



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 198

**An Act to end the precedence of mining
rights over other land uses and to amend
the Act respecting land use planning and
development**

Introduction

**Introduced by
Mr. Amir Khadir
Member for Mercier**

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EXPLANATORY NOTES

The purpose of this bill is to repeal the provision of the Act respecting land use planning and development that gives precedence to the Mining Act. Thus, a provision of the Act respecting land use planning and development, of the land use and development plan of a metropolitan community or a regional county municipality or of an interim control by-law or resolution or a zoning, subdivision or building by-law could have the effect of preventing the staking or designation on a map of a claim, or exploration for or the development or exploitation of mineral substances or underground reservoirs under the Mining Act.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting land use planning and development (chapter A-19.1).

Bill 198

AN ACT TO END THE PRECEDENCE OF MINING RIGHTS OVER OTHER LAND USES AND TO AMEND THE ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

AS land use planning is under the responsibility of elected representatives and not simply a technical process;

AS it is a task shared by the various levels of decision making;

AS that task requires concerted choices and action on the part of the various levels of government;

AS land use planning must promote active public participation in decision making and take sustainable development into account; and

AS the precedence of mining rights is contrary to the above and, more specifically, to the concept of sustainable development, which involves long-term planning and the harmonious coexistence of land uses and various economic sectors;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 246 of the Act respecting land use planning and development (chapter A-19.1) is repealed.
- 2.** The Government may, by regulation, prescribe any measure necessary for carrying out this Act.
- 3.** This Act comes into force on (*insert the date of assent to this Act*).

