

Setback from Watercourses and Waterbodies (Section 69)

69.

- (1) Subject to subsection (3), despite the provisions of the underlying zone, the minimum setbacks set forth in subsection (2) must be provided to provide a margin of safety from hazards associated with flooding and unstable slopes and to help protect the environmental quality of **watercourses** and **waterbodies**.
- (2) Except for flood or erosion control works, or a public bridge or a marine facility, no building or structure, including any part of a sewage system, which does not require plan of subdivision, or site plan control approval, shall be located closer than:
 - (a) 30 m to the **normal highwater mark** of any **watercourse** or **waterbody**, or
 - (b) 15 m to the top of the bank of any **watercourse** or **waterbody**, whichever is the greater.
- (3) Development requiring a plan of subdivision or that is subject to site plan control must provide the **watercourse** or **waterbody** setbacks set forth in subsection (2) unless, as established through conditions of approval, a different setback is determined to be appropriate in accordance with the criteria set forth in the Official Plan. (By-law 2009-347)