

TIAM Information Session

UNOFFICIAL TRANSLATION of text of

MRCVG presentation

February 27 2024

Heritage Hall, Low Quebec

Agenda

1- TIAM Definitions and Explanations

2 - Legal framework (MINING ACT AND PLANNING AND DEVELOPMENT ACT)

3- Effects of a TIAM on the territory


4- Obligations of a mining claim holder

5- Ongoing process - temporary suspension

6- Criteria imposed by the Ministry to justify a TIAM

7- Next Steps in the Process

8- Question and Answer Session



► A TIAM is a territory in which the viability of activities would be compromised by the impacts generated by mining activity, whether these territories are located on private or public land.

► The MRC has begun the process of identifying territories incompatible with mining activity on its territory (TIAM).

Legislative Framework

Act respecting land use planning and development

- ▶ Art. 246: No provision of this Act [...] may have the effect of preventing the designation on a map of a claim, the exploration, research, development or mining of mineral substances made in accordance with the Mining Act [...].
- ▶ Art. 5 par. 5: The plan may delimit any territory incompatible with mining activity within the meaning of section 304.1.1 of the Mining Act (chapter M-13.1).

Legislative Framework

Mining Act

- ▶ Article 304.1.1: Any mineral substance forming part of the domain of the State and located on land that may be the subject of a claim included in a territory incompatible with mining activity, delimited in a land use and development plan in accordance with the Act respecting land use planning and development([chapter A-19.1](#)), is withdrawn from prospecting, research, exploration and mining as of the reproduction of this territory on the maps kept at the registrar's office.

Legislative Framework

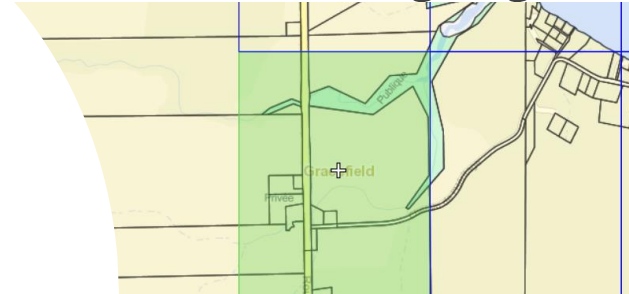
Mining Act (continued)

- ▶ Notion of state domain as indicated in article 304.1.1:
- ▶ Mineral substances belong to the state (underground and surface substances)

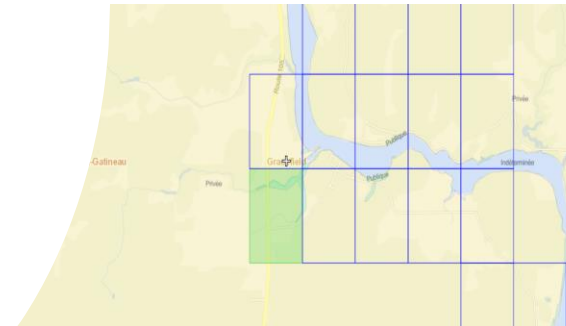
Exception: The extraction of sand, gravel and stone on private land is generally not governed by the Mining Act (excluded from the domain of the state). These substances belong to the owner of the land, and are therefore not covered by TIAM.

EFFECT OF A TIAM

- ▶ Prevents the granting of any new exploration and mining rights
 - ▶ Claim, exclusive mining lease, etc.



What if a claimholder already has a claim when TIAM comes into effect?



- ▶ The validity period of a claim is 3 years.
- ▶ 2-year renewal possible under certain conditions
- ▶ TIAM will be effective if the claim is not renewed.

Obligations of a claim holder

What are its obligations in relation to access to private property?

- ▶ Article 65 (Mining Act): Holder must notify the municipality concerned and the owner of the work **30 days prior to the work**.
- ▶ Article 235: Holder must obtain written authorization at least 30 days before accessing the property in question.
- ▶ Article 26: No person may prohibit or make difficult access to land containing mineral substances that are part of the domain of the State [...], if the State identifies itself upon request.

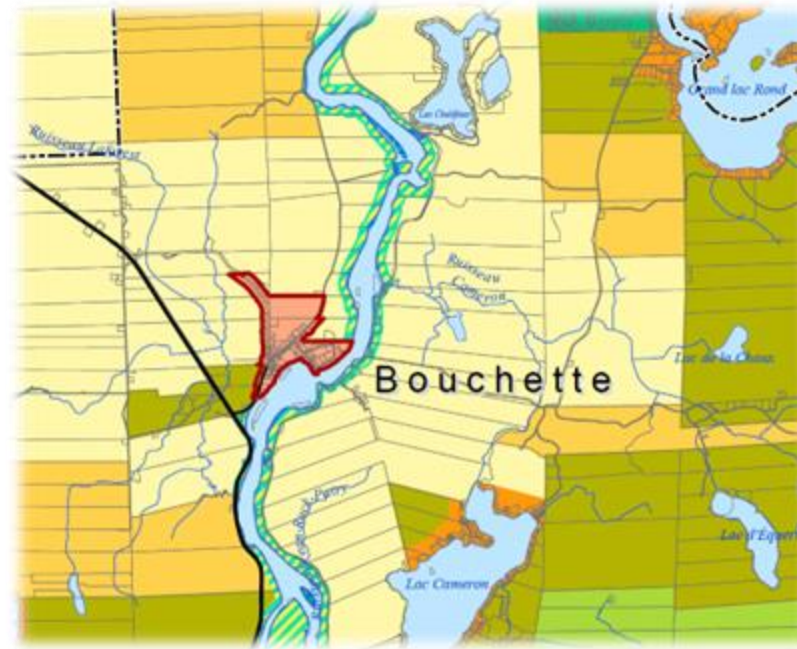
Process underway



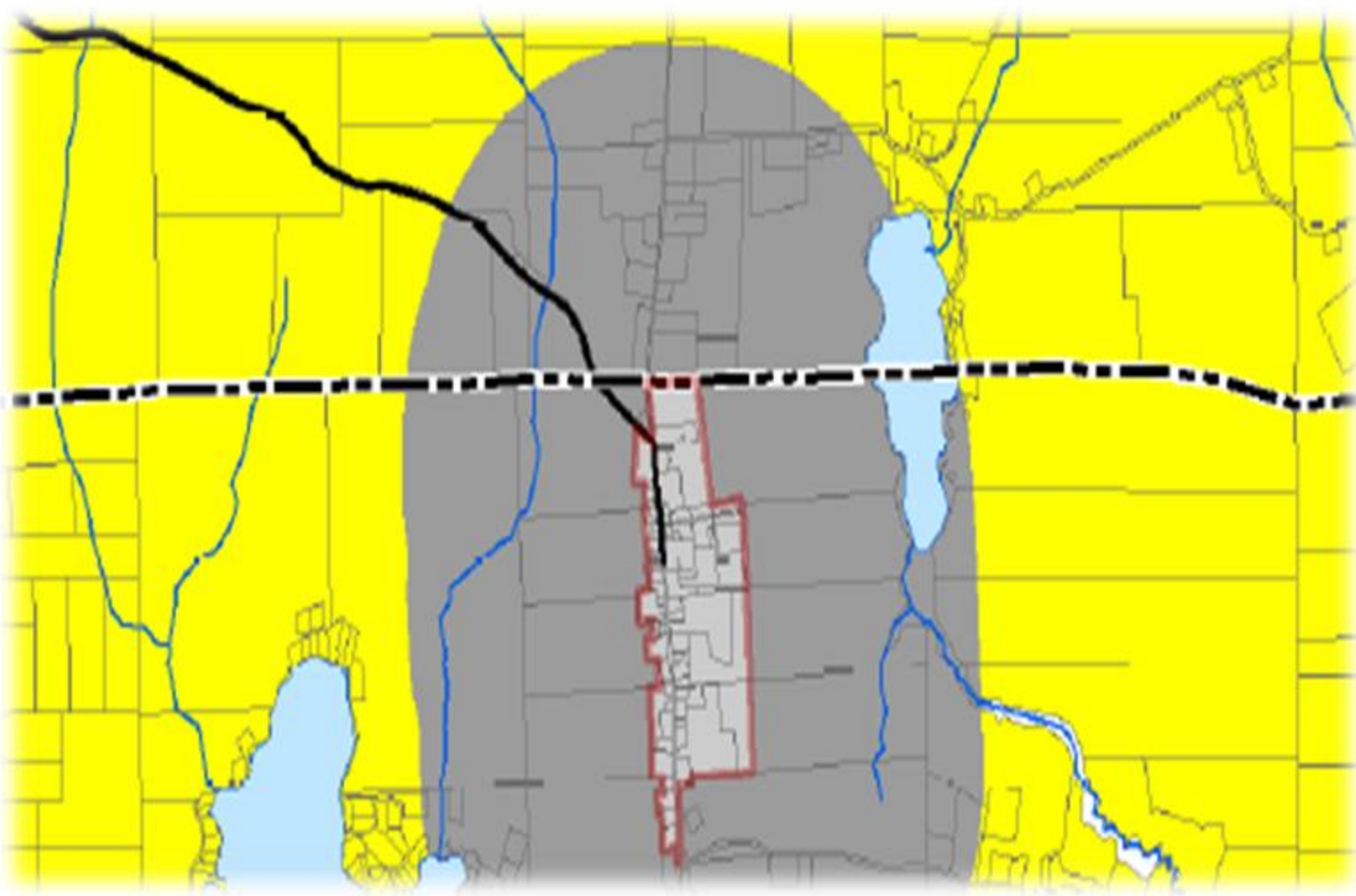
- ▶ August 2023 - temporary suspension in the MRC
- ▶ Does not apply to titles already issued, hence the importance of TIAM
- ▶ Possibility of renewing temporary suspension every 6 months while TIAMs are integrated into SAD

Criteria imposed by the ministry to justify a TIAM

1. Urbanization perimeters



- Urbanization perimeters (PU) are those defined in the MRCVG's current development plan.
- The selection of PUs does not have to be justified to the Ministry.

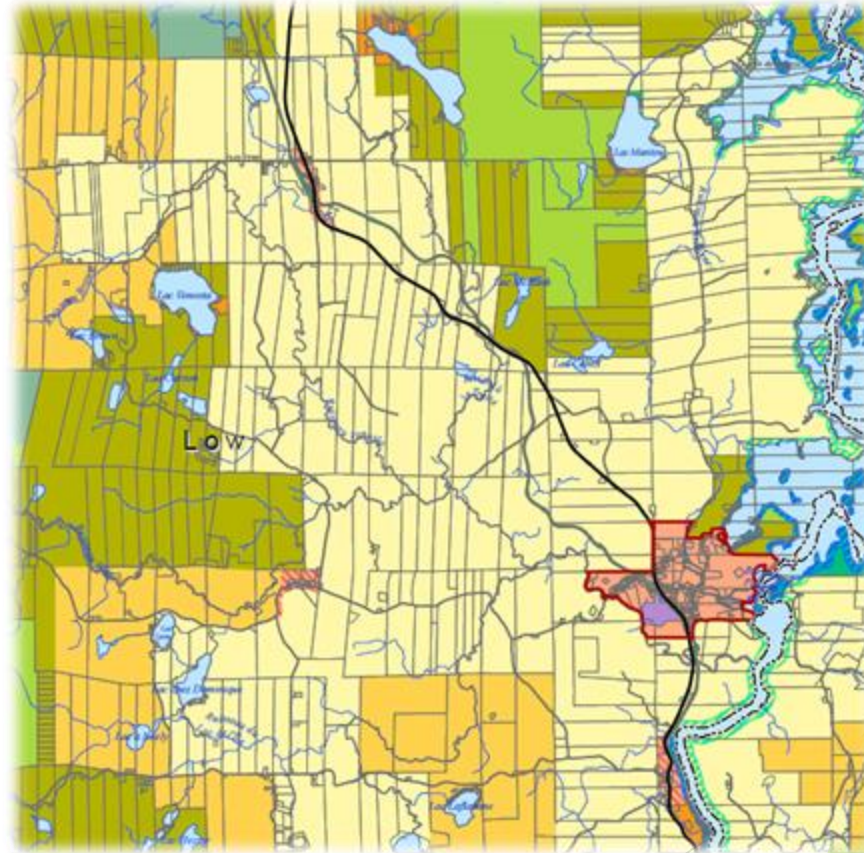


Example of an urbanization perimer with an additional 1000 meter buffer strip

Criteria applicable outside Urban Perimeters

2. The "dynamic" agricultural zone

- ▶ This refers to the "Agrodynamic" zone defined in the development plan
- ▶ This is the area where farming in the agricultural zone shows the greatest vitality. It's a place where you can see a concentration of active farms with well-maintained buildings, where the fields are intensively farmed.
- ▶ Agrodynamic = $\pm 61\%$ of ZA (agricultural zones)



Agrodynamic zones shown in pale yellow

Criteria applicable outside Urban Perimeters

2. The "dynamic" agricultural zone (continued)

Determination criteria:

- 1) Land included in the agricultural zone identified by decree;
- 2) Presence of numerous working farms;
- 3) Large area of farmland under cultivation or fallow;
- 4) Presence of good quality agricultural soils (class 2 to 5);
- 5) Presence of gently sloping land (less than 15%);
- 6) Presence of woodland between farms;
- 7) On-farm investment and land improvement on a recurring basis.

Criteria applicable outside Urban Perimeters

3. Agrotourism activities

- ▶ Tourism activities complementary to farming activities

For example:

- ▶ Vineyard
- ▶ Farm accommodation or visits
- ▶ Meals on the farm
- ▶ On-site sale of agri-food products
- ▶ Sugar shack

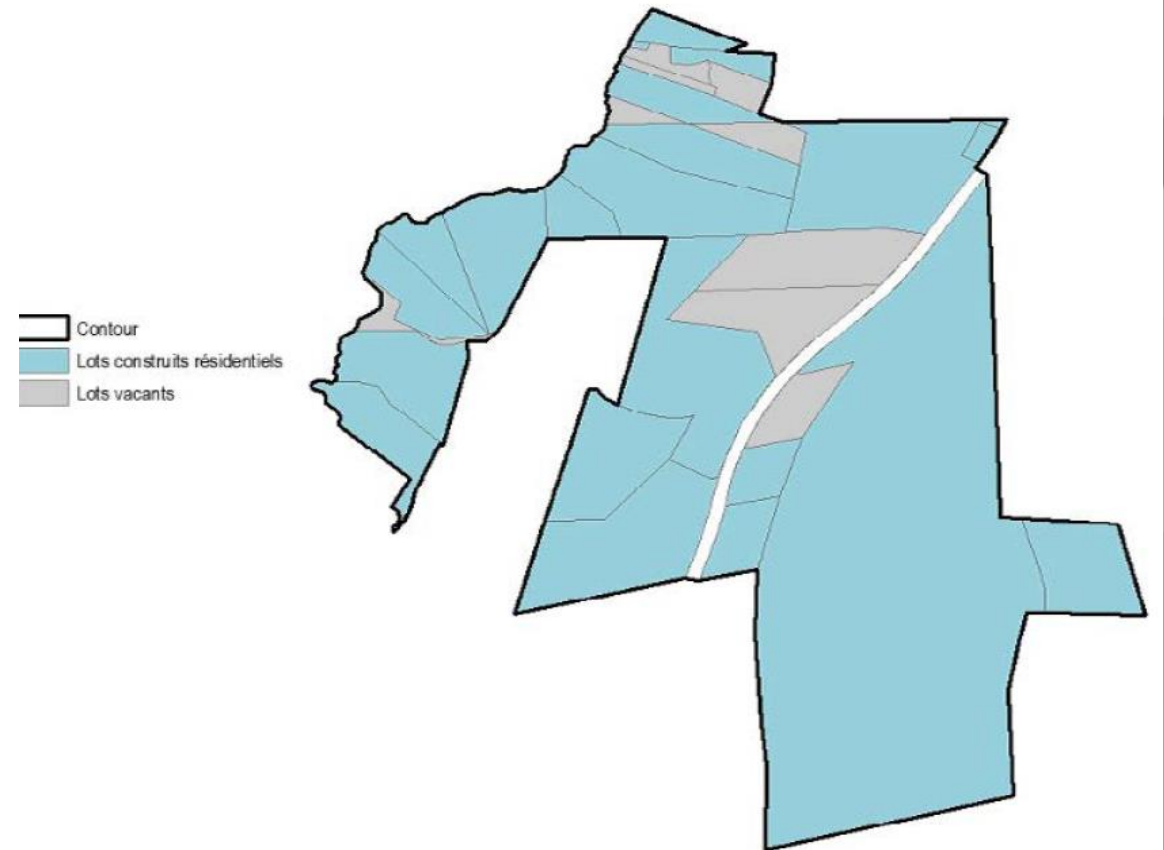
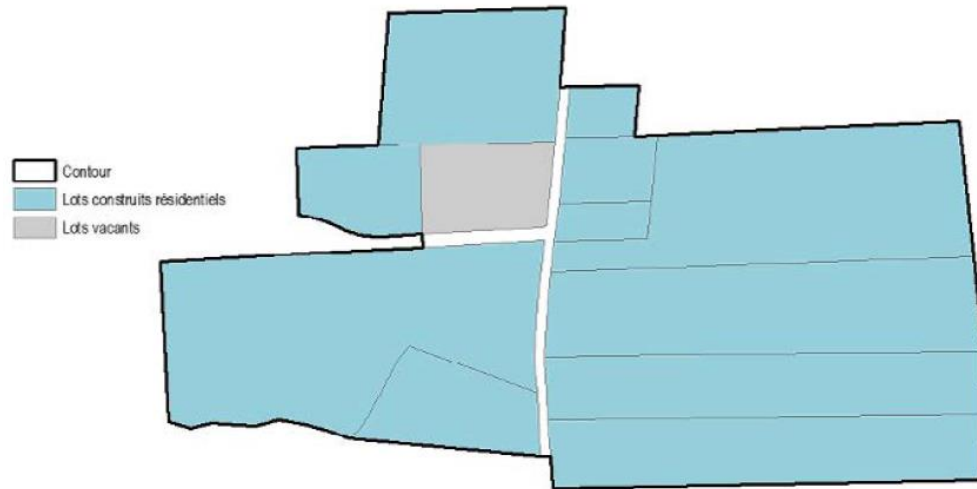
Criteria applicable outside Urban Perimeters

4. Urban and residential activity

- ▶ Must consist of a minimum grouping of 5 built lots
 - May contain vacant lots (must be fewer than the number of lots built)
 - A lake can be used to group various lots around the lake.
- ▶ A buffer strip of up to 1000 m may be added

Criteria applicable outside Urban Perimeters

4. Urban and residential activity (continued)



Criteria applicable outside Urban Perimeters

5. Territories and properties of heritage interest

within the meaning of the Cultural Heritage Act

For example:

- ▶ Classified or listed heritage buildings
- ▶ Historic sites
- ▶ Archaeological sites

Criteria applicable outside Urban Perimeters

6. Recreational or tourist site with permanent infrastructure

For example:

- ▶ Hiking trails
- ▶ Ski and/or mountain bike centers
- ▶ Camping facilities
- ▶ Public beach
- ▶ Regional parks
- ▶ Exclusive rights outfitters

* If on public land, the lease limits determine the area to be protected from the activity in question.

Criteria applicable outside Urban Perimeters

7. Conservation territories with special protection status (protected areas)

For example:

- ▶ Biological refuges
- ▶ Biodiversity reserves
- ▶ Ecological reserves
- ▶ Aquatic reserves
- ▶ Nature reserves (private land - voluntary conservation)
- ▶ Exceptional forest ecosystems
- ▶ Wildlife habitats

* Protected status under the Natural Heritage Conservation Act

Criteria applicable outside Urban Perimeters

8. Withdrawal of groundwater or surface water for human consumption

Facilities and areas that can be protected:

Groundwater withdrawal category 1 = **more than 500 people and at least 1 residence**

Groundwater withdrawal category 2 = **21 to 500 people and at least one residence**

- ▶ Surface water withdrawal category 1 or 2

Details of protection areas:

Groundwater:

- ▶ 1: 230 to 430 m ±
- ▶ 2: 130 to 230 m ±

Surface water: (1 and 2):

- ▶ Lake: 3.3 KM
- ▶ River: 500 m + 10 KM upstream + 120 m depth along banks

Aqueducts in the MRCVG

Tableau 13.10 : Liste des prises de captage d'eau potable

Nom de la municipalité	Numéro du réseau	Nom du réseau	Nombre de personnes desservies	Type d'approvisionnement	Localisation
Bouchette	134 336 851 701	Bouchette	375	Puits tubulaire	4 989 166
Déléage	134 335 520 701	Déléage	200	Puits tubulaire	5 619 672
Gracefield	114 640 390 701	Gracefield	867	Rivière	5 410 518
Lac-Sainte-Marie	134 338 830 701	Lac-Sainte-Marie	543	Puits tubulaire	5 280 855
Low	134 339 251 703	Low (Fieldville)	40	Puits tubulaire	5 162 282
Low	134 339 251 701	Low (Low)	300	Puits tubulaire	5 162 716
Low	134 339 251 704	Low (Venosta)	36	Puits tubulaire	5 162 263
Maniwaki	134 334 790 701	Maniwaki	4527	Puits à pointe filtrante	---
Montcerf-Lytton	134 332 711 701	Montcerf-Lytton	238	Autre (souterraine)	3 319 811
Blue Sea	---	Blue Sea	---	Puits tubulaire	4 989 810

Source : Ministère de l'Environnement et de la Lutte contre les changements climatiques (2019c, 2019d)

Next Steps

- ▶ Current consultation period (Spring 2024)

The public is invited to send comments/concerns in writing or by e-mail.

- ▶ Beginning of individual work sessions with each municipality (Spring 2024) to determine TIAM on their respective territories

- ▶ Consideration of citizens' requests (consultation) when developing TIAMs, insofar as they meet the criteria determined by the Ministry.

- ▶ Subsequent drafting of an amendment to the plan, to integrate TIAMs (maps) into this territorial planning tool.

Questions?

