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PRESS RELEASE
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Adoption of the Act respecting Ville de Sutton

Sutton, August 19, 2021—Last June, the Quebec National Assembly adopted and sanctioned Bill 214 entitled “[An Act respecting Ville de Sutton](#)”. This private act, requested by the current municipal council, was necessary to regularize a derogatory situation created by the cancellation of two urban planning by-laws in 2018.

Indeed, on September 11, 2018, the Quebec Court of Appeal rendered its decision in the case of Benoit et al. v. Town of Sutton (2018 QCCA 1475) by quashing and annulling two urban planning by-laws that had been adopted in 2015 by the previous municipal council of Mayor Louis Dandenault (2013–2017): By-law 254 (zoning) and By-law 256 (subdivision).

The cancellation of these two by-laws had created a situation of uncertainty as to the validity of interventions carried out in the meantime by certain owners on the territory of the Town of Sutton, insofar as these interventions were based on provisions initially provided for in by-laws 254 and 256. Interventions are understood to mean a construction, a work, a use, a cadastral operation or any other intervention of the same nature.

The Court of Appeal’s decision, by its retroactive effects, could have created derogatory situations causing serious prejudice to citizens who had acted in good faith between 2015 and 2018, in compliance with by-laws 254 and 256 then in force. However, in a democracy and in a state of law, no one can be penalized for an act done in compliance with a past law, but which is one day repealed.

Thanks to the steps taken by the current Town Council and the remarkable work of the parliamentary commission charged with legislating on the issue left in abeyance by the Quebec Court of Appeal, the continuity of the interventions accomplished between November 2, 2015 and September 18, 2018 by rule-abiding citizens is thus assured. Any concerned person may request a certificate from the Town attesting to the validity of an intervention made under this Act.

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Source:
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