

---

# NATIONAL ASSEMBLY

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 23

**An Act to ensure the enlargement  
of Parc national du Mont-Orford,  
the preservation of the biodiversity  
of adjacent lands and the maintenance  
of recreational tourism activities**

---

**Introduction**

**Introduced by  
Mr. Claude Béchar  
Minister of Sustainable Development, Environment and  
Parks**

---

**Québec Official Publisher  
2006**

## **EXPLANATORY NOTES**

*This bill changes the boundaries of Parc national du Mont-Orford to exclude the ski centre and golf course lands. It provides for the sale of those lands by public tender. The proceeds of the alienation are to be paid into the Green Fund and allocated to the funding of the acquisition of areas representative of the natural region of the Sutton mountains and the secondary mountain ranges of Estrie, Beauce and Bellechasse, with a view to their future inclusion within the boundaries of the park, and to the funding of park enhancement work. The bill also empowers the Minister of Sustainable Development, Environment and Parks to enlarge the park boundaries.*

*In addition, the bill introduces restrictions on the development of the lands excluded from Parc national du Mont-Orford in order to protect their biodiversity and preserve landscapes. Residential construction and the construction of works, structures and facilities, as well as forest management activities on the skiable terrain, are made subject to the Environment Quality Act.*

*Lastly, the bill sets out penal and administrative penalties for non-compliance with the law, as well as consequential amendments.*

## **LEGISLATION AMENDED BY THIS BILL:**

– Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (R.S.Q., chapter M-15.2.1).

## **Bill 23**

### **AN ACT TO ENSURE THE ENLARGEMENT OF PARC NATIONAL DU MONT-ORFORD, THE PRESERVATION OF THE BIODIVERSITY OF ADJACENT LANDS AND THE MAINTENANCE OF RECREATIONAL TOURISM ACTIVITIES**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **CHAPTER I**

##### **PURPOSE**

**1.** The purpose of this Act is to better ensure the conservation and permanent protection of areas representative of the Sutton mountains and the secondary mountain ranges of Estrie, Beauce and Bellechasse.

It provides in particular for

(1) the enlargement of the boundaries of Parc national du Mont-Orford (the park) to include neighbouring areas recognized for their ecological and biodiversity interest;

(2) the exclusion from the boundaries of the park of certain lands that are at variance with the park's conservation mission owing to their recreation-intensive use and the presence of elaborate equipment;

(3) the disposition of the lands excluded from the boundaries of the park and the allocation of the proceeds of the sale to the funding of acquisitions intended to enlarge the park and to the enhancement of the park; and

(4) the introduction of restrictions on the development of the excluded lands, in particular as regards the use and the disposition of such lands, in order to give special attention to the use to which those lands are put and ensure that it is consistent with the protection to be afforded lands within the park boundaries.

## **CHAPTER II**

### **NEW BOUNDARIES OF THE PARK**

#### **DIVISION I**

##### **EXCLUSION OF CERTAIN LANDS**

**2.** The lands described in Schedule A and shown on the plan prepared by Pierre Bernier, land surveyor, on 30 April 2006 under number 1755 of his minutes, as reproduced in Schedule B are excluded from the boundaries of the park. Those lands are occupied by the Mont-Orford ski centre and golf course.

**3.** Despite section 5.1 of the Parks Act (R.S.Q., chapter P-9), the lands so excluded from the boundaries of the park remain under the authority of the Minister of Sustainable Development, Environment and Parks.

The Minister exercises in respect of those lands, including the buildings, improvements and movable property situated on them and forming part of the domain of the State, the rights and powers inherent in the right of ownership, including the right to dispose of or alienate the lands, despite the restrictions set out in section 13.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (R.S.Q., chapter M-15.2.1).

Any sale of lands referred to in section 2 or of property referred to in the second paragraph must be in compliance with Chapter III.

#### **DIVISION II**

##### **DESCRIPTION OF THE BOUNDARIES OF THE PARK**

**4.** Section 1 of the Regulation respecting the Parc national du Mont-Orford, enacted by Order in Council 567-83 (1983, G.O. 2, 1399) is replaced by the following section:

“1. The territory described in Schedule A constitutes Parc national du Mont-Orford. The plan of the park is shown in Schedule B.”

**5.** Schedule A to the Regulation is replaced by the schedules in Schedule C to this Act.

**6.** Section 6 of the Parks Regulation, enacted by Order in Council 838-2000 (2000, G.O. 2, 3556) is amended by striking out “Route 141 or” in paragraph 1.

**7.** Schedule 5 to the Regulation is replaced by the schedule in Schedule D to this Act.

## **DIVISION III**

### **ENLARGEMENT OF THE PARK**

**8.** Despite section 4 of the Parks Act (R.S.Q., chapter P-9), the Minister may make a regulation changing the boundaries of the park in order to include any area representative of the natural region of the Sutton mountains and the secondary mountain ranges of Estrie, Beauce and Bellechasse that the Minister acquires under section 2.1 of the Parks Act, in particular, the lands referred to in Order in Council 288-2006 (2006, G.O. 2, 1781, in French) concerning the establishment of a reserve for public purposes on certain immovables and the expropriation of the immovables for the enlargement of the park.

Until the Government has exercised its powers under section 9 or 9.1 of the Parks Act in respect of those lands, the latter are deemed to constitute a preservation zone within the meaning of section 2 of the Parks Regulation, enacted by Order in Council 838-2000 (2000, G.O. 2, 3556).

**9.** On or before (*insert the date that is two years after the date of assent to this Act*), or, if the Assembly is not sitting, within 15 days of resumption, the Minister reports to the National Assembly on the acquisitions for the purpose of enlarging the park that have been completed or are underway.

## **CHAPTER III**

### **SALE OF SKI CENTRE AND GOLF COURSE LANDS**

**10.** This chapter applies to the sale by the Minister of the lands referred to in section 2 and of the buildings, improvements and movable property situated on them and forming part of the domain of the State.

However, it does not apply to the movable and immovable property which, on (*insert the date of assent to this Act*), belongs to the lessee under the lease registered at the registry office of the registration division of Sherbrooke on 16 January 2006 under number 12 991 241.

**11.** Any sale under this chapter must be made by public tender.

**12.** The tender documents must set out the conditions for acceptance of a tender and for the award of the sale, the rules governing the receipt and opening of tenders and their compliance, any movable and immovable property excluded from the sale, and the price determined under section 13 below which a tender will not be considered.

In addition, the tender documents must stipulate

(1) that the act evidencing the transfer of ownership will include any provision needed to establish real and perpetual servitudes, granted by gratuitous title by the acquirer for the benefit of the park as the dominant land, the site of

the servient land and conditions of which are specified in the tender documents and the purpose of which is to allow

(a) the preservation of ecosystems and biodiversity in the south section of Ruisseau du Grand-Rocher, shown as zone B-1 in Schedule B;

(b) the establishment of a fully protected zone at least 30 metres wide along the dividing line between the park and the transferred lands, except for equipment existing on (*insert the date of assent to this Act*) within that zone, shown as zone B-2 in Schedule B;

(c) the maintenance of and access to the communication equipment situated at the summit of Mont Orford, shown as zones B-3 and B-4 in Schedule B;

(d) the maintenance of and access to existing hiking trails;

(e) the maintenance of the municipal waterworks along Route 141, shown as zone B-5 in Schedule B; and

(f) the maintenance of the water levels required to maintain the biological productivity of Étang aux Cerises and Rivière aux Cerises; water-level elevation specifications are to be determined by the Minister in the tender documents; and

(2) that all costs relating to the execution and registration of the notarial deed of sale are to be paid by the acquirer.

The tender documents may set any additional condition or requirement that the Minister considers necessary, including the obligation for the acquirer to operate the ski centre and the golf course, or the obligation to grant any additional real or personal conservation servitude for the benefit of a conservation organization designated by the Minister, and provide for guarantees and penalties to ensure compliance with those conditions and obligations.

**13.** The sale is awarded to the highest compliant tenderer. If two or more tenderers offer the same price, the sale is awarded by a drawing of lots.

However, the sale may not be awarded at a price that is below the market value determined by the Minister according to generally recognized property assessment techniques.

**14.** The proceeds from the sale of the lands, buildings, improvements, and movable property under this chapter and the income derived from the investment of those sums are paid into the Green Fund established under section 15.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (R.S.Q., chapter M-15.2.1).

## **CHAPTER IV**

### **SPECIAL PROTECTION REGIME FOR CERTAIN LANDS**

#### **DIVISION I**

##### **GENERAL PROVISIONS**

**15.** For the purposes of this chapter, “operator” includes the owner of lands or facilities.

**16.** In order to ensure that certain activities may be continued or carried on on the lands described in Schedule A without undermining the preservation of biodiversity and existing landscapes, only the uses and structures described in Divisions II to IV are permitted, and they are subject to the limitations provided in those divisions as well as to the limitations prescribed under Division V.

#### **DIVISION II**

##### **RESIDENTIAL ZONE**

**17.** In zone B-6 shown in Schedule B, all uses and structures, according to the subdivision of the zone, are subject to the following limitations:

(1) only the uses set out in Schedule E are permitted; and

(2) the structures and work permitted must meet the criteria set out in Schedule E.

Furthermore, the construction of residential, rental or resort units is prohibited outside zone B-6 shown in Schedule B. All construction or development work is also prohibited within a 30-metre protected zone along each side of Ruisseau Castle, measured from the high-water line.

#### **DIVISION III**

##### **SKI CENTRE ZONE**

**18.** The operation of the ski centre is subject to the following limitations:

(1) it is limited to zone B-7 shown in Schedule B;

(2) the operator is required to implement environmental management of the skiable terrain so that the use of the land does not undermine the conservation and protection of adjacent lands within the park boundaries, or the conservation and protection of the skiable terrain;

(3) within six months after the date of the sale by the Minister of the lands described in Schedule A, and every five years after that date, the operator must prepare a five-year environmental management plan for the entire skiable terrain, and submit it to the Minister for approval. The plan must specify the measures that will be implemented to protect the landscape, peaks, wetlands and watercourses, and preserve biodiversity, as well as those that will be implemented to encourage the revegetation of trails, manage and preserve water quality, and protect the night sky against light pollution created by outdoor lighting equipment. In addition, the first five-year plan must include a rehabilitation plan for degraded natural areas of the skiable terrain involving minimum annual investment commitments of one million dollars.

Furthermore, the plan must provide for a protected zone at least 30 metres wide, measured from the high-water line, along each side of the part of Orford, Giroux and Castle streams that is on the skiable terrain, within which there may be no new development work, except work for the purpose of restoring or protecting that area.

If a conservation servitude is granted to a conservation organization under section 12, the Minister must consult the organization before approving such a plan. The organization has 60 days to submit its recommendations to the Minister. If the organization does not act before the expiry of that period, it is deemed to be favourable to the plan;

(4) the construction of any building or facility other than those normally required to operate a ski centre is prohibited. However, basic facilities for picnicking, hiking, horseback riding, hang gliding, parasailing, mountain climbing and cycling are permitted, but facilities for mountain biking are not. Moreover, no buildings other than those related to user safety are permitted elsewhere than at the foot of the slopes.

## **DIVISION IV**

### **GOLF COURSE ZONE**

**19.** The operation of a golf course is subject to the following limitations:

- (1) it is limited to zone B-8 shown in Schedule B;
- (2) without restricting any other requirement or authorization under applicable legislation, regulations or by-laws, the operator is required to implement environmental management of the golf course so that the use of the land does not undermine the conservation and protection of adjacent lands within the park boundaries, or the conservation and protection of the golf course land;
- (3) within six months after the date of the sale by the Minister of the lands described in Schedule A, and every five years after that date, the operator must prepare a five-year environmental management plan for the entire area covered



by the golf course, and submit it to the Minister for approval. The plan must specify the measures that will be implemented to protect the wetlands and watercourses, and preserve biodiversity, as well as those that will be implemented to manage and preserve water quality, limit the negative impacts of the use of fertilizer and pesticides, and protect the night sky against light pollution created by outdoor lighting equipment.

Furthermore, the plan must provide for a protected zone at least 30 metres wide, measured from the high-water line, along each side of Ruisseau de la Cuvette, Rivière aux Cerises and the north part of Ruisseau du Grand-Rocher, within which there may be no new development work, except work for the purpose of restoring or protecting that area.

If a conservation servitude is granted to a conservation organization under section 12, the Minister must consult the organization before approving such a plan. The organization has 60 days to submit its recommendations to the Minister. If the organization does not act before the expiry of that period, the organization is deemed to be favourable to the plan;

(4) the construction of any building or facility other than those normally required to operate a golf course is prohibited.

## **DIVISION V**

### **APPLICATION OF THE ENVIRONMENT QUALITY ACT**

**20.** Despite any provision to the contrary,

(1) all work relating to the construction of a building referred to in sections 17 to 19 and the prior, simultaneous or subsequent construction or enlargement of accessory works, structures or facilities, such as a parking area, service area or garage, including the related landscaping work, and

(2) all forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., chapter F-4.1) on the skiable terrain,

are deemed likely to result in a change in the quality of the environment and are subject to section 22 of the Environment Quality Act (R.S.Q., chapter Q-2).

In addition to considering any factor that is relevant under section 22 of the Environment Quality Act, the Minister, before issuing an authorization under that section for work or activities described in the first paragraph, must ensure that they are in compliance with sections 16 to 19, as applicable. Moreover, if the Minister considers it necessary to ensure enhanced protection of the environment, the authorization may be made conditional on the applicant's meeting standards different from those prescribed in those sections.

Before issuing an authorization for work described in subparagraph 1 of the first paragraph, the Minister must consult the local municipality concerned. The same applies each time the Minister is about to amend such an authorization.

The municipality has 60 days to submit its recommendations to the Minister. If the municipality does not act before the expiry of that period, it is deemed to be favourable to the work.

The Minister may require an applicant to provide any information, document, study or expert assessment that the Minister considers necessary to examine the application or to make the issue of an authorization subject to appropriate conditions.

**21.** The Environment Quality Act (R.S.Q., chapter Q-2) applies, with the necessary modifications, to the work or activities described in section 20, and to the related applications for authorization and certificates of authorization. Without restricting the generality of the preceding sentence, sections 23, 24, 106, 107, 113, 114, 122.1, 122.2 and 123.1 and Divisions XI, XIII and XIV of Chapter I of that Act apply to such work, activities, applications for authorization, and certificates of authorization.

Those provisions also apply, with the necessary modifications, to applications for approval and to the approval by the Minister of environmental management plans required under section 18 or 19, which applications and approvals are to be respectively considered for that purpose as applications for authorization and certificates of authorization within the meaning of sections 22 to 24 of the Environment Quality Act.

## **CHAPTER V**

### **PENAL PROVISIONS**

**22.** Any person who contravenes any of sections 16 to 19 or the fourth paragraph of section 29 is guilty of an offence and is liable to the penalty prescribed in section 106 of the Environment Quality Act (R.S.Q., chapter Q-2).

Moreover, sections 109.1.1 and 109.1.2 of that Act apply, with the necessary modifications, if a person is convicted of an offence under this section.

**23.** Public servants and wildlife protection officers who are authorized to see to the enforcement of the Environment Quality Act (R.S.Q., chapter Q-2) are automatically authorized to see to the enforcement of this Act.

In the exercise of their functions, they are vested with the powers provided for in sections 119 to 121 of the Environment Quality Act, with the necessary modifications.

**24.** Any person who does or does not do something in order to assist another person in the commission of an offence under this Act, or who advises, encourages or incites another person to commit such an offence is also guilty of the offence and is liable to the same penalty as the other person.

**25.** If an offence under section 22 continues for more than one day, it constitutes a separate offence for each day during which it continues.

The penalty prescribed in the first paragraph of section 22 applies to such offences.

**26.** Penal proceedings for offences under this Act are prescribed two years after the commission of the offence.

## **CHAPTER VI**

### **AMENDING AND FINAL PROVISIONS**

**27.** The Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (R.S.Q., chapter M-15.2.1), amended by section 26 of chapter 3 of the statutes of 2006, is again amended by inserting the following section after section 15.2:

**“15.2.1.** In managing the Fund, the Minister sees to it that the sums from the sale of lands, buildings, improvements and movable property under Chapter III of the Act to ensure the enlargement of Parc national du Mont-Orford, the preservation of the biodiversity of adjacent lands and the maintenance of recreational tourism activities (*insert the year of assent and chapter number of this Act*) are allocated first to the funding of the acquisitions the Minister may make under the first paragraph of section 2.1 of the Parks Act (chapter P-9) for the purpose of enlarging Parc national du Mont-Orford, and second, to the funding of parkland enhancement work in that park.”

**28.** Section 15.4 of the Act is amended by inserting the following paragraph after paragraph 8:

“(8.1) any other sum provided for by law, in particular the sums provided for by section 14 of the Act to ensure the enlargement of Parc national du Mont-Orford, the preservation of the biodiversity of adjacent lands and the maintenance of recreational tourism activities (*insert the year of assent and chapter number of this Act*);”.

**29.** The lease referred to in section 10 does not lapse as a result of the exclusion of the lands to which it applies from the boundaries of the park. The lease must be read with such modifications as are necessary to reflect the fact that, as of (*insert the date of assent to this Act*), the Parks Act (R.S.Q., chapter P-9) no longer applies to the leased lands.

However, as of (*insert the date of assent to this Act*), the lands described in Schedule A to this Act are deemed to be the leased lands, with no change in the amount of the rent specified in the lease, or compensation. To that end, Schedules A and B to this Act replace the descriptions contained respectively in section 1.1 and Schedule A to the lease.

Moreover, sections 5 and 8 of the lease cease to have effect on (*insert the date of assent to this Act*).

Until the environmental management plans for the skiable terrain and the golf course land, required under sections 18 and 19 of this Act respectively, have been approved by the Minister, any work or capital investment not related to environmental maintenance or remediation, or not required to ensure or maintain the safety of equipment, is prohibited in the ski centre and golf course zones.

**30.** Despite the second paragraph of article 1887 of the Civil Code and subject to an agreement between the parties, the acquirer of the lands sold under Chapter III of this Act may cancel the lease referred to in section 10 on the expiry of a period of 12 months from the date of acquisition, by giving 6 months' written notice to the lessee to that effect, subject to the acquirer's paying the lessee an amount equal to the net residual value of the aggregate of the movable and immovable property described in section 20 of the lease, as determined on that date in accordance with section 22 of the lease.

**31.** If at the end of the tendering process provided for in Chapter III of this Act, the lessee that is party to the lease referred to in section 10 becomes the acquirer of the lands excluded from the park, the deed of sale effects confusion within the meaning of article 1683 of the Civil Code; as a result, no compensation or indemnity is paid or payable to the lessee for the assets described in section 20 of the lease.

However, despite the first paragraph, the authorization to maintain and use a water main under section 7 of the lease remains effective, without any amendment to the conditions and duration of the authorization, subject to water levels in Étang aux Cerises and Rivière aux Cerises being maintained as prescribed in the deed recording the servitude referred to in the second paragraph of section 12 of this Act.

**32.** Section 8 of the Regulation respecting the application of the Environment Quality Act enacted by Order in Council 1529-93 (1993, G.O. 2, 5996) does not apply to an application for a certificate of authorization for work or activities described in subparagraph 1 or 2 of the first paragraph of section 20, or to an application for approval of an environmental management plan required under section 18 or 19.

**33.** This Act overrides any provision of a municipal zoning, subdivision or building by-law, a by-law or regulation relating to building permits, a by-law or regulation relating to comprehensive development programs, or a by-law or

regulation relating to site planning and architectural integration programs with regard to the structures or construction work described in subparagraph 1 of the first paragraph of section 20.

Work carried out and structures built in compliance with the requirements of this Act may not be the subject of a remedy or penalty provided for in Title III of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) or be the subject of other civil or penal proceedings for non-compliance with the by-laws or regulations referred to in the first paragraph.

The second paragraph does not affect or restrict the application of the Environment Quality Act (R.S.Q., chapter Q-2), including any remedy or penalty provided for in that Act.

**34.** Sections 2 and 4 of the Parks Act (R.S.Q., chapter P-9) do not apply to the changes to the park boundaries made by section 2 or under section 8 of this Act. Nor do sections 2, 4 and 9 of the Parks Act apply to the changes in the park zoning made by section 7 of this Act.

**35.** The Minister of Sustainable Development, Environment and Parks is responsible for the administration of this Act.

**36.** This Act comes into force on (*insert the date of assent to this Act*).

## **SCHEDULE A**

*(Section 2)*

### **LANDS EXCLUDED FROM THE BOUNDARIES OF PARC NATIONAL DU MONT-ORFORD**

#### **TECHNICAL DESCRIPTION**

##### Note

In this technical description, it is understood that when a perimeter is said to follow a watercourse or skirt a lake, the perimeter always follows or skirts the outer limit of the shore or bank, that is, the high water line, unless otherwise indicated.

---

A territory situated in the municipality of Canton d'Orford, in Municipalité régionale de comté de Memphrémagog, covering a total area of 598.1 hectares and described as follows:

##### 1st perimeter

Starting from a point situated at the northwestern corner of lot 3 277 607 of the cadastre of Québec, a point whose coordinates are:

5 019 219.39 m N and 404 303.66 m E;

Thence westerly, along a straight line of 387.03 metres, measured along a bearing of 89°15'23";

Thence northerly, along a straight line of 39.98 metres, measured along a bearing of 0°;

Thence westerly, along a straight line of 140 metres, measured along a bearing of 281°38'16";

Thence southerly, along a straight line of 70 metres, measured along a bearing of 180°00';

Thence westerly, along a straight line of 595.54 metres, measured along a bearing of 269°15'23". The coordinates of this point are:

5 019 204.86 m N and 403 184.04 m E;

Thence northerly, along a straight line of 654.46 metres, measured along a bearing of 4°00';

Thence northwesterly, along a straight line of 500 metres, measured along a bearing of 334°43';

Thence northeasterly, along a straight line of 320 metres, measured along a bearing of  $59^{\circ}29'$ ;

Thence easterly, along a straight line of 460 metres, measured along a bearing of  $95^{\circ}00'$ ;

Thence northeasterly, along a straight line of 320 metres, measured along a bearing of  $70^{\circ}00'$ ;

Thence northwesterly, along a straight line of 780 metres, measured along a bearing of  $325^{\circ}00'$ . The coordinates of this point are:

5 021 180.62 m N and 403 603.38 m E;

Thence along a straight line along a bearing of  $25^{\circ}00'$  and measuring approximately 275 metres to the centre line of a stream;

Thence following a general southeasterly direction, along the centre line of the said stream for a distance of 654 metres, measured along a sinuous line;

Thence northeasterly, along a straight line of 336.02 metres, measured along a bearing of  $37^{\circ}00'$ . The coordinates of this point are:

5 021 442.11 m N and 404 337.53 m E;

Thence easterly, along a straight line of 10 metres, measured along a bearing of  $90^{\circ}00'$ ;

Thence southeasterly, along a straight line of 295 metres, measured along a bearing of  $40^{\circ}00'$ ;

Thence southerly, along a straight line of 260 metres, measured along a bearing of  $180^{\circ}00'$ . The coordinates of this point are:

5 020 956.13 m N and 404 537.15 m E;

Thence easterly, along a straight line of 190 metres, measured along a bearing of  $90^{\circ}00'$ . This point is situated on a parallel line 10 metres from a stream;

Thence following a general easterly direction, along the said line parallel to the stream for a distance of 425.3 metres, measured along a sinuous line;

Thence easterly, along a straight line of 10.34 metres, measured along a bearing of  $90^{\circ}00'$ . The coordinates of this point are:

5 020 956.43 m N and 405 131.73 m E;

Thence southerly, along a straight line of 60 metres, measured along a bearing of  $180^{\circ}00'$ ;

Thence easterly, along a straight line of 372.93 metres, measured along a bearing of  $90^{\circ}00'$ . This point is situated on the northeastern right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford). The coordinates of this point are:

5 020 896.43 m N and 405 504.65 m E;

Thence following general northwesterly and southeasterly directions, for a distance of 439.94 metres and 1,164.51 metres, measured along the northwestern and southwestern rights of way of the said Route 141. The furthest point of the latter distance is situated at the meeting point of the said right of way with the eastern limit of lot 1055 of the cadastre of Canton d'Orford;

Thence southerly, along the eastern limit of lots 1055 and 1056 of the said cadastre to the northern limit of lot 3 276 376 of the cadastre of Québec;

Thence westerly, along the northern limit of lots 3 276 376 and 3 277 607 of the cadastre of Québec to the starting point.

Area: 457.77 hectares

#### 2nd perimeter

Starting from the northeastern corner of lot 1055 of the cadastre of Canton d'Orford, a point whose coordinates are:

5 020 326.13 m N and 406 134.21 m E;

Thence southerly, along the eastern limit of the said lot 1055 to the northwestern right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford);

Thence following general northwesterly and northeasterly directions, along the northeastern and southeastern rights of way of the said Route 141 for distances of 1,118.27 metres and 367.01 metres. The coordinates of the latter point are:

5 020 848.80 m N and 405 488.61 m E;

Thence southeasterly, along a straight line of 209.51 metres, measured along a bearing of  $130^{\circ}00'$ ;

Thence easterly, along a straight line of 135 metres, measured along a bearing of  $90^{\circ}00'$ ;

Thence northeasterly, along a straight line of 190.79 metres, measured along a bearing of  $18^{\circ}10'46''$ ;



Thence easterly, along a straight line of 292 metres, measured along a bearing of 270°00';

Thence southerly, along a straight line of 365 metres, measured along a bearing of 180°00';

Thence westerly, along a straight line of 114 metres, measured along a bearing of 270°00';

Thence westerly, along a straight line of 139.26 metres, measured along a bearing of 180°00';

Thence southeasterly, along a straight line of 130 metres, measured along a bearing of 120°00'. This point being the starting point.

Area: 36.42 hectares

### 3rd perimeter

The starting point of this parcel of land is situated at the meeting point of the southern limit of lot 999 of the cadastre of Canton d'Orford with a straight line measured along a bearing of 187°08'44" and originating from a point whose coordinates are:

5 020 948.91 m N and 407 076.25 m E;

Thence northerly, along a straight line with a bearing of 7°08'44" and whose northern limit is situated on the southern right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford);

Thence following general easterly and southeasterly directions, along the southern and southwestern rights of way of the said Route 141 for a distance of 1, 604.4 metres. The coordinates of the latter point are:

5 020 472.56 m N and 408 243.79 m E;

Thence westerly, along a straight line of 86.15 metres, measured along a bearing of 273°31'00";

Thence northwesterly, along a straight line of 200 metres, measured along a bearing of 315°25';

Thence southwesterly, along a straight line of 60 metres, measured along a bearing of 249°13'01";

Thence southerly, along a straight line with a bearing of 179°41'17", the southern end of which is situated on the southern limit of lot 999 of the cadastre of Canton d'Orford;

Thence westerly, along the southern limit of lot 999 to the starting point.

Area: 79.68 hectares

4th perimeter

Starting from a point situated on the southern limit of lot 926 of the cadastre of Canton d'Orford and at a distance of 188.91 metres measured along the said limit from the southeastern corner of the said lot 926;

Thence northeasterly, along a straight line of 107.40 metres, measured along a bearing of  $33^{\circ}47'01''$ ;

Thence northerly, along a straight line of 99.15 metres, measured along a bearing of  $358^{\circ}30'43''$ ;

Thence northwesterly, along a straight line of 188.38 metres, measured along a bearing of  $318^{\circ}47'53''$ ;

Thence northerly, along the arc of a circle measuring 409.57 metres with an inner radius of 127.55 metres;»

Thence southwesterly, along a straight line of 120 metres, measured along a bearing of  $205^{\circ}19'12''$ ;

Thence southerly, along a straight line of 51.13 metres, measured along a bearing of  $180^{\circ}19'35''$ ;

Thence southwesterly, along a straight line of 141.19 metres, measured along a bearing of  $219^{\circ}20'30''$ , the latter point being situated on the northeastern right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford). The coordinates of this point are:

5 021 041.77 m N and 408 047.12 m E;

Thence following, a general southeasterly direction, along the northeastern right of way of the said Route 141 for a distance of 613.6 metres. The coordinates of the latter point are:

5 020 470.76 m N and 408 267.91 m E;

Thence easterly, along a straight line with a bearing of  $93^{\circ}31'$  to the left bank of the Ruisseau du Grand Rocher;

Thence following a general northeasterly direction, along the left bank of the said stream to the right bank of the Rivière aux Cerises;

Thence following a general northwesterly direction, along the said right bank of the Rivière aux Cerises to its meeting point with the southern limit of lot 926 of the cadastre of the Canton d'Orford;

Thence easterly, along the southern limit of the said lot to the starting point.

Area: 24.23 hectares

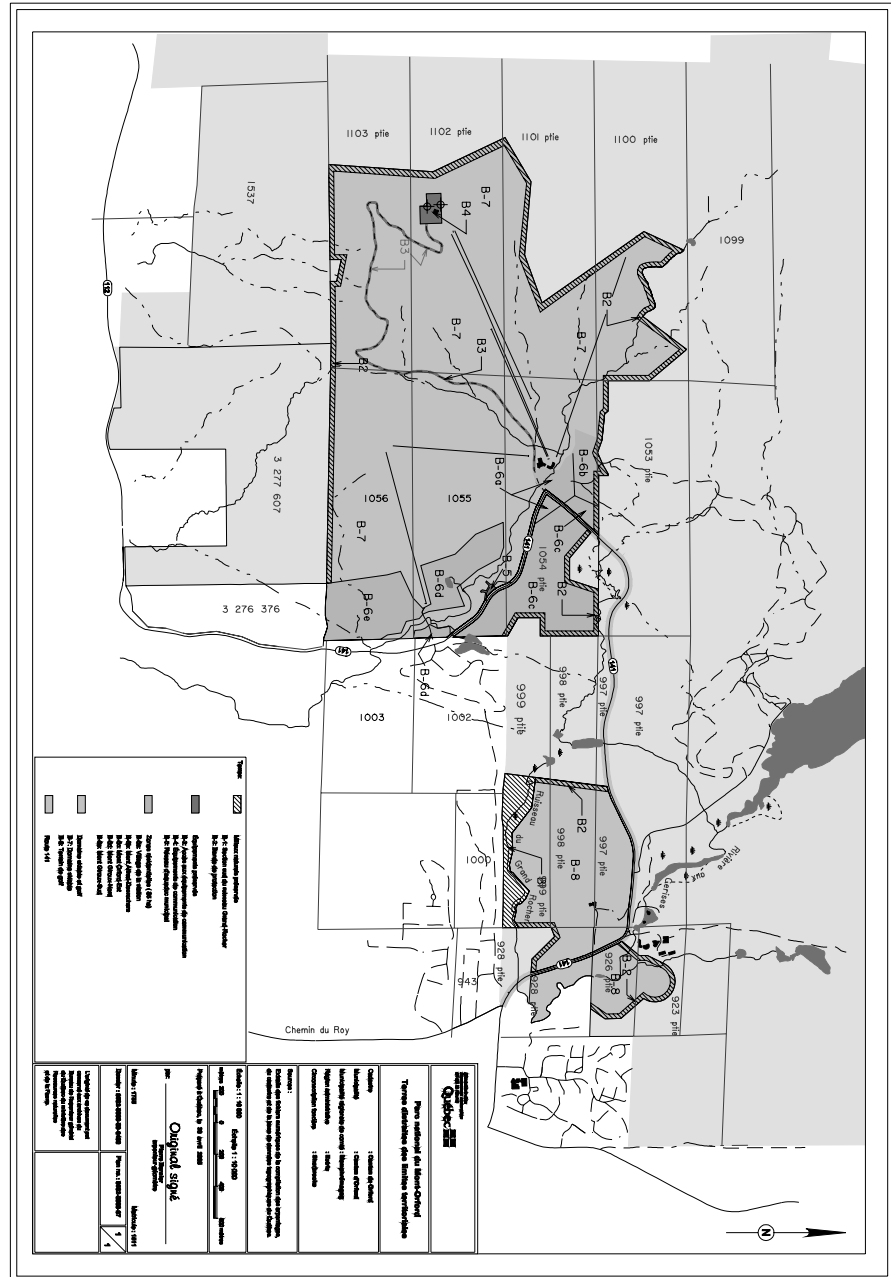
The measures and areas in this description are expressed in SI (International System) units and the related plan was drawn up on the basis of the digital survey and cadastral compilation files produced at a scale of 1:20 000 by the Ministère des Ressources naturelles et de la Faune. The coordinates are in reference to the official plane coordinate system of Québec (SCOPQ), modified transverse Mercator projection system, Zone 8, NAD 83.

The whole as shown on the plan prepared by the undersigned on 30 April 2006 and kept in the archives of the Bureau de l'arpenteur général du Québec of the Ministère des Ressources naturelles et de la Faune under number 0502-0000-07.

Prepared at Québec, on 30 April 2006 under number 1755 of my minutes.

By: \_\_\_\_\_  
Pierre Bernier, Land Surveyor

# PLAN OF LANDS EXCLUDED FROM PARC NATIONAL DU MONT-ORFORD



## **SCHEDULE C**

*(Section 5)*

*(a) Schedule A to the Regulation respecting the Parc national du Mont-Orford*

## **SCHEDULE A**

**(s. 1)**

## **PARC NATIONAL DU MONT-ORFORD**

### **TECHNICAL DESCRIPTION**

#### Note

In this technical description, it is understood that when a perimeter is said to follow a watercourse or skirt a lake, the perimeter always follows or skirts the outer limit of the shore or bank, that is, the high water line, unless otherwise indicated.

---

A territory situated in the municipalities of Eastman, Austin, Ville de Magog and Canton d'Orford, in the regional county municipality of Memphrémagog, covering a total area of 5,351.3 hectares and described as follows:

The islands situated in Lac Fraser and Lac Stukely, the position of whose centroid is defined by the following coordinates:

Lac Fraser:

— Nameless island: 5 028 133 m N and 408 505 m E with an area of 0.075 hectare.

Lac Stukely:

— Île Miner: 5 025 996 m N and 402 933 m E with an area of 8.150 hectares.

— Nameless island: 5 025 423 m N and 404 440 m E with an area of 0.065 hectare.

— Nameless island: 5 025 522 m N and 404 457 m E with an area of 0.097 hectare.

— Nameless island: 5 025 513 m N and 404 424 m E with an area of 0.044 hectare.

— Nameless island: 5 025 658 m N and 403 964 m E with an area of 0.111 hectare.

1st perimeter

Starting from a point situated at the southeastern corner of lot 1540 of the cadastre of Canton de Bolton;

Thence westerly and northerly, along the southern and western limits of the said lot 1540 to the southern limit of lot 1537;

Thence westerly, along the southern limit of the said lot 1537 to the eastern limit of lot 1460;

Thence southerly, along the latter limit to a parallel line 15.24 metres to the north of the central line of the powerline;

Thence westerly, along the said parallel line for a distance of 333.62 metres, that is, to its meeting with the central line of a stream;

Thence northerly, along the said central line of the stream for a distance of 329.36 metres;

Thence westerly, along the northern limit of the property of Madam Maureen Morris (registration no. 143419 at the registry office of the registration division of Brome) for a distance 235.17 metres and of the property of Mr. Claude Pelchat (registration no. 124474 at the registry office of the registration division of Brome) for a distance of 320.8 metres;

Thence southerly, along the western limit of the property of Mr. Claude Pelchat, that is, for a distance of 263.46 metres, measured along a bearing of 177°03'58". The latter point is on a parallel line 15.24 metres north of the central line of the powerline;

Thence northwesterly, along the parallel line 15.24 metres northeast of the central line of the powerline along a bearing of 328°17'47" and for a distance of 500.53 metres. That point is situated at the meeting point of the said parallel line with the eastern right of way of the servitude in favour of Gaz Inter-Cité Québec Inc. published under registration no. 143180 at the registry office of the registration division of Brome;

Thence northerly, along the said right of way, along a bearing of 347°47'09" for a distance of 7.54 metres;

Thence northwesterly, along the said right of way, along a bearing of 341°28'20" for a distance of 44.59 metres;

Thence northerly, along a bearing of 358°57'01" for a distance of 553.71 metres. The latter point is situated at the northern limit of the cadastre of Canton de Bolton;

Thence easterly, along the northern limit of the cadastre of Canton de Bolton to the western limit of the cadastre of Canton d'Orford;

Thence northerly, along the western limit of the cadastre of Canton d'Orford to the southern limit of lot 2 236 151 of the cadastre of Québec;

Thence westerly, northerly and easterly, along the southern, western and northern limits of the said lot 2 236 151;

Thence northerly, along the western limit of the cadastre of Canton d'Orford to the high water line of Lac Stukely;

Thence in a general northerly direction, along the said high water line of Lac Stukely so as to exclude it, to the western limit of the cadastre of Canton d'Orford;

Thence northerly, along the said limit to the southeastern limit of lot 1086-2-1 of the cadastre of Canton d'Orford;

Thence northeasterly, along the southeastern limit of the said lot and lot 1086-3 to the northeastern limit of lot 1086-2;

Thence easterly, along the northeastern limit of the said lot for a distance of 50.72 metres;

Thence northeasterly, along a straight line to the southwestern right of way of Route 220. The latter limit corresponds to the southeastern limit of the property of Mr. Gilles Picotte (registration no. 211626 at the registry office of the registration division of Sherbrooke);

Thence southeasterly and easterly, along the southwestern and southern limits of the right of way of Route 220 to the western limit of the part of lot 1086-1;

Thence southerly, easterly and northerly, along the western, southern and eastern limits of the said lot so as to exclude it;

Thence northeasterly, along the southeastern limit of the right of way of Route 220 to its meeting point with the southern right of way of the old Route 220;

Thence easterly and southeasterly, along the southern and southwestern rights of way of the old Route 220 to a point whose coordinates are:

5 029 299.21 m N and 404 629.76 m E;

Thence northeasterly, along a straight line along a bearing of 57°20'33" for a distance of 22.23 metres. The latter point is situated at the meeting point of the northeastern right of way of the old Route 220 with the line dividing lots 1080 and 1081 of the cadastre of Canton d'Orford;

Thence northeasterly, along the line dividing lots 1080 and 1081 to the western limit of lot 1031;

Thence northerly, along the said western limit of lot 1031 to the southwestern right of way of Route 220;

Thence southeasterly, along the said right of way to the line dividing lots 1031 and 1032;

Thence southerly, along the said line dividing lots 1031 and 1032 to the northern right of way of the old Route 220;

Thence southerly, along a straight line to the meeting point of the southern right of way of the old Route 220 with the line dividing lots 1041 and 1042 of the cadastre of Canton d'Orford;

Thence southerly, along the line dividing lots 1041 and 1042 to a point 740.63 metres from the southern limit of the said lots;

Thence easterly, along a line parallel to the southern limit of lots 1041, 1040, 1039, 1038 and 1037 to the western limit of lot 973 of the cadastre of Canton d'Orford;

Thence southerly, along the line dividing the said lots 973 and 1037 to the southern limit of lots 973 and 974;

Thence easterly, along the southern limit of the said lots 973 and 974 to the eastern limit of lot 974;

Thence northerly, along the said limit to the southern right of way of Route 220;

Thence in a general northeasterly direction, along the said right of way to its meeting point with the road along Lac Fraser, which is the western limit of lot 889-5;

Thence in a general southwesterly direction, along the northern and western limits of the road along Lac Fraser, that is, the road consisting of lots 889-5, 889-11 and 888-14 and the part of lot 888-25 of the cadastre of Canton d'Orford;

Thence easterly, along the southern limit of the part of lot 888-25 and lot 888-26 to the eastern shore of Lac Fraser;

Thence southerly, easterly and northerly, along the shore of the said lake so as to exclude it, to its meeting point with the eastern bank of the effluent of Lac des Monts;

Thence northerly, along the said eastern bank of the effluent of Lac des Monts to the southern right of way of Route 220;



Thence easterly and southeasterly, along the said right of way to the eastern corner of the access road to the campground on Lac Fraser. That point is defined by the following coordinates:

5 028 134.42 m N and 409 669.49 m E;

Thence southwesterly, along a straight line for a distance of 59.06 metres, measured along a bearing of  $235^{\circ}23'16''$ ;

Thence northwesterly, along a straight line for a distance of 31.93 metres, measured along a bearing of  $308^{\circ}32'56''$ . The latter point is on the southeastern right of way of the access road to the campground on Lac Fraser;

Thence in a general southwesterly direction, along the right of way of the said access road so as to include it, to the line dividing lots 799 and 891-A of the cadastre of Canton d'Orford;

Thence southerly, along the eastern limit of lots 891-A, 891 to 894, 896 to 900, 902 to 913, 915, 917, 918, 921, 922 and 924;

Thence westerly, along the southern limit of lot 924 to the western limit of lot 926;

Thence southerly, along the eastern limit of lot 926 to the line dividing lots 926 and 928 of the cadastre of Canton d'Orford;

Thence westerly, along the said line of lots 926 and 928, for a distance of 188.91 metres measured along a bearing of  $273^{\circ}22'22''$ ;

Thence northeasterly, along a straight line for a distance of 107.40 metres, measured along a bearing of  $33^{\circ}47'01''$ ;

Thence northerly, along a straight line for a distance of 99.15 metres, measured along a bearing of  $178^{\circ}30'43''$ ;

Thence northwesterly, along a straight line for a distance of 188.38 metres, measured along a bearing of  $318^{\circ}47'53''$ ;

Thence northerly, westerly and southwesterly, along the arc of a circle measuring 409.57 metres with an outer radius of 127.55 metres;

Thence southwesterly, along a straight line for a distance of 120 metres, measured along a bearing of  $205^{\circ}19'12''$ ;

Thence southerly, along a straight line for a distance of 51.13 metres, measured along a bearing of  $180^{\circ}19'35''$ ;

Thence southwesterly, along a straight line for a distance of 141.19 metres, measured along a bearing of  $219^{\circ}20'30''$ . The latter point is situated on the

northeastern right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford) and is defined by the following coordinates:

5 021 041.77 m N and 408 047.12 m E;

Thence in a general westerly direction, along the said right of way so as to exclude it, to a point whose coordinates are:

5 020 896.43 m N and 405 504.65 m E;

Thence westerly, along a straight line for a distance of 372.93 metres, measured along a bearing of 270°00';

Thence northerly, along a straight line for a distance of 60 metres, measured along a bearing of 0°00'. The coordinates of the latter point are:

5 020 956.43 m N and 405 131.73 m E;

Thence westerly, along a straight line for a distance of 10.34 metres, measured along a bearing of 270°. The latter point is situated on a parallel line 10 metres from a stream;

Thence in a general westerly direction, along the said line parallel to the stream for a distance of 425.3 metres, measured along a sinuous line;

Thence westerly, along a straight line for a distance of 190 metres, measured along a bearing of 270°. The coordinates of the latter point are:

5 020 956.13 m N and 404 537.15 m E;

Thence northerly, along a straight line for a distance of 260 metres, measured along a bearing of 0°00';

Thence northwesterly, along a straight line for a distance of 295 metres, measured along a bearing of 320°00';

Thence westerly, along a straight line for a distance of 10 metres, measured along a bearing of 270°00';

Thence, along a straight line along a bearing of 217° and for a distance of approximately 336 metres to the central line of a stream;

Thence in a general northwesterly direction, along the central line of the said stream for a distance of 654 metres, measured along a sinuous line;

Thence southwesterly, along a straight line for a distance of 275 metres, measured along a bearing of 205°. The coordinates of the latter point are:

5 0211 180.62 m N and 403 603.38 m E;

Thence southeasterly, along a straight line for a distance of 780 metres, measured along a bearing of  $145^{\circ}$ ;

Thence southwesterly, along a straight line for a distance of 320 metres, measured along a bearing of  $250^{\circ}$ ;

Thence westerly, along a straight line for a distance of 460 metres, measured along a bearing of  $275^{\circ}$ ;

Thence southwesterly, along a straight line for a distance of 320 metres, measured along a bearing of  $239^{\circ}29'$ ;

Thence southeasterly, along a straight line for a distance of 500 metres, measured along a bearing of  $154^{\circ}43'$ ;

Thence southerly, along a straight line for a distance of 654.46 metres, measured along a bearing of  $184^{\circ}00'$ ;

Thence easterly, along a straight line for a distance of 595.54 metres, measured along a bearing of  $89^{\circ}15'23''$ ;

Thence northerly, along a straight line for a distance of 70 metres, measured along a bearing of  $0^{\circ}00'$ ;

Thence easterly, along a straight line for a distance of 140 metres, measured along a bearing of  $101^{\circ}38'16''$ ;

Thence southerly, along a straight line for a distance of 39.98 metres, measured along a bearing of  $180^{\circ}00'$ ;

Thence easterly, along a straight line for a distance of 387.03 metres, measured along a bearing of  $89^{\circ}15'23''$ . The latter point is the northwestern corner of lot 3 277 607 of the cadastre of Québec;

Thence easterly, southerly, westerly, northerly, westerly, southerly and westerly, skirting the said lot 3 277 607 so as to include it, to its southwestern corner. The latter point is on the eastern limit of lot 1542 of the cadastre of Canton de Bolton;

Thence northerly, along the eastern limit of the said lot 1542 to the starting point, that is, the southeastern corner of lot 1540.

Area: 5 261.89 hectares

#### 2nd perimeter

Thence northerly, along a straight line for a distance of 304.63 metres, measured along a bearing of  $359^{\circ}41'17''$ ;

Thence northeasterly, along a straight line for a distance of 60 metres, measured along a bearing of  $69^{\circ}13'01''$ ;

Thence southeasterly, along a straight line for a distance of 200 metres, measured along a bearing of  $135^{\circ}25'$ ;

Thence easterly, along a straight line for a distance of 85.64 metres, measured along a bearing of  $93^{\circ}31'00''$ . The latter point is on the western right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford) and is defined by the following coordinates:

5 020 472.59 m N and 408 243.28 m E;

Thence southeasterly, along the said right of way for a distance of 287.12 metres. The latter point is on the southern limit of lot 928 of the cadastre of Canton d'Orford;

Thence westerly, along the southern limit of the said lot 928 to the starting point.

Area: 8.42 hectares

### 3rd perimeter

Starting from a point situated on the northeastern right of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford) to its meeting with the left bank of the Ruisseau du Grand Rocher;

Thence northwesterly, for a distance of 90.98 metres measured along the right of way of the said route to a point whose coordinates are:

5 020 470.76 m N and 408 267.91 m E;

Thence easterly, along a straight line along a bearing of  $93^{\circ}31'$  to the left bank of the Ruisseau du Grand Rocher;

Thence in a general southwesterly direction, along the said left bank to the starting point.

Area: 0.55 hectare

### 4th perimeter

Starting from the southwestern corner of lot 999 of the cadastre of Canton d'Orford, a point whose coordinates are:

5 020 326.13 m N and 406 134.21 m E;

Thence northwesterly, along a straight line for a distance of 130 metres, measured along a bearing of  $300^{\circ}00'$ ;

Thence northerly, along a straight line for a distance of 139.26 metres, measured along a bearing of  $0^{\circ}00'$ ;

Thence easterly, along a straight line for a distance of 114 metres, measured along a bearing of  $90^{\circ}00'$ ;

Thence northerly, along a straight line for a distance of 365 metres, measured along a bearing of  $0^{\circ}$ ;

Thence westerly, along a straight line for a distance of 292 metres, measured along a bearing of  $270^{\circ}$ ;

Thence southwesterly, along a straight line for a distance of 190.79 metres, measured along a bearing of  $198^{\circ}10'46''$ ;

Thence westerly, along a straight line for a distance of 135 metres, measured along a bearing of  $270^{\circ}$ ;

Thence northwesterly, along a straight line for a distance of 209.51 metres, measured along a bearing of  $310^{\circ}$ . The latter point is on the southeastern right of way of Route 141 and the coordinates are:

5 020 848.80 m N and 405 488,61 m E;

Thence in a general easterly direction, the southeastern and southern rights of way of Route 141 (Chemin du Parc, lot 1828 of the cadastre of Canton d'Orford) for a distance of 1 723.50 metres. The latter point is defined by the following coordinates:

5 020 948.91 m N and 407 076.25 m E;

Thence southerly, along a straight line along a bearing of  $187^{\circ}08'44''$ , to the southern limit of lot 999 of the cadastre of Canton d'Orford;

Thence westerly, along the southern limit of the said lot 999 to the starting point.

Area: 69.98 hectares

#### 5th perimeter

Starting from the northeastern corner of lot 1031 of the cadastre of Canton d'Orford;

Thence southerly, along a distance of 223.70 metres measured along the line dividing lots 1031 and 1032 to the northeastern right of way of Route 220;

Thence northwesterly, for a distance of 275.90 metres measured along the northeastern right of way of Route 220. The latter point is on the northern limit of lot 1031;

Thence easterly, for a distance of 173.20 metres measured along the northern limit of lot 1031 to the starting point.

Area: 1.72 hectare

The measures and areas in this technical description are expressed in SI (International System) units and the related plan was drawn up on the basis of the digital survey and cadastral compilation files produced at a scale of 1:20 000 by the Ministère des Ressources naturelles et de la Faune. The coordinates are in reference to the official plane coordinate system of Québec (SCOPQ), modified transverse Mercator projection system, Zone 8, NAD 83.

The whole as shown on the plan prepared by the undersigned on 30 April 2006 and kept in the archives of the Bureau de l'arpenteur général du Québec of the Ministère des Ressources naturelles et de la Faune under number 0502-0000-06.

Prepared at Québec, on 30 April 2006 under number 1754 of my minutes.

By: \_\_\_\_\_  
Pierre Bernier, Land Surveyor



**SCHEDULE D**  
(Section 7)

**SCHEDULE 5**  
(s. 3)

**PARC NATIONAL DU MONT-ORFORD ZONING MAP**





## **SCHEDULE E**

*(Section 17)*

### **Permitted uses**

#### Zones B-6b, B-6c, B-6d and B-6e

The following uses are permitted in these zones:

— detached, semi-detached or attached (containing no more than 7 units) single-family dwellings, detached or semi-detached two-family dwellings, and multi-family dwellings that contain no more than 20 units;

— outdoor recreational activities, excluding exhibition grounds, golf courses, horseback riding grounds, horseback riding centres and vacation camps;

— the following uses complementary to residential uses: professional, personal and handicraft services if carried on inside residential buildings over an area not exceeding 25% of the building coverage of the main building.

#### Zone B-6a

In this zone, the following uses are permitted in addition to the uses permitted in zones B-6b, B-6c, B-6d et B-6e:

— recreational services;

— recreational activities;

— hotel services, excluding convention centres;

— restaurant establishments and establishments where alcoholic beverages are consumed;

— the following uses complementary to recreational and commercial uses: professional, personal and handicraft services and retailing, if carried on inside residential, recreational or commercial buildings and integrated into the preceding uses.

### **General criteria**

#### Zones B-6a, B-6b, B-6c, B-6d and B-6e

1) In these zones, the base of a building may not be located at more than 350 metres above sea level, except in the zone at the very foot of the slopes of Mont Orford, where the base of a building may be located at an altitude of up to 370 metres.

2) Outdoor lighting equipment must be designed and maintained to protect the night sky against light pollution.

3) Commercial uses must be integrated harmoniously with and be complementary to existing recreational activities and equipment, in particular the downhill ski centre, the golf course and hiking trails.

4) Adequate protection must be provided for residential uses against sound nuisances associated with commercial uses, in particular through the integration of transition zones or buffer areas between different uses.

### **Density criteria**

#### **Zones B-6b, B-6c, B-6d and B-6e**

1) There are to be no more than 10 dwellings per gross hectare and a maximum of 4 multi-family dwellings containing more than 16 units is authorized.

2) The gross land occupation coefficient may not exceed 25% for all zones; however, the maximum land use percentage for each separate lot on which a main building is erected is 30%.

#### **Zone B-6a**

1) There are to be no more than 30 dwellings per gross hectare. In addition, only one hotel complex of more than 80 but less than 100 rooms is permitted. Moreover, a maximum of 250 rooms is authorized for all hotel establishments in the zone.

2) The gross land occupation coefficient may not exceed 30% for the entire zone; however, the maximum land use percentage for each separate lot on which a main building is erected is 60%.

### **Criteria applicable to building and parking area construction**

#### **Zones B-6a, B-6b, B-6c, B-6d and B-6e**

1) All structures, landscaping and parking lots must be integrated with the natural characteristics of the land. Topographical changes (clearing and filling) are to be limited. Natural benches should be used for the construction of buildings and parking lots.

2) Buildings must be laid out so as to cast the least possible shade on pedestrian malls, public squares, and low-density dwellings.

3) Buildings must be laid out so as to preserve the view of surrounding mountains and bodies of waters from public squares and pedestrian malls.

4) Parking lots must be grouped in clusters and embellished with landscaping to minimize the visual impact. They must be consistent with the overall development design.

5) Existing trees must be preserved or new ones planted in parking lots to provide plant cover and break up the spatial homogeneity.

6) The total parking area must not exceed 7 hectares.

### **Criteria applicable to the architecture**

#### **Zones B-6a, B-6b, B-6c, B-6d and B-6e**

1) Harmonious coexistence of the different uses must be ensured by using the same or related architectural features to create a harmonious and distinctive built environment.

2) All structures must recall the architectural features specific to the Cantons-de-l'Est, that is, those of Victorian, Queen Anne, New England or Loyalist architecture.

3) Single-family dwellings must be no more than 10 metres high. Other residential buildings and commercial and recreational buildings must be no more than 15 metres high.

4) All the buildings on the same street or in the same group must be compatible as regards architectural style (volume, height, exterior finish, roof shape, facade, and architectural details). Moreover, they should fit in with the surrounding area.

5) When dwelling units are grouped together, recessed facades and variations in the volume and other measurements must be provided so they do not form a monolithic whole.

6) The side and back wall treatment of a building must be equivalent to that of the main facade.

7) The areas for storing, loading and unloading merchandise, and the mechanical equipment for structures and uses other than residential must not be visible from thoroughfares, recreational sites, footpaths or public spaces.

8) The height and dimensions of an accessory building must not exceed those of the main building.

## **Criteria applicable to protection of the forest cover**

### **Zones B-6a, B-6c, B-6d and B-6e**

- (1) A forest cover consisting of at least 70% of the stems of a diameter of 10 centimetres or more must be preserved on slopes steeper than 30% and in a 10-metre wide zone separating proposed facilities from any road.
- (2) In the absence of a wooded zone, the planting of trees in a 10-metre wide zone must be planned along any road. At least 2 trees of a minimum height of 4 metres must be planted per 10 square meters of the zone. The zone must include conifers in a proportion of at least 60%.
- (3) Buildings, facilities, equipment and infrastructures must be laid out in such a way as to limit the size of cleared areas and must take into account the characteristics of the existing forest cover.
- (4) Effective protection measures must be taken before any construction work begins in order to ensure that the work does not undermine the preservation of trees located in those zones, except the trees that must be removed to carry out the work.
- (5) Any unbroken area of clearing must be limited to the needs generated by the construction of buildings and equipment and the lay-out of roads and parking areas. Clearing for the purpose of piling or storing materials or storing machinery is prohibited.

## **Criteria applicable to drainage and erosion control**

### **Zones B-6a, B-6c, B-6d and B-6e**

- (1) Construction or landscaping work must not modify the natural surface water drainage system by making changes in the flow area of natural watersheds. However, if it is impossible not to modify the natural drainage system, modifications must be made according to a drainage and erosion control plan that includes measures mitigating the impact on the natural hydrous environment:
  - routing of runoff water toward wooded areas;
  - creation of settling and filtration basins;
  - progressive revegetation;
  - stabilization using such means as stonework and vegetation.
- (2) Any parking lot covering more than 500 square metres must include measures to retain runoff water.

(3) Retention and control devices for the rainwater flowing from infrastructures such as buildings, service areas and access roads must be planned and integrated during the construction and landscaping of each component of the development in order to minimize sudden surges and the erosion of the banks and bed of Ruisseau Castle and its tributary streams.

(4) Any alteration of the natural topography resulting in a bare slope covering more than 5% of the area on which structures, equipment or facilities are being placed must include mitigating measures applied throughout the construction period, and slopes must be seeded or covered with vegetation at the latest 12 months after the end of the work altering the topography, in order to avoid land erosion.

(5) During the excavation work needed for construction or landscaping, excavated materials must be placed in such a way as to avoid depositing any sediment in pipes, watercourses, ditches, roads or adjacent properties.





