



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 215
(Private)

An Act respecting Ville de Val-d'Or and the classified historic site of the mining village of Bourlamaque

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(Private)

An Act respecting Ville de Val-d'Or and the classified historic site of the mining village of Bourlamaque

WHEREAS the mining village of Bourlamaque is a classified historic site pursuant to an entry to that effect made in the register of cultural property on 1 June 1979 under number IV-071, and whereas a notice of such entry was registered in the registry office of the registration division of Abitibi under number 174012;

Whereas such classification took effect on 20 December 1978, that date being the date on which the notice of intention of the Minister of Cultural Affairs, now called the “Minister of Culture and Communications”, was sent to the owner of the immovable affected by the classification;

Whereas as of that date, the mining village of Bourlamaque was subject to the provisions of the Cultural Property Act (R.S.Q., chapter B-4) having regard to classified cultural property, and as a particular consequence, was subject to the requirement that various cadastral operations on the land situated on the site and various construction work on the immovables situated on the site be submitted for authorization to the Minister of Culture and Communications;

Whereas on 17 June 1979, in accordance with section 49 of the Cultural Property Act, as amended by section 21 of chapter 23 of the statutes of 1978, the Minister of Culture and Communications notified his approval of zoning By-law 790 and construction By-law 791 passed by Ville de Val-d'Or and that applied to the historic site of the mining village of Bourlamaque;

Whereas as a consequence of that approval, pursuant to the third paragraph of section 49 of the Cultural Property Act, as amended by section 21 of chapter 23 of the statutes of 1978, any operation subject to a regulatory provision approved by the Minister could not be undertaken in the mining village of Bourlamaque except in accordance with the terms and conditions provided for in the regulatory provision, and whereas such an operation no longer required the authorization of the Minister;

Whereas on 19 January 1981, the town council of Ville de Val-d'Or passed By-laws 869 and 870 which replaced By-laws 790 and 791, and whereas on 2 July 1985, the town council passed By-law 85-23 to amend By-law 869, but whereas, contrary to section 49 of the Cultural Property Act, as amended by section 21 of chapter 23 of the statutes of 1978, Ville de Val-d'Or did not submit the new by-laws for approval to the Minister of Culture and Communications;

Whereas on 2 June 1986, the town council of Ville de Val-d'Or passed By-law 86-33 to amend By-laws 869 and 870, but whereas, contrary to section 100 of the Cultural Property Act, enacted by section 41 of chapter 24 of the statutes of 1985, the town did not notify the Minister of Culture and Communications of the draft by-law;

Whereas municipal permits were issued in accordance with the terms and conditions of municipal By-laws 869, 870, 85-23 and 86-33;

Whereas the operations covered by the permits or, if applicable, that would also have been covered by the provisions of the Cultural Property Act having regard to authorizations of the Minister of Culture and Communications, were not authorized under that Act;

Whereas it is expedient to remedy any irregularities and illegalities that could be raised against acts performed pursuant to municipal By-laws 869, 870, 85-23 and 86-33;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. By-law 869 entitled *Règlement concernant la construction dans la Ville de Val-d'Or*, passed on 19 January 1981, By-law 870 entitled *Règlement concernant le zonage dans les limites de la Ville de Val-d'Or*, passed on 19 January 1981, and By-law 85-23 to amend By-law 870, passed on 2 July 1985, are validated to the extent that they were not submitted for approval to the Minister responsible for the application of the Cultural Property Act (R.S.Q., chapter B-4), now called the "Minister of Culture and Communications", as required

by section 49 of that Act, amended by section 21 of chapter 23 of the statutes of 1978.

2. By-law 86-33 to amend By-laws 869 and 870, passed on 2 June 1986, is validated to the extent that it was not the subject of a notice sent to the Minister of Culture and Communications as required by section 100 of the Cultural Property Act, enacted by section 41 of chapter 24 of the statutes of 1985.

3. The clerk shall enter a reference to this Act in the register of by-laws of the town council at the end of each by-law referred to in sections 1 and 2.

4. This Act does not affect any case pending on 4 December 1995.

5. This Act comes into force on 30 October 1996.