

Provisions for the May 2017 Flood Relief Overlay (Section 73)

73. The following provisions apply to lots subject to the provisions of Section 58 – Flood Plain Overlay and Section 69 – Setbacks from Watercourses for buildings that are being reconstructed as a result of flooding or buildings that are being relocated to a less flood-prone location that meets or is as close as possible to the Setbacks specified in Section 69, and do not exceed the maximum permitted size for additions specified in 73(2)-(4). (By-law 2019-409)
- (1) despite the provisions of Section 58 and Section 69 and the yard setbacks and maximum building height provisions of the underlying zone, reconstruction of a detached dwelling and associated permitted projections and accessory buildings in existence as of May 1, 2017 is permitted in accordance with the location and building envelope approved in permits issued by the Conservation Authority;
 - (2) for buildings and structures subject to Section 58 (1), (2) and (3), the gross floor area of the replacement detached dwelling, and associated permitted projections and accessory buildings must not exceed the gross floor area of the buildings and the area of the permitted projections in existence as of May 1, 2017;
 - (3) despite Section 73 (2), an addition to a building subject to Section 58 (1), (2) and (3) is permitted subject to it not exceeding an amount equal to 20 per cent of the gross floor area of the building or 20 metres square whichever is less;
 - (4) despite Section 73 (2), an accessory building or structure subject to Section 58 (1), (2) and (3), or an addition to an accessory building or structure subject to Section 58 (1), (2) or (3), is permitted subject to the accessory building or structure not exceeding a gross floor area of 50 square metres and a height of one storey;
 - (5) decks and other permitted projections associated with the replacement building are subject to Section 65 – Permitted Projections into Required Yards, and Section 69 does not apply to the deck or permitted projection;
 - (6) accessory buildings and structures are subject to Section 55 – Accessory Buildings and Structures, and Section 69 does not apply to the accessory building or structure;
 - (7) a detached dwelling must be flood-proofed according to standards required by the Conservation Authority; (By-law 2019-409)
 - (8) despite Section 73(1) buildings and structures existing as of May 1, 2017 that are within the Flood Relief Overlay that are not subject to Section 58 or Section 69 must comply with the underlying zone provisions, except for the maximum building height provision when approval of a permit from the Conservation Authority has been granted for the replacement building or for repairs to the existing building; (By-law 2017-295) (By-law 2019-409)