



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 62
(1999, chapter 84)

**An Act to delimit the high water mark
of the St. Lawrence River in the
territory of Municipalité régionale
de comté de La Côte-de-Beaupré**

**Introduced 8 December 1999
Passage in principle 17 December 1999
Passage 17 December 1999
Assented to 20 December 1999**

**Québec Official Publisher
1999**

EXPLANATORY NOTES

The object of this bill is to establish the high water mark of the St. Lawrence River within the territory of Municipalité régionale de comté de La Côte-de-Beaupré for land use planning and environmental protection purposes.

The bill also sets out conditions for carrying out backfill work in the zones concerned.

Bill 62

AN ACT TO DELIMIT THE HIGH WATER MARK OF THE ST. LAWRENCE RIVER IN THE TERRITORY OF MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA CÔTE-DE-BEAUPRÉ

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The line shown on the maps reproduced in Sessional Paper No. 787-19991208, tabled in the National Assembly on 8 December 1999 shall, for the purposes of the Acts concerning land use planning and environmental protection, be the high water mark of the St. Lawrence River in the territory of Municipalité régionale de comté de La Côte-de-Beaupré.

2. Backfill work may be carried out, within the five years that follow the coming into force of this Act, in the zones located between the high water mark as established under section 1 and the maximum backfilling limit indicated on the maps referred to in section 1 if

(1) the high water mark as established under section 1 has been integrated into the development plan in effect in the territory of Municipalité régionale de comté de La Côte-de-Beaupré within the zones where land occupation is subject to special restrictions for reasons of environmental protection regarding riverbanks, littoral zones and floodplains, and the development plan provides for the use of at least 550,000 square metres of the land in those zones for recreational or conservation purposes and determines the conditions on which backfill work may be carried out within those zones ;

(2) the interim control by-law of Municipalité régionale de comté de La Côte-de-Beaupré allows the work to be carried out or a certificate of conformity has been issued by the secretary-treasurer of the regional county municipality in respect of a zoning by-law allowing the work to be carried out ; and

(3) the conditions on which the work is to be carried out have been approved by the Minister of the Environment.

An application for approval is filed with the Minister in the form of a notice containing a general description of the proposed work ; the other information and documents that may be required by the Minister must also be produced in support of the application. The approval of the Minister does not exempt a person from the requirement to obtain any certificate of authorization that may otherwise be required for such work pursuant to a municipal by-law.

Once backfill work has been completed in a zone mentioned in the first paragraph, the maximum backfilling limit in that zone shall, for the purposes of the Acts referred to in section 1, be the high water mark.

3. Backfill work that may be carried out pursuant to section 2 is exempted

(1) from the application of section 22 of the Environment Quality Act (R.S.Q., chapter Q-2) and Division IV.1 of Chapter I of that Act, if applicable; and

(2) from the application of the protection policy for riverbanks, littoral zones and floodplains adopted pursuant to the Environment Quality Act.

4. Every person carrying out backfill work who fails to comply with the requirements of section 2 or the conditions on which the work is to be carried out, as approved by the Minister, is liable to the penalties provided for in section 106 of the Environment Quality Act.

The provisions of the first paragraph of section 109.1.1 and sections 109.1.2, 109.2, 110, 110.1, 112, 114, 115 and 116.1 of that Act are applicable.

5. This Act comes into force on the date to be fixed by the Government.