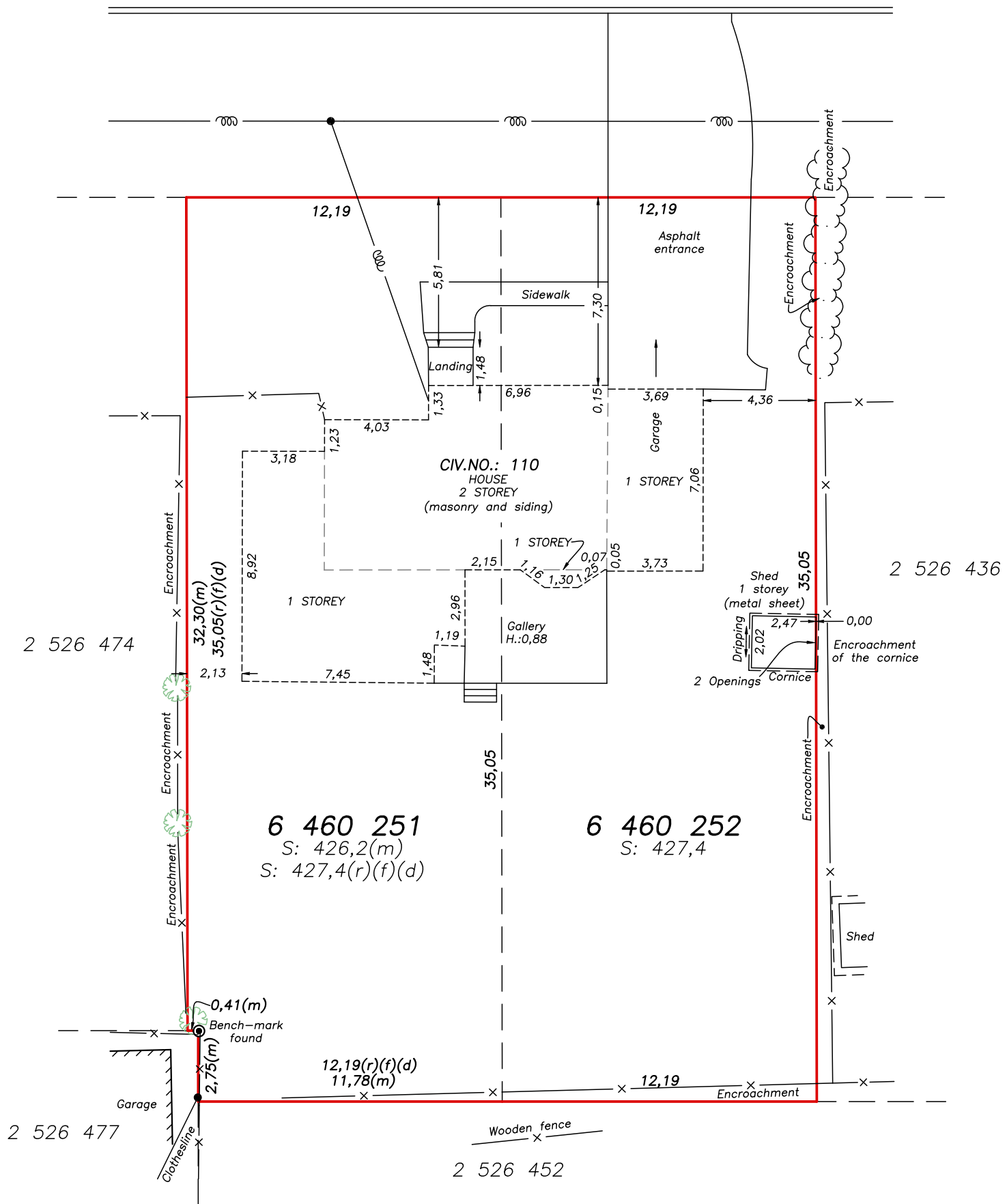


AVENUE DE BRESLAY
2 526 801



LEGEND	
	PROPERTY LIMIT
	LOT LIMIT
	SERVITUDE
	FENCE
	HEDGE
	HOUSE (siding)
	OVERHEAD WIRES
	ELECTRICAL POST
	TREE
(m)	MEASUREMENT TAKEN ON THE SITE
(r)	MEASUREMENT ACCORDING TO THE RENOVATED CADASTRE
(f)	MEASUREMENT ACCORDING TO THE FORMER CADASTRE
(d)	MEASUREMENT ACCORDING TO THE DEED

Municipal zone : Ra3
Airport zoning : YES NO
Field work, June 8, 2021

 BENOIT PÉLOQUIN Arpenteur-géomètre inc. Quebec Land Surveyor		575, avenue Marshall, bureau 101 Dorval, Qc, H9P 1E1 Tel. 514-695-9889 www.bparpenteurgeometre.com
Plan <h3 style="text-align: center;">LOCATION CERTIFICATE</h3>		
Cadastre	CADASTRE DU QUÉBEC	
Lot(s)	6 460 251 and 6 460 252	
Municipalité Municipality	VILLE DE POINTE-CLAIRE	
Circon. Foncière Reg. division	MONTREAL	Échelle Scale 1:200 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 siding.	

Dossier File	210540	Minute 295
Signed in Dorval November 23, 2021		
PAUL DESCHAMPS a.-g. / q.l.s.		
Copie conforme/True copy		

Canada
Province of Québec
Registry Division of Montréal

LOCATION CERTIFICATE
Report

1. MANDATE

At the request of Bonnie GOODMAN, 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 6 460 251

Bounded towards the EAST by lot 2 526 801 (avenue De Breslay), measuring 12,19 metres in this limit.

Bounded towards the SOUTH by lot 6 460 252, measuring 35,05 metres in this limit.

Bounded towards the WEST by lot 2 526 452, measuring 11,78 metres in this limit according to the dimensions taken on the site, compared to 12,19 metres according to the renovated cadastre, the former cadastre and the deed.

Bounded towards the NORTH by lot 2 526 477, measuring 2,75 metres in this limit, then bounded towards the WEST by lot 2 526 477, measuring 0,41 metres in this limit and bounded towards the NORTH by lot 2 526 474, measuring 32,30 metres in this limit according to the dimensions taken on the site, compared to 35,05 metres according to the renovated cadastre, the former cadastre and the deed.

Containing an area of 426,2 square metres according to the measurements taken on the site, compared to 427,4 square metres according to the renovated cadastre, the former cadastre and the deed.

AND

Lot 6 460 252

Bounded towards the EAST by lot 2 526 801 (avenue De Breslay), measuring 12,19 metres in this limit.

Bounded towards the SOUTH by lot 2 526 436, measuring 35,05 metres in this limit.

Bounded towards the WEST by lot 2 526 452, measuring 12,19 metres in this limit.

Bounded towards the NORTH by lot 6 460 251, measuring 35,05 metres in this limit.

Containing an area of 427,4 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, save and except the discrepancies mentioned in the hereinabove paragraphs. These discrepancies are caused by the presence of mark of occupation at the NORTH-WEST corner of lot 6 460 251. These marks of occupation are a bench-mark as well as fences.

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 save and except the WEST wooden fence situated outside the limits of the present property.

3. SITE-SURVEY OPERATIONS

On June 8, 2021, 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 November 19, 2021.

Bonnie GOODMAN is the owner of the property according to a deed of sale which was registered on June 29, 1989, under number 4 173 076 and a declaration of transmission which was registered on February 10, 2021, under number 26 053 955.

5. CADASTRAL HISTORIC

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

Part of lot 4 cadastre of the village of Pointe-Claire, on November 2, 1877.

Lots 4-207 and 4-208 cadastre of the village of Pointe-Claire, on September 26, 1911.

Lot 2 526 438 cadastre du Québec, on November 12, 2003.

Lots 6 460 251 et 6 460 252 cadastre du Québec, on October 26, 2021.

6. REGISTERED SERVITUDES

There is no servitude registered as such on the land register that concerns the present property.

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*, save and except the following element:

- There exists on the present shed's SOUTH side, two openings situated at a distance less than prescribed by the law to lot 2 526 436.

7.2 Encroachments and/or potential encroachments

7.2.1 Encroachments and/or potential encroachments concerning the property limits

Part of the cornice of the shed erected upon the present property is encroaching upon lot 2 526 436.

Part of the SOUTH hedge is encroaching upon lot 2 526 801 (avenue De Breslay).

The remaining part of the SOUTH hedge is situated on and outside the limits of the present property, in such a manner that part of the present property's front yard is occupying a part of the neighbour's lot.

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

The WEST fence is situated 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 NORTH fences (along lot 2 526 474) are situated outside the limits of the present property, in such a manner that part of the present property's side yard and back yard is occupying a part of the neighbour's lot.

7.2.2 Other Encroachments

There is no other apparent encroachment affecting the present property.

7.3 Other observations

The roof of the present property's shed is not constructed in such a manner that the rain and snow fall on lot 6 460 252 in the meaning of article 983 of the Civil Code of Québec.

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 110 avenue De Breslay, 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 metal sheet exterior.

9. COMMON WALL

There is no common wall in the meaning of article 1003 of the *Civil Code of Québec*.

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

10.1 Municipal regulation

The present property is situated in the Ra3 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 elements:

- The distance between the house and the EAST limit of the present property (7,30 metres) is less than the minimum setback required by the present zoning by-law (7,50 metres).
- The distance between the landing and the EAST limit of the present property (5,81 metres) is less than the minimum setback required by the present zoning by-law (5,90 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; ou qu’elle ait été érigée avant le 25 février 1972, date d’entrée en vigueur du règlement de zonage numéro 1608.”

The fact that the location of the house and the landing is protected by article 11.3 remains to be established.

- The distance between the shed and the SOUTH limit of the present property (0,00 metre) is less than the minimum setback required by the present zoning by-law (1,00 metre).

Only the position of structures from the property limits is verified by the undersigned. 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.

The present property is not situated, in whole or in part, within a protected zone, a protective strip of land, a flood zone or a risk zone established by the municipal zoning by-law.

The present property is not subject to the municipal by-law concerning the riparian buffer strip.

The present property is not situated, in whole or in part, within a protected zone or a historic site mentioned in 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.

10.8 Boundary Procedure

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

11. 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 November 23, 2021, under number 295 of my minutes and filed under number 210540 of my files.

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True copy

Paul Deschamps
Quebec Land Surveyor