

Regulations and other Acts

M.O., 2021

Order of the Minister of Municipal Affairs and Housing dated 12 January 2021

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

Amendment to the land use planning and development controls provided for by Order in Council 817-2019 dated 12 July 2019

WHEREAS the Government made Order in Council 817-2019 concerning the declaration of a special planning zone to promote better management of flood zones on 12 July 2019;

WHEREAS the purpose of that Order in Council is to solve a development and environmental problem that is both serious and urgent;

WHEREAS that Order in Council provides for the land use planning and development controls applicable within the perimeter of the special planning zone;

WHEREAS those controls are designed for flood zones;

WHEREAS analyses submitted to the Ministère des Affaires municipales et de l'Habitation and the Ministère de l'Environnement et de la Lutte contre les changements climatiques led to conclude that a project for the construction of new dikes and the implementation of a water management system for Municipalité de Saint-Joseph-du-Lac would allow to secure its territory and service roads of Municipalité de Pointe-Calumet in anticipation of the 2021 spring freshets thereby ensuring the safety of persons and property;

WHEREAS it is therefore expedient to allow the project in the territory of the municipality;

WHEREAS, in accordance with Order in Council 817-2019, the controls it provides may be amended by an order of the Minister of Municipal Affairs and Housing published in the *Gazette officielle du Québec*;

WHEREAS the controls have already been amended by Ministerial Orders dated 2 August 2019, 23 August 2019, 25 September 2019 and 23 December 2019 and by Order in Council 1260-2019 dated 18 December 2019, but it is expedient to further amend them;

WHEREAS a draft of this Order was published in the *Gazette officielle du Québec* of 23 December 2020;

WHEREAS the amendment to the controls must come into force rapidly to allow the municipality to undertake work to secure its territory and service roads of Municipalité de Pointe-Calumet in anticipation of the 2021 spring freshets thereby ensuring the safety of persons and property;

THEREFORE, the Minister of Municipal Affairs and Housing orders as follows:

THAT the land use planning and development controls applicable within the perimeter of the special planning zone provided for by Order in Council 817-2019 dated 12 July 2019, amended by Ministerial Orders dated 2 August 2019, 23 August 2019, 25 September 2019 and 23 December 2019 and by Order in Council 1260-2019 dated 18 December 2019, be further amended by inserting the following after paragraph 11.1 of the fourth paragraph of the operative part:

“(11.2) despite paragraphs 1 and 2 and any inconsistent provision of any instrument of a local municipality, regional county municipality or a metropolitan community, Municipalité de Saint-Joseph-du-Lac is authorized to make any intervention related to a dike and other structures or works required for the implementation of a water management system in connection with the protection of the territory against flooding, including a pumping station;”;

THAT this Order come into force on the date of its publication in the *Gazette officielle du Québec*.

ANDRÉE LAFOREST,
Minister of Municipal Affairs and Housing

104833