

Section 501 – Flood Plain Overlay

Provisions	Notes
Purpose The purpose of the Flood Plain Overlay is to: • <i>Implement Official Plan policy that restricts development in the 1 in 100-year flood plain.</i> • <i>Permit limited forms of development, such as small additions to existing buildings or changes of use, in areas subject to the Overlay.</i> • <i>Allow limited development in the Area-Specific Flood Plain Overlay in the Village of Constance Bay, Armitage Avenue, Baskins Beach, Windsor Park, Brewer Park, and Old Ottawa South (Linda Thom and Windsor Parks).</i>	
Provisions (1) Despite the provisions of the underlying zone or any other zoning provisions of the Zoning By-law, development is prohibited within any area subject to a Flood Plain Overlay. (2) Despite subsection (1), development may be permitted in an area subject to a Flood Plain Overlay as follows: (a) for an addition to a building or structure for a use permitted in the underlying zone which does not exceed an amount equal to 20 per cent of the gross floor area of the building or 20 square metres whichever is less; (b) for building or structure accessory to a use permitted in the underlying zone where it does not exceed a gross floor area of 50 square metres or a height of one storey; (c) for a change of use from one permitted use to another, subject to subsection (3) below; (d) to permit the following uses whether or not they are listed as permitted uses in the underlying zone: (i) marine facility; (ii) utility installation that requires approval under the <i>Environmental Assessment Act</i>; or (e) for the addition of one dwelling unit, located at or above grade, within a residential use building containing no more than one dwelling unit that existed as of June 25, 2008. Uses Prohibited (3) Despite clause (2)(c) and the uses permitted in the underlying zone, the following uses are not permitted in a Flood Plain Overlay: • airport • automobile body shop • automobile dealership • automobile service station • bus terminal • cemetery • coach house • crematorium • day care • dry cleaning plant • emergency service • funeral home • gas bar • group home • heavy equipment and vehicle servicing • heavy industrial use • home-based day care • hospital • light industrial use, limited to a machine shop, welding shop, landscaping business, waste recycling depot, snow ploughing and excavation service, food and dairy products industry, poultry products industry, fish hatchery, grain drying facility and pharmaceutical plant	Subsection (1) – Carried forward from Subsection 58(1) of the current Zoning By-law 2008-250. Subsection (2) – Carried forward from Subsection 58(2) of the current Zoning By-law. Subsection (3) – Carried forward from Subsection 58(3) in the current Zoning By-law with updated terms.

• mineral extraction operation or batching plant • research and development centre • residential care facility • retail store, limited to the sale of fertilizer • retirement home • school • snow disposal facility • solid waste disposal facility • storage yard or warehouse, limited to an automobile wrecking yard or recycling operation, contractor’s yard or shop, storage of tires or road salt, salvage yard or scrap yard, fuel storage tank, farm fuel storage or supply facility, bulk storage of cleaning products, pesticides, herbicides, fungicides or other hazardous substances • train terminal • truck terminal • utility installation not requiring approval under the <i>Environmental Assessment Act</i>, and including an electrical substation and a storm water management facility • waste processing and transfer facility Area-Specific Flood Plain Overlay Provisions (4) Despite subsections (1) and (2), development may be permitted in those areas identified with the Area-Specific Flood Plain Overlay provisions, provided: (a) it is carried out in accordance with flood proofing standards, protection works standards, and access standards of the City and the appropriate Conservation Authority; (b) a dwelling unit completely or partially below grade is not permitted; and (c) a coach house is not permitted. NOTE: <i>Development in a flood plain is regulated under the Conservation Authorities Act, and, in addition to a building permit from the municipality under the Building Code Act, will require a permit from the Conservation Authority or other authority having jurisdiction over the flood plain.</i>	Subsection (4) – Revised from Subsection 58(4) in the current Zoning By-law to clarify that a dwelling unit may not be below grade and that coach houses are not permitted. Subsection 4(b) is proposed to be deleted as approval of the Conservation Authority is required under a separate act and is therefore redundant as a zoning provision. The note in italics is sufficient to alert readers to the jurisdiction of the Conservation Authorities in the flood plain. NOTE – Carried forward from the Note in Section 58 in the current Zoning By-law.
---	---

Section 502 – Mineral Aggregate Separation Overlay

Provisions	Notes
Purpose The purpose of the Mineral Aggregate Separation Overlay is to: <i>Identify areas in proximity to lands affected by the Bedrock Resource Area Overlay or Sand and Gravel Resource Area Overlay as identified in the Official Plan, or mineral aggregate extraction operations.</i> <i>Prohibit the development of sensitive uses which have the potential to hinder or preclude resource extraction in proximity to mineral extraction operations, or known mineral resources through a 300-metre buffer from the Bedrock Resource Area Overlay and a 150-metre buffer from the Sand and Gravel Resource Area Overlay as identified on Official Plan Schedule B9 – Rural Transect.</i>	The Mineral Aggregate Resource Separation Overlay replaces Section 67 – Residential Use Building Setback from Mineral Aggregate Zones of the current Zoning By-law, which prohibits dwelling or rooming units in proximity of aggregate extraction operations or identified aggregate resources. The overlay is intended to ensure mineral aggregate resources are protected from sensitive land uses which could hinder extraction of mineral aggregate resources (indirect sterilization). The Overlay is applied through buffers from lands subject to the Bedrock Resource Area Overlay and the Sand and Gravel Resource Overlay on Official Plan Schedule B9 -Rural Transect. Section 67 was not a visible layer on the zoning map and could be easily overlooked. For Draft 3, the separation distances have been revised to 300-metres from the Bedrock Resource Area Overlay and 150-metres from the Sand and Gravel Resource Area Overlay. The buffer from the Bedrock Resource Area Overlay has been increased from 210-metres in the current Zoning By-law to mitigate risk from flyrock, and the buffer from the Sand and Gravel Resource Area Overlay is the same as the distance in Section 67 in the current Zoning By-law.
Prohibited Uses (1) Establishing the following uses in the AG – Agricultural Zone, the EP3 – Environmental Protection subzone 3, and the RU – Rural Countryside Zone is prohibited after [the date of passing of this By-law] where the Mineral Aggregate Separation Overlay applies: - campground - day care - dwelling unit - hotel - mobile home - place of assembly - place of worship - rooming unit - residential care facility - retirement home - school - short-term rental (2) The Mineral Aggregate Separation Overlay is shown on the Zoning Map and applies to lands within: (a) a 300-metre distance from the Bedrock Resource Overlay as shown on Official Plan Schedule B9 – Rural Transect; and (b) a 150-metre distance from the Sand and Gravel Resource Overlay as shown on Official Plan Schedule B9 – Rural Transect.	Subsection (1) – New provision that prohibits a broader range of sensitive land uses to implement <u>Official Plan Policy 5.6.3.2.3</u>. Section 67 in the current Zoning By-law only prohibited residential uses. The Overlay applies to the same zones as the current Section 67. Subsection (2) – New provision for the third draft that sets out the depth of the overlay. This would allow Zoning By-law Amendments or Minor Variance applications to modify the separation distance.

Section 503 – Airport Influence Area Overlay

Provisions		Notes
(1)	The Airport Influence Area Overlay shows the extent of the Airport Vicinity Development Zone as shown on Official Plan Schedule C14. The Airport Zoning Regulations for the Ottawa Macdonald-Cartier International Airport apply in this area. The policies in Section 10.2.2 of the Official Plan apply to development in the area subject to the Airport Influence Area Overlay.	Subsection (1) – The Airport Influence Area Overlay has been simplified for the second draft. The proposed wording is clearly informational and provides clear direction to the relevant Official Plan policies that apply. The extent of the Overlay is the same as the Federal Airport Zoning Regulations that apply around the MacDonald-Cartier International Airport.

Section 504 - Village Residential Enterprise Overlay

Provisions		Notes
(1)	The Village Residential Enterprise Overlay provisions are as per Section 301, as applicable.	Section 504 – New Section The permissions of the Village Residential Enterprise Overlay are incorporated into the home-based business provisions of Section 301.