

## **SECTION 16 - FLOOD PLAIN ZONE (FP)**

No **person** shall within any **FP zone** use any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

### **16.1 Permitted Uses, Buildings, and Structures**

- (a) an **agricultural use**;
- (b) an **conservation use**;
- (c) **existing uses**;
- (d) an **forestry use**;
- (e) an **public park**;
- (f) a **public works and utility facilities**;
- (g) **accessory uses**.

### **16.2 Permitted Buildings and Structures**

Only those **buildings** and **structures** necessary for flood or erosion control work or for necessary municipal services shall be **permitted** in the **FP Zone**.

### **16.3 Buildings and Structures Permitted in Accordance with Section 3.6 of the Official Plan**

Notwithstanding the provisions of Sections 16.1 and 16.2 of this By-law, the following applies:

Where a **lot** is located entirely within the **FP Zone**, limited **development** associated with the "**existing uses**" located in the "**Floodway**" may be **permitted** in accordance with the policies set forth in Section 3.6 of the Official Plan for the Town of St. Marys.

Where a **lot** is situated in both the **FP Zone** and a **development permitted zone**, **buildings** and **structures** associated with the **uses permitted** in the **zone** abutting the **FP Zone** may be **permitted** within the "**flood fringe**" portion of the **FP Zone** in accordance with the policies set forth in Section 3.6 of the Official Plan for the Town of St. Marys.

**EXPLANATORY NOTE: Buildings and structures as permitted by Sections 16.2 and 16.3 above are to be permitted if and to the extent allowed by the regulations made under the Conservation Authorities Act, R.S.O. 1990, as amended from time to time.**

### **16.4 Special Provisions**

**Amended By By-law No. Z60-2006**

#### **16.4.1 FP-1**

- (a) Location: Part of Lot 16, Concession Thames (Key Map 1).
- (b) The "FP-1" **Zone** applies to the "**flood fringe**" which is the outer boundary of the "Flood Plain" designation between the Regional - 1:100 year floodline and the Regulatory - 1:250 year floodline as shown on Schedule "A" to the Town of St. Marys Official Plan. The provisions of the "FP-1" **Zone** as established by this

By-law are to be applied in conjunction with the **zone** provisions for the “adjacent” zones as established by this By-law.

- (c) The **permitted** uses, **buildings**, and **structures** in the “FP-1” **zone** shall be the same as those that are **permitted** in the applicable “adjacent” “R1” Zone as identified on Key Map 1 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z60-2006) to the extent allowed by the regulations made under the Conservation Authorities Act, as amended.
- (d) All uses, **buildings**, and **structures permitted** in the “FP-1” **zone** must satisfy the policies of Section 3.6 of the Town of St. Marys Official Plan before they are to be **permitted** and before any required building permits will be issued.
- (e) All other provisions of this By-law, as amended, shall apply.

### Amended By By-law No. Z62-2006

#### 16.4.2 FP-2

- (a) Location: Lot 10, Registered Plan No. 235 (Key Map 17).
- (b) Notwithstanding the provisions of Section 16.1 and 16.2 of By-law No. Z1-1997 to the contrary one **single-detached dwelling** shall be **permitted** on the land located in the “FP-2” **zone** as shown on Key Map 17 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z62-2006).
- (c) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, the **zone** provisions of Section 8.2, save and except Lot Depth on Table 8C, shall apply to any **single-detached dwelling** located on the land in the “FP-2” **zone** as shown on Key Map 17 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z62-2006).
- (d) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot depth** for a **lot** located in the “FP-2” **zone** as shown on Key Map 17 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z62-2006) shall be 30.0 metres.
- (e) All other provisions of this By-law, as amended, shall apply.

### Amended By By-law No. Z68-2007

#### 16.4.3 FP-3

- (a) Location: Part of Lot 4, East Side of Thomas St./North Side of Jones St., Registered Plan No. 235 (Key Map 12).
- (b) Notwithstanding the provisions of Section 16.1 and 16.2 of By-law No. Z1-1997 to the contrary, **one single-detached dwelling** shall be **permitted** on the land located in the “FP-3” **zone** as shown on Key Map 12 of Schedule “A” to By-law No. Z1-1997, as amended (also shown on Schedule “A” to By-law No. Z68-2007).
- (c) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, the following **zone** provisions shall apply to any **single-detached dwelling** located on the land in the “FP-3” **zone** as shown on Key Map 12 of Schedule “A” to By-law No. Z1-1997, as amended (also shown on Schedule “A” to By-law No. Z68-2007):

- (i) **Lot Area**, Minimum 500 square metres;
- (ii) **Lot Frontage**, Minimum Lot 18.0 metres;
- (iii) **Lot Depth**, Minimum 27.0 metres;
- (iv) **Front Yard**, Minimum 6.0 metres;
- (v) **Interior Side Yard**, Minimum 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements;

- (vi) **Exterior Side Yard**, Minimum 5.0 metres;
  - (vii) **Rear Yard**, Minimum 2.0 metres;
  - (viii) **Building Height**, Maximum 10.5 metres;
  - (ix) **Lot Coverage**, Maximum 35.0 per cent;
  - (x) **Gross floor area**, Minimum 85 square metres;
  - (xi) **Ground Floor Area**, Maximum 120 square metres;
  - (xii) **Landscaped open space**, Minimum 30.0 per cent;
  - (xiii) **Parking Requirements** In accordance with the provisions of Section 5.21.
- (d) Notwithstanding the provisions of Section 5.24 of By-law No. Z1-1997 to the contrary, no encroachments shall be **permitted** in the rear (east) **yard** on the **lot** located in the “FP-3” **zone** as shown on Key Map 6 of Schedule “A” to By-law No. Z1-1997, as amended (also shown on Schedule “A” to By-law No. Z68-2007). The provisions of Section 5.24 shall continue to apply to all other yards.
- (e) All other provisions of this By-law, as amended, shall apply.

