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## Draft Regulations

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### Draft Regulation

Act respecting the preservation of agricultural land and agricultural activities  
(chapter P-41.1)

#### **Temporary use of a lot for a purpose other than agriculture due to the COVID-19 pandemic for certain acericultural operations without the authorization of the Commission de protection du territoire agricole du Québec**

Notice is hereby given, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), that the Regulation respecting the temporary use of a lot for a purpose other than agriculture due to the COVID-19 pandemic for certain acericultural operations without the authorization of the Commission de protection du territoire agricole du Québec, appearing below, may be made by the Government on the expiry of 10 days following this publication.

In accordance with sections 12 and 13 of the Act, the draft Regulation may be made within a shorter period than the 45-day period provided for in section 11 of the Act if the Government is of the opinion that the urgency due to the following circumstances justifies it:

1° the public health measures ordered in March 2020 led to the closure of sugar shack dining rooms at the beginning of the maple sugar season, that is, the main business period for those enterprises, which led to multiple losses by severely limiting the possibility to sell meals, use perishable goods acquired for the purposes of those meals, and sell maple syrup and other maple products generated by the operation of sugar shacks;

2° the average financial losses for the 2020 season for sugar shacks that serve meals are significant and represent a large portion of the usual revenue of those enterprises, according to a survey of the Producteurs et productrices acéricoles du Québec;

3° the number of restaurant permits issued between December 2019 and March 2021 by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation for sugar shacks that serve meals decreased by more than 35%;

4° in keeping with that information, an analysis by the Association des Salles de réception et Érablières du Québec confirmed that almost half of all sugar shacks that serve meals have closed and one quarter are in precarious situations;

5° to avoid any interruption in the meal offer and service of sugar shacks and thereby avoid affecting employee retention.

The draft Regulation determines that, subject to the conditions set out therein, serving or selling meals that feature maple products during the period between 15 May 2021 and 14 February 2022 is considered to be a use ancillary to an acericultural operation.

Study of the matter has shown that no costs are expected for commercial sugar shacks. On the contrary, the temporary regulatory relief will facilitate their economic recovery and their contribution to Québec's food autonomy.

Further information may be obtained by contacting Pierre Olivier Girard, Direction adjointe de l'aménagement du territoire et des marchés de proximité, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100, extension 3591; email: Pierre-Olivier.Girard@mapaq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 10-day period to Geneviève Masse, Assistant Deputy Minister, Sous-ministériat au développement régional et au développement durable, 200, chemin Sainte-Foy, 12<sup>e</sup> étage, Québec (Québec) G1R 4X6.

ANDRÉ LAMONTAGNE  
*Minister of Agriculture,  
Fisheries and Food*

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**Regulation respecting the temporary use of a lot for a purpose other than agriculture due to the COVID-19 pandemic for certain acericultural operations without the authorization of the Commission de protection du territoire agricole du Québec**

Act respecting the preservation of agricultural land and agricultural activities  
(chapter P-41.1, ss. 26 and 80)

**1.** Serving or selling meals that feature maple products produced in whole or in part by the operation during the period between 15 May 2021 and 14 February 2022 is considered to be a use ancillary to an acericultural operation and is therefore exempted from the authorization required by section 26 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), provided that the following conditions are met:

(1) the operation had to stop serving meals in 2020 due to the measures ordered to protect the health of the population under section 123 of the Public Health Act (chapter S-2.2);

(2) the operation is registered as an acericultural operation in accordance with the Regulation respecting the registration of agricultural operations and the payment of property taxes and compensation, made by Order in Council 1154-2020 dated 11 November 2020;

(3) meal service activities are not suspended pursuant to the measures ordered to protect the health of the population under section 123 of the Public Health Act (chapter S-2.2);

(4) the use will not subject the installation of a new breeding unit or the increase of the activities of an existing breeding unit to a separation distance requirement related to odours.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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