

Draft Regulations

Draft Regulation

The Education Act for Cree, Inuit and Naskapi Native Persons
(R.S.Q., c. I-14)

Naskapi Education Committee — Remuneration of the chairman and of other members

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the remuneration of the chairman of the Naskapi Education Committee and of the other committee members, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to fix the remuneration payable each year to the chairman of the Naskapi Education Committee and to the other committee members.

Further information may be obtained by contacting Mr. Paul Rémillard, Direction de la coordination des affaires autochtones, Ministère de l'Éducation, 1035, De La Chevrotière, 13^e étage, Québec (Québec), G1R 5A5; tel. (418) 643-6242.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, De La Chevrotière, 16^e étage, Québec (Québec), G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Regulation respecting the remuneration of the chairman of the Naskapi Education Committee and of the other committee members

The Education Act for Cree, Inuit and Naskapi Native Persons
(R.S.Q., c. I-14, s. 194*)

1. The remuneration that the Central Québec School Board may pay each year to the members of the Naskapi

Education Committee, as of the 1998-1999 school year, is \$1 277 for the chairman and \$794 for the other members.

2. The remuneration of the chairman and of the other committee members shall vary each year on the basis of the annual rate of increase that applies to the salary scale of school senior staff under the Order in Council governing them.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft By-law

An Act respecting the preservation of agricultural land and agricultural activities
(R.S.Q. c. P-41.1)

Application of the Act — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the By-law to amend the Preservation of Agricultural Land and Agricultural Activities Regulation, the text of which appears below, may be adopted by the Commission de protection du territoire agricole du Québec upon the expiry of 45 days following this publication.

The purpose of the draft By-law is to set out the information and documents required for the valid submission to the Commission of an application for authorization under section 58 of the Act, an application for exclusion under section 65 of the Act and a declaration under section 41 of the Act. The draft By-law also abolishes various rules of procedure.

Any person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Serge Cardinal, Director, Affaires juridiques, Commission de protection du territoire agricole du Québec, 25, Lafayette, 3^e étage, Longueuil (Québec) J4K 5C7.

BERNARD OUMET,
*Président de la Commission
de protection du territoire agricole du Québec*

* As it read on 22 June 1979.

By-law to amend the Preservation of Agricultural Land and Agricultural Activities Regulation*

An Act respecting the preservation of agricultural land and agricultural activities

(R.S.Q., c. P-41.1, s. 19.1, 1st par., subpars. 1 and 2)

1. The heading of Chapter I of the Preservation of Agricultural Land and Agricultural Activities Regulation is struck out.

2. The following is substituted for sections 1 to 3:

“**1.** For the purposes of section 58 of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1), an application for authorization shall be made on the form provided by the Commission and shall contain the following information:

(A) INFORMATION PROVIDED BY THE APPLICANT:

(1) the applicant's name, address, principal occupation, home telephone number and, if any, office telephone number, and, where applicable, the mandatary's name, address, occupation and telephone and fax numbers;

(2) the owner's name, address, principal occupation, home telephone number and, if any, office telephone number, where the applicant is not the owner of the lot in question;

(3) the lot number and area of each of the lots referred to in the application, the area covered by the application, the range or the concession, the name of the cadastre, the registration division, the local municipality and the regional county municipality or community;

(4) a description of the project referred to in the application, its total area and the type of authorization required to implement the project;

(5) a demonstration of the lack of available areas suitable for the purposes of the application elsewhere in the territory of the local municipality outside of the agricultural zone, where the application seeks an authorization for a new use other than agricultural;

(6) the restoration measures to be implemented, the period of authorization applied for and, where applicable, the area already developed, where the application seeks an authorization to extract material, to remove topsoil or to cut down maple trees in a sugar bush;

(7) the type of agriculture, and a description of the livestock and of the areas under cultivation, where the application seeks the inclusion of the area in question in the agricultural zone;

(8) the use of each of the lots referred to in the application and the description and use of any buildings erected on each of those lots;

(9) the current use of the lots contiguous to each of the lots referred to in the application;

(10) a complete list of the lots to be kept by the seller, the prospective purchaser's name, address, principal occupation, home telephone number and, if any, office telephone number, and the lot number, area, range or concession, name of the cadastre, registration division, local municipality and regional county municipality or community with respect to each of the lots already owned by the prospective purchaser; and

(11) attestation by the applicant or by the applicant's mandatary that the information provided is accurate.

(B) INFORMATION PROVIDED BY THE LOCAL MUNICIPALITY:

(1) the use of each of the lots referred to in the application, as well as of the neighbouring lots;

(2) the approximate distance between the nearest livestock buildings and each of the lots referred to in the application, where the application seeks an authorization to use the lots for non-agricultural purposes;

(3) the date that the by-law directing the installation of a water or sewer system to serve each of the lots was adopted, where the lot is served by such a system;

(4) compliance of the project in question with the municipal zoning by-law and with any interim control measures;

(5) where the project in question does not comply with the local municipal zoning by-law or with the interim control measures, an indication as to whether a draft by-law making the project conform to the zoning by-law or to the interim control measures has been adopted and an indication as to whether a provisional advice has been issued by the regional county municipality or community stating that the proposed amend-

* The Preservation of Agricultural Land and Agricultural Activities Regulation, approved by Order in Council 1163-84 dated 16 May 1984 (1984, G.O. 2, 1938), was last amended by by-law adopted by the Commission de protection du territoire agricole du Québec at its meeting held on 25 May 1998 (1998, G.O. 2, 2125). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

ment would comply with the development plan or any interim control measures;

(6) the date the application was received at the local municipality's office; and

(7) attestation by an authorized municipal officer that the information provided is accurate.

2. The following documents must accompany any application made under section 58 of the Act:

(1) a dated and signed scale plan, indicating the scale used, the cardinal points, the number of the lot referred to in the application, the area and measurement of each side of the sites in question, the area and the location of each lot belonging to the owner of the lots in question that is contiguous or deemed contiguous under the Act to each of the lots in question, the location of the buildings erected on the lots in question and the use of the lots contiguous to those lots;

(2) a copy of the land title of each of the lots referred to in the application; and

(3) a cheque payable to the Minister of Finance for the amount stipulated in section 1 of the Regulation respecting the tariff of duties, fees, expenses and costs made under the Act to preserve agricultural land, made by Order in Council 90-91 dated 23 January 1991 (1991, *G.O.* 2, 976).

3. For the purposes of section 65 of the Act, an application for exclusion must contain the following information:

(1) the name, address, telephone and fax numbers of the local municipality or of the regional county municipality or community;

(2) the name, address, home telephone number and, if any, office telephone number of the owner of each of the lots in question;

(3) the mandatary's name, address, occupation and telephone number and, if any, fax number;

(4) the lot number and area of each of the lots referred to in the application, the area covered by the application, the range or concession, the name of the cadastre, the registration division, the local municipality and the regional county municipality or community;

(5) a description of the project with respect to which the application is made and its total area;

(6) a demonstration of the need met by the application for exclusion, the objectives of the planned development and its relation to the development plan;

(7) a demonstration that the project cannot be implemented outside the agricultural zone of the local municipality or that the site of each of the lots under consideration will result in less impact on the territory and on farming activities;

(8) a description of the alternative sites that were examined with a view to eliminating or reducing restrictions on farming within the census agglomeration or within the census metropolitan area as defined by Statistics Canada, where the application involves a lot located in that agglomeration or area or in the territory of the Commission de développement de la métropole;

(9) the current use of the lots referred to in the application, the presence of structures or buildings, their current use and the current use of contiguous lots;

(10) the date the by-law authorizing the installation of a water or sewer system was adopted, where the lots referred to in the application are served by such a system;

(11) the approximate distance between the nearest livestock building and the lots referred to in the application and its current use;

(12) compliance with the municipal zoning by-law and any interim control measures as well as compliance with the objectives of the development plan and with the provisions of the complementary document.

3.1. The following documents must accompany any application for exclusion made by a regional county municipality or community under section 65 of the Act:

(1) a resolution by the regional county municipality or community stating that the criteria set out in section 62 of the Act, the objectives of the development plan, the complementary document and any interim control measures have been taken into account;

(2) a dated and signed scale plan, indicating the scale used, the cardinal points, the lot number, area and measurement of each side of the sites referred to in the application, the area and location of each lot belonging to the owner of the lots in question that is contiguous or deemed contiguous under the Act to each of those lots;

(3) the advice of an authorized regional county municipality or community officer with respect to the application's compliance with the objectives of the de-

velopment plan, the provisions of the complementary document and any interim control measures;

(4) a resolution by each of the local municipalities affected by the application for exclusion stating that the criteria set out in section 62 of the Act have been taken into account and indicating the suitable locations available outside the agricultural zone of the local municipality;

(5) the advice of an authorized municipal officer from each of the local municipalities affected by the application for exclusion with respect to the application's compliance with the zoning by-law and with any interim control measures; and

(6) a cheque payable to the Minister of Finance for the amount stipulated in section 1 of the Regulation respecting the tariff of duties, fees, expenses and costs made under the Act to preserve agricultural land.

3.2. The following documents must accompany any application for exclusion made by a local municipality under section 65 of the Act:

(1) a resolution stating that the criteria set out in section 62 of the Act have been taken into account and indicating the suitable locations available outside its agricultural zone;

(2) a supporting resolution by the regional county municipality or community stating that the criteria set out in section 62 of the Act, the objectives of the development plan, the complementary document and any interim control measures have been taken into account;

(3) a dated and signed scale plan, indicating the scale used, the cardinal points, the lot number, area and measurement of each side of the sites referred to in the application, the area and the location of each lot belonging to the owner of the lots in question that is contiguous or deemed contiguous under the Act to each of those lots;

(4) the advice of an authorized municipal officer with respect to the compliance of the application for exclusion with the municipal zoning by-law and any interim control measures; and

(5) a cheque payable to the Minister of Finance for the amount stipulated in section 1 of the Regulation respecting the tariff of duties, fees, expenses and costs made under the Act to preserve agricultural land.”.

3. Section 6 is revoked.

4. The following is substituted for sections 7 and 8:

“**7.** Where a declaration is required for the purposes of section 41 of the Act, it shall be made on a form provided by the Commission and contain the following information:

(1) the declarant's name, address, telephone number and, if any, fax number and, where applicable, the mandatary's name, address, occupation, and telephone and fax numbers;

(2) the name, address, telephone number and, if any, fax number of the owner of each of the lots referred to in the declaration;

(3) a complete list of the lots referred to in the declaration, the range, the name of the cadastre, the registration division, the area in question in each of the lots and the local municipality in which they are located; and

(4) the declarant's attestation that the information provided is accurate.

8. The following documents must accompany a declaration made under section 7:

(1) a dated and signed scale plan indicating the scale used, the cardinal points, the lot number of each of the lots referred to in the declaration and illustrating the area of each of the lots acquired and used for the purposes set out in section 41 of the Act;

(2) a copy of an extract of the graphic register showing each of the lots referred to in the declaration; and

(3) where applicable, a cheque payable to the Minister of Finance for the amount stipulated in the Regulation respecting the tariff of duties, fees, expenses and costs made under the Act to preserve agricultural land.”.

5. The heading of Chapter II is struck out.

6. Chapter III, which comprises sections 25 to 40, is revoked.

7. Schedules 1 to 5 to the Regulation are revoked.

8. Section 3 of the Regulation has effect from (*insert here the date of coming into force of the Regulation to identify the municipal and public service purposes, made by Order in Council..... dated.....*).

9. This By-law comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.