

## **10.4 Agricultural land**

The immovable property is not located within an agricultural zone under the *Act respecting the preservation of agricultural land and agricultural activities* (CQLR, c.P-41.1).

### **10.5 Housing Complex**

There is no apparent element of a housing complex in the meaning of article 45 of the *Act respecting the Administrative Housing Tribunal* (CQLR, c. T-15.01).

### **10.6 Airport Zoning Regulation**

The present property is not located in whole or in part within an airport site established by a regulation made under the *Aeronautics Act* (R.S.C. 1985, c. A-2).

### **10.7 Flood Zone**

The present property is not located in whole or in part within a flood zone mapped out under the Canada-Québec agreement on mapping and floodplain protection and to sustainable water resources development, signed in 1976, as amended.

However, the information concerning the flood zone areas shown on those maps correspond to theoretical probabilities of flood occurrences under open water conditions. If the property is shown in a flood risk area, there is no certainty that it will be flooded in any one year but rather an annual probability of it being so: similarly, if it is shown outside a flood risk area, there is no certainty of it never being flooded but rather a much lower probability of it being so.

## **11. BOUNDARY PROCEDURE**

There is no boundary procedure registered as such on the land register which affect the present property.

## **12. NOTES**

I verified the elements mentioned at subparagraphs 1 to 23 of the first paragraph of section 9 of the *Regulation respecting standards of practice for location certificates*.

I personally took knowledge of the observations in regard to the elements referred to in subparagraphs 9 and 13 to 17 of the first paragraph of section 9 of the *Regulation on standards of practice for the location certificates* and have validated them.

All dimensions in this report and plan are metric measures.

This report and the accompanying plan form an integral part of the location certificate which was prepared for the purpose of an immovable transaction by the mandator hereinabove mentioned and for the financing required for such immovable transaction. It must not, at any time, be used or invoked for any other purposes without the written authorisation of the undersigned.

Signed in Dorval, this October 10, 2024, under number 1046 of my minutes and filed under number 240460 of my files.

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⌋

True copy

Paul Deschamps  
Quebec Land Surveyor