



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 899

**An Act to recognize municipalities’
autonomy in the areas of land
development and protection of drinking
water sources**

Introduction

**Introduced by
Madam Manon Massé
Member for Sainte-Marie–Saint-Jacques**

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EXPLANATORY NOTES

The purpose of this bill is to recognize municipalities' autonomy in the areas of land development and protection of drinking water sources.

In the area of land development, the bill ends the precedence of mineral and petroleum rights over other land uses.

In the area of protection of drinking water sources, the bill allows municipalities to set standards by by-law that are identical to or more stringent than those included in the Environment Quality Act and its regulations.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting land use planning and development (chapter A-19.1);
- Mining Act (chapter M-13.1);
- Environment Quality Act (chapter Q-2);
- Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- Petroleum Resources Act (2016, chapter 35, section 23).

Bill 899

AN ACT TO RECOGNIZE MUNICIPALITIES' AUTONOMY IN THE AREAS OF LAND DEVELOPMENT AND PROTECTION OF DRINKING WATER SOURCES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE

1. The purpose of this Act is to recognize municipalities' autonomy in the area of land development by ending the precedence of mining and petroleum rights over other land uses.

The purpose of this Act is also to recognize municipalities' autonomy in the area of protection of drinking water sources.

CHAPTER II

AMENDING PROVISIONS

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

2. Section 6 of the Act respecting land use planning and development (chapter A-19.1), amended by section 213 of the Petroleum Resources Act (2016, chapter 35, section 23), is again amended by striking out subparagraph 7 of the first paragraph.

3. Section 53.7 of the Act, amended by section 214 of the Petroleum Resources Act, is again amended by replacing the first paragraph by the following paragraph:

“Within 60 days after receiving the copy of the by-law amending the metropolitan plan or the RCM plan, the Minister shall give an opinion as to the consistency of the amendment with government policy directions.”

4. Section 246 of the Act, amended by section 215 of the Petroleum Resources Act, is repealed.

ENVIRONMENT QUALITY ACT

5. The Environment Quality Act (chapter Q-2) is amended by inserting the following section after section 46:

“46.0.1. No municipal by-law on a matter provided for in this Act or the regulations may restrict the scope or application of these standards.

However, a municipality may set standards in the area of protection of drinking water sources that are identical to or more stringent than those in this Act or the regulations.”

6. Section 86 of the Act is amended by striking out “, unless a municipal by-law dealing with the matters contemplated in the regulations aforementioned has been approved in conformity with section 124”.

7. Section 124 of the Act is amended by adding the following paragraph at the end:

“However, the fourth and fifth paragraphs do not apply to municipal by-laws in the area of protection of drinking water sources.”

ACT RESPECTING THE LAND REGIME IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

8. Section 89 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1), amended by section 255 of the Petroleum Resources Act (2016, chapter 35, section 23), is repealed.

9. Section 173 of the Act, amended by section 257 of the Petroleum Resources Act, is repealed.

10. Section 191.68 of the Act, amended by section 259 of the Petroleum Resources Act, is repealed.

MINING ACT

11. Section 216.1 of the Mining Act (chapter M-13.1) is amended by striking out “, the territories identified as mining-incompatible under section 304.1.1” in the second paragraph.

12. Section 304.1 of the Act is amended by striking out “, to the coming into force of the withdrawal provided for in section 304.1.1,” in the first paragraph.

13. Section 304.1.1 of the Act is repealed.

PETROLEUM RESOURCES ACT

14. Chapter X of the Petroleum Resources Act (2016, chapter 35, section 23), comprising section 141, is repealed.

CHAPTER III

FINAL PROVISIONS

15. The Government may, by regulation, prescribe any measure required for the carrying out of this Act.

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

