

Draft Regulation

An Act respecting the lands in the domain of the State (chapter T-8.1)

Sale, lease and granting of immovable rights on lands in the domain of the State

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation reviews the reference values used to determine the rent under a lease for building cottages. It introduces a new method to determine the rent for the implementation of telecommunication equipment. It adds conditions to the practice of camping on lands in the domain of the State and prohibits camping on lands in the domain of the State located on seven islands, including Île Sainte-Thérèse. The administration fees related to land management are also reviewed.

The draft Regulation will increase the rent under certain leases and the administration fees related to the management of lands in the domain of the State. To mitigate the increased rents, the increase will be spread over a 3-year period for leases for the implementation of telecommunication equipment and over a 5-year period for leases for building cottages. In addition, the rental rate for leases for building cottages will be lowered from 6% to 5%. As a result, there will be no significant impact on the administrative burden of enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Sonia Grenon, Director of Territorial Policies, Ministère de l'Énergie et des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau E 318, Québec (Québec) G1H 6R1; telephone: 418 627-6362, extension 2496; fax: 418 644-2774; email: sonia.grenon@mern.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Mario Gosselin, Associate Deputy Minister for the Territory, Ministère de l'Énergie et des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau E-330, Québec (Québec) G1H 6R1.

PIERRE ARCAND,
*Minister of Energy and Natural Resources and
Minister responsible for the Plan Nord*

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State

An Act respecting the lands in the domain of the State (chapter T-8.1, s. 71, 1st par., subpars. 3 and 7, and 2nd par.)

1. The Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (chapter T-8.1, r. 7) is amended in section 2

(1) by replacing “techniques” in the first paragraph by “approaches”;

(2) by replacing the second paragraph by the following:

“Despite the foregoing, land may also be sold or leased at the substitution price fixed by this Regulation if the land is not located on the territory of a local municipality or if the land is located on the territory of the Municipalité régionale de comté du Golfe-du-Saint-Laurent or on the territory of the Kativic Regional Government.”;

(3) by striking out the third paragraph.

2. Section 5 is amended in the first paragraph

(1) by inserting “the assessment of the market value of land, registration for a drawing of lots, a quitance, a release,” after “a right in land.”;

(2) by replacing “3” by “2”.

3. Section 21 is amended by inserting “Unless otherwise provided for,” at the beginning of the first paragraph.

4. Section 28.1 is amended in subparagraph 3 of the second paragraph by replacing “6” by “5”.

5. Section 35.2 is amended

(1) by striking out “telecommunication towers.”;

(2) by replacing “techniques” by “approaches”.

6. The following is inserted after section 35.2:

“§7. *Lease for the implementation of telecommunication equipment*

35.3. Telecommunication equipment referred to in this subdivision is the apparatus, facilities and other works allowing the transmission of electronic communication signals, including a telecommunication tower.

35.4. The rent for land in the domain of the State leased for the implementation of telecommunication equipment is determined on the basis of the administrative region where the land is located, the proximity of the land to inhabited zones and its area.

The annual rent is calculated as follows:

(1) determine the reference rent of the zone according to the grid established in section 18 of Schedule I;

(2) multiply the reference rent of the zone by one of the following percentages:

(a) 100% if the area of the land is less than 5,000 square metres;

(b) 120% if the area of the land is from 5,000 to 14,999 square metres;

(c) 140% if the area of the land is from 15,000 to 24,999 square metres;

(d) 160% if the area of the land is more than 24,999 square metres;

(3) add, if applicable, an amount equal to 30% of the reference rent of the zone for each third person or for each corporation affiliated with the lessee that has installed additional telecommunication equipment on the land or on the lessee's equipment;

(4) round up the annual rent obtained to the nearest dollar if the fraction of a dollar is \$0.50 or more, and round down to the nearest dollar if otherwise.

Where all the telecommunication equipment is exclusively intended to provide public security services, the annual rent corresponds to 1% of the market value of the leased land.

35.5. If, during the lease, another third person or corporation affiliated with the lessee installs additional telecommunication equipment on the land or on the lessee's equipment, the lessee must first notify the Minister and enter into a new lease with the Minister. The annual rent is adjusted in accordance with the provisions of the second paragraph of section 35.4.

35.6. Upon the renewal of a lease signed before 1 November 2015, any increase in rent is spread evenly over a 3-year period.

As of the year following the increase and until the end of the period over which the increase is spread, the rent is adjusted according to the indexing procedure provided for in section 3.”.

7. Section 36.1 is amended by inserting “, subject to subparagraph 1 of the first paragraph of section 36.2” after “campsite”.

8. The following is inserted after section 36.1:

“**36.1.1.** Camping is allowed on the lands in the domain of the State, except on the lands located on Île au Boeuf, Île au Cochon, Île aux Crapauds, Île aux Hérons, Île Sainte-Thérèse, Île aux Vaches and Île au Veau which form part of the territory of ville de Varennes.”.

9. Section 36.2 is replaced by the following:

“**36.2.** Every person who camps on the lands in the domain of the State must

(1) use mobile and temporary camping equipment not attached to the ground;

(2) leave the occupied site at the end of a stay that may not exceed 7 months during a single year;

(3) remove, at the end of the stay, the camping equipment from the occupied site, clean the site, restore it to its original condition and take away his or her garbage.

For the purposes of this section, the expression “occupied site” includes the space within a 1 km radius of that site.”.

10. Section 36.4 is revoked.

11. Section 39 is amended in the first paragraph

(1) by inserting “for the examination of the application” after “payable”;

(2) by replacing “paragraph 1 of section 3” by “paragraph 8 of section 2”.

12. Sections 46.1 and 46.2 are amended by replacing “paragraph 1 of section 3” by “paragraph 9 of section 2”.

13. Section 48 is amended by replacing “36.2 to 36.4” by “36.1.1 to 36.3”.

14. Section 1 of Schedule I is amended by replacing “25” by “108”.

15. Section 2 of Schedule I is replaced by the following:

“2. In addition to the administration fees provided for in section 1 of Schedule I, the following fees are also payable:

- (1) \$1,000 for the sale and exchange of a parcel of land;
- (2) \$328 for the lease of a parcel of land, including for the issue of a lease, its transfer, its amendment at the lessee’s request and for its renewal;
- (3) \$1,000 to establish a servitude;
- (4) \$1,000 for the assessment of the market value of a parcel of land with a view to selling or exchanging it or issuing a servitude on it;
- (5) \$27 for registration in a drawing of lots;
- (6) \$328 for a quittance or release;
- (7) \$328 for a waiver of a restrictive clause appearing in letters patent or in a deed of sale or for an amendment thereto;
- (8) \$328 for the examination of an application for the purchase or lease of land for commercial or industrial purposes submitted pursuant to section 39;
- (9) \$1,000 for an authorization granted pursuant to section 46.1 or 46.2.

Additional fees of \$761 are payable when a parcel of land is sold or leased as part of a cottage development project carried out by the Minister.”

16. Section 3 of Schedule I is revoked.

17. Sections 5, 7, 8 and 11 of Schedule I are amended by replacing “260” by “283”.

18. Section 5 of Schedule I is amended by replacing “0.75” by “0.8159”.

19. Section 6 of Schedule I is amended by replacing “400” by “435”.

20. Section 7 of Schedule I is amended by inserting “, 35.1” after “28.4”.

21. Sections 7, 9 and 10 of Schedule I are amended by replacing “100” by “108”.

22. Section 8 of Schedule I is amended

- (1) by replacing “0.06” by “0.0652”;
- (2) by replacing “80” by “87”.

23. Section 10 of Schedule I is amended by replacing “150” by “163”.

24. Section 12 of Schedule I is amended by replacing “0.009” by “0.0098”.

25. Section 13 of Schedule I is amended by replacing “50” by “55”.

26. Section 16 of Schedule I is amended

- (1) by replacing “0.03” by “0.0328”;
- (2) by replacing “300” by “328”.

27. Section 17 of Schedule I is replaced by the following:

“17. For the purposes of section 28.1, the urban poles and reference values of land rated 100 according to the corresponding years are as follows:

Urban poles	100-rated reference value on 1 November 2015	100-rated reference value on 1 November 2016	100-rated reference value on 1 November 2017	100-rated reference value on 1 November 2018	100-rated reference value on 1 November 2019
Municipalité de Chénéville	\$24,200	\$28,100	\$31,900	\$35,800	\$39,600
Municipalité de La Pêche	\$25,000	\$25,900	\$26,900	\$27,800	\$28,800
Municipalité Les Escoumins	\$4,900	\$5,000	\$5,100	\$5,200	\$5,300
Municipalité Les Îles-de-la-Madeleine	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Municipalité de Saint-Donat	\$25,200	\$28,900	\$32,500	\$36,200	\$39,800
Municipalité de Sainte-Thècle	\$31,300	\$38,600	\$45,900	\$53,200	\$60,500
Municipalité de Saint-Michel-des-Saints	\$13,700	\$16,600	\$19,500	\$22,400	\$25,300
Municipalité de Val-des-Monts	\$51,300	\$64,200	\$77,100	\$90,000	\$102,900
Paroisse de Saint-Alexis-des-Monts	\$25,800	\$25,800	\$25,800	\$25,800	\$25,800
Paroisse de Saint-Côme	\$16,200	\$18,000	\$19,900	\$21,700	\$23,500
Village de Fort-Coulonge	\$20,800	\$24,900	\$28,900	\$33,000	\$37,000
Ville d'Alma	\$10,600	\$12,500	\$14,400	\$16,300	\$18,200
Ville d'Amos	\$14,300	\$16,700	\$19,000	\$21,400	\$23,700
Ville d'Amqui	\$9,800	\$11,900	\$14,000	\$16,100	\$18,200
Ville de Baie-Comeau	\$5,800	\$5,800	\$5,800	\$5,800	\$5,800
Ville de Carleton-sur-Mer	\$4,800	\$5,500	\$6,300	\$7,000	\$7,700
Ville de Chandler	\$6,500	\$6,900	\$7,400	\$7,800	\$8,300
Ville de Chibougamau	\$11,400	\$14,400	\$17,500	\$20,500	\$23,500
Ville de Forestville	\$5,400	\$6,000	\$6,700	\$7,300	\$7,900
Ville de Gaspé	\$6,400	\$6,800	\$7,100	\$7,500	\$7,900

Urban poles	100-rated reference value on 1 November 2015	100-rated reference value on 1 November 2016	100-rated reference value on 1 November 2017	100-rated reference value on 1 November 2018	100-rated reference value on 1 November 2019
Ville de La Malbaie	\$15,200	\$19,700	\$24,100	\$28,600	\$33,000
Ville de La Pocatière	\$13,800	\$17,500	\$21,300	\$25,000	\$28,700
Ville de La Sarre	\$4,800	\$4,800	\$4,800	\$4,800	\$4,800
Ville de La Tuque	\$15,700	\$15,700	\$15,700	\$15,700	\$15,700
Ville de Maniwaki	\$28,700	\$32,500	\$36,300	\$40,100	\$43,900
Ville de Matagami	\$5,300	\$5,800	\$6,200	\$6,700	\$7,200
Ville de Matane	\$10,700	\$11,800	\$13,000	\$14,100	\$15,200
Ville de Mont-Laurier	\$16,500	\$17,800	\$19,100	\$20,500	\$21,800
Ville de Montmagny	\$19,100	\$21,400	\$23,700	\$26,000	\$28,300
Ville de Mont-Tremblant	\$25,900	\$30,100	\$34,400	\$38,600	\$42,900
Ville de Paspébiac	\$2,600	\$2,800	\$2,900	\$3,100	\$3,300
Ville de Port-Cartier	\$3,000	\$3,100	\$3,200	\$3,300	\$3,400
Ville de Rimouski	\$10,600	\$11,700	\$12,700	\$13,800	\$14,800
Ville de Rivière-du-Loup	\$16,300	\$16,400	\$16,400	\$16,400	\$16,400
Ville de Rivière-Rouge	\$21,800	\$26,800	\$31,900	\$36,900	\$41,900
Ville de Roberval	\$9,100	\$9,600	\$10,100	\$10,500	\$11,000
Ville de Rouyn-Noranda	\$11,300	\$11,800	\$12,200	\$12,700	\$13,200
Ville de Saguenay (Chicoutimi sector)	\$13,400	\$17,200	\$21,000	\$24,800	\$28,600
Ville de Saguenay (La Baie sector)	\$11,900	\$14,200	\$16,500	\$18,800	\$21,100
Ville de Saint-Félicien	\$9,400	\$10,100	\$10,800	\$11,500	\$12,200
Ville de Saint-Georges	\$16,400	\$22,000	\$27,500	\$33,100	\$38,700
Ville de Saint-Raymond	\$20,300	\$26,100	\$32,000	\$37,800	\$43,700
Ville de Senneterre	\$13,600	\$15,600	\$17,700	\$19,700	\$21,800
Ville de Sept-Îles	\$3,000	\$3,100	\$3,200	\$3,300	\$3,400
Ville de Sainte-Anne-des-Monts	\$4,500	\$5,400	\$6,300	\$7,200	\$8,100
Ville de Témiscaming	\$11,900	\$14,300	\$16,600	\$19,000	\$21,300
Ville de Témiscouata- sur-le-Lac	\$17,000	\$17,400	\$17,800	\$18,200	\$18,600
Ville de Val-d'Or	\$18,700	\$22,900	\$27,200	\$31,400	\$35,700
Ville de Ville-Marie	\$4,800	\$4,800	\$4,800	\$4,800	\$4,800

28. The following is inserted after section 17 of Schedule I:

“**18.** For the purposes of section 35.4, the reference rent for a zone is determined according to the following grid:

Reference rents per zone	Zone 1	Zone 2	Zone 3
Nearby Zone	\$7,000	\$5,000	\$3,000
Remote Zone	\$3,500	\$2,500	\$1,500

The following regions and sectors are considered as forming part of the zones:

(1) Zone 1: the administrative regions of the Capitale-Nationale, Lanaudière, Laurentides, Laval, Montérégie and Montréal;

(2) Zone 2: the administrative regions of Abitibi-Témiscamingue, Centre-du-Québec, Chaudière-Appalaches, Estrie, Mauricie, Outaouais and Saguenay-Lac-Saint-Jean;

(3) Zone 3: the administrative regions of Bas-Saint-Laurent, Côte-Nord, Gaspésie-Îles-de-la-Madeleine and Nord-du-Québec;

(4) Nearby Zone: the sector located inside the population ecumene, as defined by Statistics Canada for the 2011 census year;

(5) Remote Zone: the sector located outside the population ecumene, as defined by Statistics Canada for the 2011 census year.

The administrative regions are delimited with reference to the description and map of the boundaries in Schedule I to the Décret concernant la révision des limites des régions administratives du Québec (chapter D-1, r. 1).”

29. This Regulation comes into force on 1 November 2015.

102221

Draft Regulation

Parks Act
(chapter P-9)

Parks

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Parks Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends Parc national du Fjord-du-Saguenay zoning. The park, whose area is increased to 326.8 km², will be divided into three types of zones, namely, preservation zones of a total area of 312 km² allocated to the preservation of the natural environment, natural environment zones of a total area of 12.5 km² devoted to the discovery and exploration of the natural environment, and services zones of an area of 2.3 km² dedicated to reception and management of the park.

To that end, the draft Regulation amends the Parks Regulation (chapter P-9, r. 25) by replacing Schedule 7 to update the park zoning. In addition, a new paragraph is introduced in section 6 of the Regulation to give open and free access to the Pointe-de-l'Islet trail and the Colline-de-l'Anse-à-l'Eau trail, in the municipality of Tadoussac.

Further information may be obtained by contacting Geneviève Brunet, Direction des parcs nationaux, Ministère des Forêts, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 7148; fax: 418 646-6169; email: genevieve.brunet@mffp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Julie Grignon, Associate Deputy Minister for Wildlife and Parks Acting, Ministère des Forêts, de la Faune et des Parcs, 880, chemin Sainte-Foy, RC 120, Québec (Québec) G1S 4X4.

LAURENT LESSARD,
Minister of Forests, Wildlife and Parks