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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 224

(Private)

**An Act respecting the conversion  
of the immovable belonging to  
Société d'Amélioration Milton Parc Inc.  
to co-ownership by declaration**

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**Introduction**

**Introduced by  
Mr Jacques Chagnon  
Member for Saint-Louis**



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## Bill 224

(Private)

### **An Act respecting the conversion of the immovable belonging to Société d'Amélioration Milton Parc Inc. to co-ownership by declaration**

WHEREAS in the sixties Domaines Concordia Limitée acquired a whole neighbourhood at the foot of Mount Royal, on the northern edge of downtown Montréal, so as to erect a high-density, high-rise residential and commercial complex known as Complexe La Cité;

Whereas despite the efforts of the neighbourhood residents who formed the Milton Parc Citizens' Committee to protect the social fabric and physical environment of their community, 250 dwellings were demolished and traffic was rerouted to make way, from 1973 to 1976 for Phase I of the development project, composed of a five tower complex containing a hotel, shopping mall, offices and apartments;

Whereas continuing efforts by residents to save their neighbourhood despite that initial set back, increasing interest from all levels of government, and feasibility studies showing that existing grant programs could finance the purchase and renovation of neighbourhood properties by cooperatives and non-profit associations, all led to the acquisition by Canada Mortgage and Housing Corporation in May 1979 of the properties which had not yet been developed;

Whereas Canada Mortgage and Housing Corporation, having bought the properties only in order to assist the residents in preserving the Milton Parc neighbourhood and creating affordable dwellings of good quality, also supported the creation of a non-profit association to help coordinate their activities in organizing, applying for grants and administering the renovated properties;

Whereas in October 1980, Canada Mortgage and Housing Corporation transferred all its rights in the properties to Société d'Amélioration Milton Parc Inc., the body mandated to co-ordinate all the steps leading the implementation of the ten-point action plan agreed to by the community;

Whereas the action plan focussed on two central themes: conservation and renovation of the architectural heritage using all available human, technical and financial resources and preservation of the economic and cultural characteristics of the Milton Parc neighbourhood through organizations whereby the residents take control of their future and that of their community;

Whereas having successfully completed the conservation and renovation phase, and respecting the express wish of the residents, Société d'Amélioration Milton Parc Inc. now wishes to complete the many faceted economic and cultural phase of the action plan devised in 1979 by transferring the properties acquired from Canada Mortgage and Housing Corporation to the housing cooperatives and non-profit associations which administer the properties;

Whereas co-ownership by declaration is the most appropriate legal vehicle to ensure not only the survival of the architectural uniqueness in the Milton Parc neighbourhood, but more importantly, the future of an actively participating community whose housing needs had been ignored in a speculative real estate development project, since it allows for legitimate limitations on ownership rights by way of the definition of destination of the immovable and by the sovereign decision-making powers of the assembly of co-owners;

Whereas on 19 December 1986, Société d'Amélioration Milton Parc Inc. received offers to purchase the said properties on the basis of proposed co-ownership established by declaration, which had already been studied by the community, from the majority of cooperatives and non-profit associations which presently administer the properties for the benefit of neighbourhood residents;

Whereas it is desirable for the foregoing reasons, and notwithstanding sections 51 to 54 of the Act respecting the Régie du logement (R.S.Q., chapter R-8.1), that a declaration of co-ownership in accordance with articles 441*b* to 442*p* of the Civil Code of Lower Canada be registered against the immovable of Société d'Amélioration Milton Parc Inc.;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Notwithstanding sections 51 to 54 of the Act respecting the Régie du logement, Société d'Amélioration Milton Parc Inc. is authorized to register a declaration of co-ownership in accordance with the provisions of articles 441*b* to 442*p* of the Civil Code of Lower Canada in respect of its immovable, which is to be identified according to section 19.2 of the Cadastre Act (R.S.Q., chapter C-1) and which is composed of lots and parts of lots described as follows:

DESCRIPTION

An immovable situated in the municipality and registration division of Montréal and composed of the lots and parts of lots hereinafter enumerated, all such lots and parts of lots forming part of the official cadastre of the Saint-Laurent ward of the said municipality, to wit:

A- Enclosed by Jeanne-Mance street, Prince-Arthur street, Sainte-Famille street and Des Pins avenue: lots 42-1; 42-2; 42-3; 42-4; 42-5; 42-6; part of lot 42-7, measuring forty feet (40') in frontage and at the back for the whole depth of the said lot and bounded on the northeast by Sainte-Famille street, on the southwest by lot 42-11 (lane), on the northwest by the residue of lot 42-7 and on the southeast by lot 42-6; part of lot 42-8, measuring forty feet (40') in frontage and at the back for the whole depth of the said lot and bounded on the northeast by Sainte-Famille street, on the southwest by lot 42-11 (lane), on the northwest by lot 42-9, and on the southeast by the residue of lot 42-8; part of lot 42-9, measuring forty feet (40') in frontage and at the back for the whole depth of the said lot and bounded on the northeast by Sainte-Famille street, on the southwest by lot 42-11 (lane), on the northwest by the residue of lot 42-9 and on the southeast by lot 42-8; lots 42-17B; 42-12-1; 42-18; 42-19; 42-20; 42-21; 42-22; 42-23; 42-24; 42-25; 42-28-1; 42-28-2; 42-28-3; 42-28-4; 42-28-5; 42-28-6; 42-28-7; 42-28-8; 42-28-9; 42A-2C; 42A-3, 42A-4, 42A-5; 42A-6; 42A-7; 42A-8; 42A-9; 42A-10; 42A-11; 42B-1-1; 42B-1-2; 42B-1-3; 42B-1-4; 42B-1-5; 42B-1-6; 42B-1-7; 42B-1-8; 42B-1-9;

B- Enclosed by Prince-Arthur street, Sainte-Famille street, Milton street and Jeanne-Mance street: part of lot 42B-2, measuring thirty feet (30') in frontage and at the back for the whole depth of the said lot and bounded on the southwest by Jeanne-Mance street, on the northeast by lot 76-14, on the northwest by the residue of the said lot 42B-2 (Prince Arthur street) and on the southeast by lot 42B-3;

lots 42B-3, 42B-4, 42B-5, 42B-6, 42B-7, 42B-8, 42B-9, 42B-10, 42B-11, 42B-12; part of lot 42B-13, measuring thirty feet (30') in frontage and at the back for the whole depth of the said lot and bounded on the southwest by Jeanne-Mance street, on the northeast by lot 76-25, on the northwest by Jeanne-Mance street, on the northeast by lot 76-25, on the northwest by lot 42B-12 and on the southeast by the residue of the said lot 42B-13 (Milton street); part of lot 76-1, measuring twenty-eight feet and seven tenths (28.7') in frontage and twenty-nine feet and three tenths (29.3') at the back for the whole depth of the said lot and bounded on the northeast by Sainte-Famille street, on the southwest by lot 76-13 (lane), on the northwest by lot 76-2 and on the southeast by the residue of the said lot 76-1 (Milton street); lots 76-2, 76-3, 76-4, 76-5, 76-6, 76-7, 76-8, 76-9, 76-10, 76-11; part of lot 76-12, measuring twenty feet and eight inches (20' 8") in frontage and twenty feet and six inches (20' 6") at the back for the whole depth of the said lot and bounded on the northeast by Sainte-Famille street, on the southwest by lot 76-13 (lane), on the northwest by the residue of the said lot 76-12 (Prince-Arthur street) and on the southeast by lot 76-11; part of lot 76-14, measuring thirty feet (30') in frontage and at the back for the whole depth of the said lot and bounded on the southwest by lot 42B-2, on the northeast by lot 76-13A (lane), on the northwest by the residue of the said lot 76-14 (Prince-Arthur street) and on the southeast by lot 76-15); lots 76-15, 76-16, 76-17, 76-18, 76-19, 76-20, 76-21, 76-22, 76-23, 76-24; part of lot 76-25, measuring thirty feet (30') in frontage and at the back for the whole depth of the said lot and bounded on the southwest by lot 42B-13, on the northeast by lot 76-13A (lane), on the northwest by lot 76-24 and on the southeast by the residue of the said lot 76-25 (Milton street);

C- Enclosed by Prince-Arthur street, Jeanne-Mance street, Milton street and Du Parc avenue: lots 43-25A, 43-25B, 43-26A, 43-26B, 43-26C, 43-27A, 43-27B, 43-27, 43-28; part of lot 43-36, measuring ten feet (10') wide for a depth of two hundred and fifty-six feet and sixty-two hundredths (256.62') and bounded on the southeast by lot 43-23 (Milton street), on the northwest by lot 43-36-1, on the southwest by part of lot 44-1A (lane) and on the northeast by lots 43-24-1, 43-25-1, 43-25A, 43-25B, 43-26A, 43-26B, 43-26C, 43-27A, 43-27B, 43-27 and 43-28; part of lot 44-1A, measuring ten feet (10') wide for a depth of two hundred and fifty-six feet and sixty-two hundredths (256.62') and bounded on the southeast by Milton street, on the northwest by another part of lot 44-1A, on the southwest by lots 44-10, 44-11, 44-12, 44-13, 44-14, 44-15, 44-16, 44-17 and 44-18 and on the northeast by lot 43-36 (lane); lots 44-10, 44-11, 44-12 and 44-13;

D- Enclosed by Milton street, Hutchison street, Prince-Arthur street and Du Parc avenue: part of lot 44-69, measuring approximately three feet (3') in frontage and four feet (4') at the back for the whole depth of the said lot and bounded on the northeast by lot 44-60 (Du Parc avenue), on the southwest by lot 44-82 (lane), on the northwest by lot 44-69-1 and on southeast by lot 44-70; lots 44-70, 44-71, 44-72, 44-73, 44-74, 44-75, 44-76, 44-77, 44-78, 44-79, 44-80, 44-81; part of lot 44-82 bounded on the northeast by lots 44-69 to 44-81 inclusively, on the southwest by lots 44-130 to 44-142 inclusively, on the northwest by lot 44-82-1 and on the southeast by lot 44-129 (Milton street); lots 44-130, 44-131, 44-132, 44-133, 44-134, 44-135, 44-136, 44-137, 44-138, 44-139, 44-140, 44-141, 44-142, 44-143; part of lot 44-144 bounded on the northeast by lot 44-82-1, on the southwest by lot 44-150 (Hutchison street), on the northwest by the residue of lot 44-144 and on the southeast by lot 44-143;

E- Enclosed by Prince-Arthur street, Hutchison street, Des Pins avenue and Du Parc avenue: lots 2-8, 2-9, 2-10, 2-11; part of lot 45-3-1 bounded in front on the southwest by Hutchison street and on the southwest, for a distance of sixteen feet and six hundredths (16.06'), by the residue of the said lot 45-3-1, on the northeast by lot 45-10 (lane), on the southeast by lot 45-3-2 and on the northwest by lot 45-2; lots 45-3-2, 45-4-1, 45-4-2, 45-5, 45-6-1, 45-6-2, 45-7-1, 45-7-2, 45-8-1, 45-8-2, 45-9, 45-10, 45-11, 45-12, 45-13, 45-14, 45-15, 45-16; part of lot 46 bounded on the southwest by another part of the said lot (Hutchison street), on the northeast by another part of the said lot 46 (Du Parc avenue) for a distance of ninety-one feet and one hundredth (91.01'), on the southeast by other parts of the said lot 46 belonging to the Propriétés Cité Concordia Limitée and others and on the northwest by lots 45-9, 45-10 and 45-18.

WITH the constructions erected thereon, buildings and appurtenances, and subject to any continued or discontinued, visible or invisible servitudes affecting the immovable located at the following addresses: 356, 360 Des Pins avenue in Montréal; 206, 208 Prince-Arthur street in Montréal; 201, 211, 215, 221, 271, 273, 285, 357, 385 Milton street in Montréal; 3509, 3511, 3513, 3517, 3519, 3523, 3525, 3527, 3529, 3531, 3535, 3539, 3545, 3547, 3549, 3555, 3561, 3687, 3689, 3691, 3693, 3695, 3697, 3699, 3701, 3703, 3705, 3707, 3709, 3711, 3713, 3715, 3717, 3719, 3721, 3723, 3725, 3727, 3729, 3731, 3733, 3735, 3737, 3739, 3741, 3743, 3745 Hutchison street in Montréal; 3500, 3501, 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3511A, 3512, 3513, 3514, 3515, 3515A, 3516, 3518, 3520, 3522, 3524, 3526, 3658,

3660, 3662, 3664, 3666, 3668, 3670, 3672, 3674, 3676, 3690, 3692, 3694, 3700, 3702, 3704, 3706, 3708, 3710, 3712, 3714, 3716, 3718, 3720, 3724, 3728, 3734 Du Parc avenue in Montréal; 3501, 3507, 3509, 3510, 3511, 3512, 3514, 3515, 3516, 3517, 3518, 3519, 3520, 3521, 3522, 3524, 3526, 3527, 3528, 3529, 3530, 3531, 3532, 3533, 3535, 3537, 3539, 3541, 3543, 3545, 3547, 3549, 3551, 3555, 3565, 3575, 3581, 3583, 3585, 3587, 3589, 3591, 3597, 3601, 3603, 3605, 3607, 3609, 3611, 3613, 3615, 3617, 3619, 3621, 3623, 3625, 3627, 3629, 3631, 3633, 3635, 3637, 3639, 3641, 3643, 3645, 3647, 3649, 3651, 3653, 3655, 3657, 3659, 3661, 3663, 3665, 3665A, 3667, 3669, 3671, 3673, 3675, 3677, 3679, 3681, 3683, 3685, 3687, 3689, 3691, 3693, 3695, 3697, 3699, 3701, 3701A, 3703, 3705, 3707, 3709, 3711, 3713, 3715, 3717, 3719, 3721, 3729, 3731, 3733 Jeanne-Mance street in Montréal; 3500, 3506, 3510, 3512, 3514, 3518, 3520, 3524, 3530, 3532, 3536, 3538, 3540, 3542, 3544, 3548, 3548A, 3550, 3554, 3556, 3558, 3562, 3564, 3566, 3570, 3572, 3576, 3578, 3580, 3582, 3584, 3586, 3588, 3590, 3592, 3592A, 3594, 3594A, 3596, 3598, 3600, 3602, 3604, 3606, 3608, 3610, 3612, 3616, 3620, 3626, 3630, 3634, 3638, 3642, 3646, 3650, 3652, 3658, 3664, 3666, 3670, 3674, 3682, 3686, 3690, 3694 Sainte-Famille street in Montréal.

**2.** The foregoing authorization will lapse if the declaration of co-ownership referred to in section 1 is not registered before 31 December 1987.

**3.** The declaration of co-ownership the registration of which is herein authorized must, while preserving the rights of present occupants and limiting speculation, promote access to quality dwellings for persons with low and moderate income, and must also preserve the architectural and socio-economic characteristics and cohesiveness of the Milton Parc neighbourhood.

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