



CHAPTER 78

An Act to amend the charter of the city of Quebec, respecting building on lots adjoining the property of the National Battlefields Commission

[Assented to, the 1st of April, 1927]

WHEREAS the National Battlefields Commission has, Preamble.
by its petition, represented:

That it was incorporated by the Statutes of Canada, 7-8 Edward VII, chapters 57 and 58; 9-10 Edward VII, chapter 41; 1-2 George V, chapter 5; 4-5 George V, chapter 46, and 15-16 George V, chapter 47;

That it is entrusted with the keeping, maintenance and embellishment of the grounds in the city of Quebec known as "National Battlefields";

That, in order to attain its purpose, it requires to have its rights and powers, respecting building on lots adjoining its property, better defined;

Whereas it is expedient to grant the prayer contained in this petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 15 of the act 7 George V, chapter 59, as 7 George V, amended by section 8 of the act 13 George V, chapter 90, c. 59, s. 15, is replaced by the following sections: replaced.

15. It is forbidden to erect any building whatsoever Conditions for erection of buildings on avenues bordering National Battlefields:
on a zone of a hundred feet in width bordering the avenues, alleys or grounds forming or to form part of the National Battlefields:

a. Except if the building concerned be exclusively a dwelling-house, of a value of at least nine thousand dollars, detached, and built for one dwelling only, the exterior of which is at a distance of at least twenty feet from the property of the National Battlefields Commission, and at National Battlefields.

least six feet from the side lines of the site on which such house is to be built; but, in no event, whatever be the orientation and position of the site, shall the line separating such site from the property of the Commission be considered, for the present purpose, as the side line of the site, and

b. Except if the plans and specification of such dwelling-house, insofar as they refer to its general outward appearance and to the position which it is to occupy with respect to the Park, have been previously approved by the Commission.

Exceptions. “**15a.** Are excepted from the prohibitions of the previous section: (*a*) the lots and parts of lots forming part of the former Seminary Farm, which extend along the north side of the Park alley, known under the name of Bernières Avenue; (*b*) the lots and parts of lots adjoining the property of the Commission, which at present belong to the Reverend Dominican Fathers of the Quebec monastery, and this as long as they are the property of the said Dominican Fathers; (*c*) the lots and parts of lots on the south side of Grande-Allée, near St. Louis Gate, on the lot number four thousand four hundred and thirty-seven (4437) of the cadastre of the city of Quebec, which at present belong to the Quebec Skating Club, and this as long as they are the property of the said Quebec Skating Club.

Dependencies. “**15b.** The Commission may, notwithstanding the above prohibitions, permit, within the limits of said zone, (behind the houses which it permits to be erected) the erection of dependencies deemed useful, provided such dependencies do not in any way mar the aspect of the Park; but one dwelling-house only shall be constructed per site within the zone of one hundred feet above mentioned.

Demolition. “**15c.** The Superior Court of the district of Quebec may, at the request of the National Battlefields Commission, order the pulling down, at the expense of the proprietors of the lots, of all buildings that will be begun or erected in violation of the above provisions.

Inconsistent provisions of certain by-laws, repealed and replaced. “**15d.** The clauses of by-law No 45 of the former town of Montcalm and the clauses of by-laws 24N and 24T of the city of Quebec, relating to building on lots bordering Avenue des Braves and lots adjoining the property of the National Battlefields Commission, inconsistent with the provisions of sections 15 to 15c, inclusively, of this act, are accordingly repealed and replaced by the above provisions.”

Coming into force. **2.** This act shall come into force on the day of its sanction.