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| CANADA  PROVINCE OF QUEBEC  DISTRICT OF HULL  TAQ FILES:  SAI-Q-130897-0610  SAI-Q-130881-0610 |  | **QUEBEC ADMINISTRATIVE TRIBUNAL**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **MINISTRY OF MUNICIPAL AFFAIRS AND REGIONS**  **Applicant**  **v.**  **CITY OF GATINEAU**  **Respondent**  **and** |
|  |  | **HERITAGE COLLEGE**  **and**  **OUTAOUAIS CÉGEP**  **and**  **NATIONAL CAPITAL COMMISSION**  **Third parties**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

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**APPLICATION TO INTERVENE**

**(Sections 11 and 16 of the Rules of Procedure of the Quebec Administrative Tribunal)**

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TAKE NOTICE that the GATINEAU PARK PROTECTION COMMITTEE (a standing committee of the New Woodlands Preservation League) is hereby filing this APPLICATION TO INTERVENE before the Tribunal, an application to be presented at a date and location to be determined by the Tribunal.

**THIS APPLICATION SEEKS TO OBTAIN:**

1. Permission to intervene on this matter in support of the respondent and its decision to continue registering the applicant as owner of the Outaouais CÉGEP lands on the City of Gatineau’s tax assessment roll, a decision rendered on two occasions by the municipal evaluator.

**MOTIVES FOR THE APPLICATION:**

According to the facts listed in our letter of December 18, 2008 to the Tribunal, we believe the applicant to be making a groundless argument in saying the federal government owns the Outaouais CÉGEP lands. Our analysis confirms that the applicant owns those lands by virtue of the August 1, 1973 *Agreement Regarding the Transfer of Control and Management of Certain Public Lands in the Quebec Portion of the National Capital Region*. We emphasize that this agreement rests on federal Order-in-Council P.C. 1973-4/437, February 20, 1973, and Quebec Order-in-Council 3736-72, December 13, 1972.

1. Furthermore, the applicant’s erroneous argument maintains confusion and uncertainty with respect to Gatineau Park – to the point that no one seems to know who really runs the park, what are its precise boundaries, or who owns the lac La Pêche lands or the Outaouais CÉGEP lands.
2. As a result of this confusion and uncertainty, the National Capital Commission (NCC) is fearful of asserting its authority over and ownership of those lands, which abets the anarchy running through park management in general.
3. This administrative vacuum also abets the degradation of the park and its ecosystems. For example, we note the muddying of Meech Lake reported in the media during the summer of 2008. Our Committee asked all government levels to intervene, only to be told it was someone else’s jurisdiction. The most striking case of bureaucratic anarchy we have ever witnessed.
4. We underline, moreover, that houses are being built on the lakebed at Meech Lake as a result of this administrative vacuum. The report drafted in 2008 by Quebec’s Department of Natural Resources and Wildlife regarding a complaint on this matter confirms the breadth of the problem.

**THE INTEREST OF THE GATINEAU PARK PROTECTION COMMITTEE:**

1. Committee members advocate preservation of the park’s ecological and territorial integrity. They insist that the public interest must prevail over all other factors in park management, and that its history be presented fairly and truthfully.
2. In the course of its mission, the Committee has convinced the NCC to review its historical interpretation of Gatineau Park and recognize its true origins. We have also managed to get parliamentarians from both federal houses to table bills to set the park’s boundaries, provide it with an effective land management mechanism and ensure its long-term protection.
3. We also seek to ensure that laws and regulations related to Gatineau Park be rigorously enforced by the various levels of government within their respective jurisdictions.

**CONCLUSION SOUGHT:**

That the Tribunal dismiss the applicant’s request and concur in the respondent’s decision to continue registering the applicant as owner of the Outaouais CÉGEP lands on the City of Gatineau’s tax assessment roll.

**THE FOLLOWING DOCUMENTARY EVIDENCE WILL BE USED IN SUPPORT OF OUR INTERVENTION:**

The August 1, 1973 *Agreement Regarding the Transfer of Control and Management of Certain Public Lands in the Quebec Portion of the National Capital Region*;

Order-in-Council P.C. 1973-4/437;

Quebec Order-in-Council 3736-72;

1. The letter the NCC’s former CEO sent us on September 14, 2007 expressing the NCC’s opinion that it owns the lands around lac La Pêche;

An excerpt from the Gatineau Park Master Plan, where the NCC claims the opposite, i.e., that the Quebec Government owns lac La Pêche lands (2005 edition, page 75);

A Gatineau Park map entitled *Transactions Since 1988* claiming that the Quebec government owns the lac La Pêche lands (National Capital Commission, map no. 2005-04-01);

A letter from the City of Gatineau concerning the Outaouais CÉGEP lands confirming that the Quebec government owns them;

A letter from the Municipality of Pontiac confirming that the NCC owns the Gatineau Park lands located on that municipality’s territory;

Our December 18, 2008 letter to the Quebec Administrative Tribunal demonstrating the inadmissibility of the Quebec government’s position in this matter;

Two event reports prepared by the Quebec Department of Natural Resources and Wildlife concerning the construction of a house on the lakebed at Meech Lake along with our two letters of complaint.

**FOR THESE MOTIVES, MAY IT PLEASE THE TRIBUNAL:**

**GRANT the present application;**

**AUTHORIZE the Gatineau Park Protection Committee to intervene on this matter;**

**ALL OF WHICH IS RESPECTFULLY SUBMITTED**

**Chelsea, March 9, 2009**

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| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Jean-Paul Murray**  **Co-Chair**  **Gatineau Park**  **Protection Committee**  **17 Kingsmere Road**  **Chelsea, Quebec**  **J9B 1R7**  **819-827-1803** |  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Andrew McDermott**  **Co-Chair**  **Gatineau Park**  **Protection Committee**  **43 Melgund Avenue**  **Ottawa, Ontario**  **K1S 2S1**  **613-567-3608** |