

# SPRING FLOODING 2019



## PROPOSED IMPLEMENTATION OF A SPECIAL PLANNING ZONE (SPZ)<sup>1</sup>

### OBJECTIVES OF THE SPECIAL PLANNING ZONE

- Stringent management of flood zones;
- Application of precautionary and prevention principles;
- Implementation of a moratorium on construction and reconstruction until a prescriptive framework has been adopted;
- Uniform application of the *Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains*;
- Special provisions for Ville de Sainte-Marthe-sur-le-Lac.

### TERRITORY OF APPLICATION (813 MUNICIPALITIES)

- Zero-to-20-year flood-prone areas in Québec overall;
- Sectors flooded in 2017 and 2019.

### CONSTRUCTION AND RECONSTRUCTION

- There is no possibility of constructing or reconstructing a building that has lost more than half of its value;
- No management plan;
- Flood-proofing measures to be applied in respect of major work;
- No expansion of a building or its outbuildings.

### ASSESSMENT OF FLOODED BUILDINGS

- The assessment method has been simplified, following the example of the Ministère de la Sécurité publique's financial assistance program;
- Buildings that display any of the following characteristics must be subject to a damage assessment<sup>3</sup>:
  - > Water reached the first floor of the building;
  - > The foundations of the building must be replaced;
  - > Work to stabilize the building must be carried out;
- Buildings that display none of these characteristics are deemed not to have lost more than half of their value;
- The municipalities issue the permits.

### SPECIAL PROVISIONS FOR THE TERRITORY OF SAINTE-MARTHE-SUR-LE-LAC

- The reconstruction of buildings destroyed by flooding is allowed;
- Construction is prohibited on lots that were vacant on June 10, 2019, until the Government has elaborated the new normative framework and it has been integrated into municipal by-laws.

### FREEZE AT THE TIME OF ADOPTION OF THE DRAFT ORDER

- As of June 17, 2019, a prohibition on any new construction, transformation, addition or installation comes into force for the municipalities covered by the draft Order. However, construction, structures and work authorized by the *Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains* on the shoreline are permitted, as are those authorized in the zero-to-20-year flood-prone area, in particular the repair, maintenance and modernization of existing buildings without increase;
- Sainte-Marthe-sur-le-Lac is exempted from the freeze, except for vacant lots.

### ADJUSTMENT

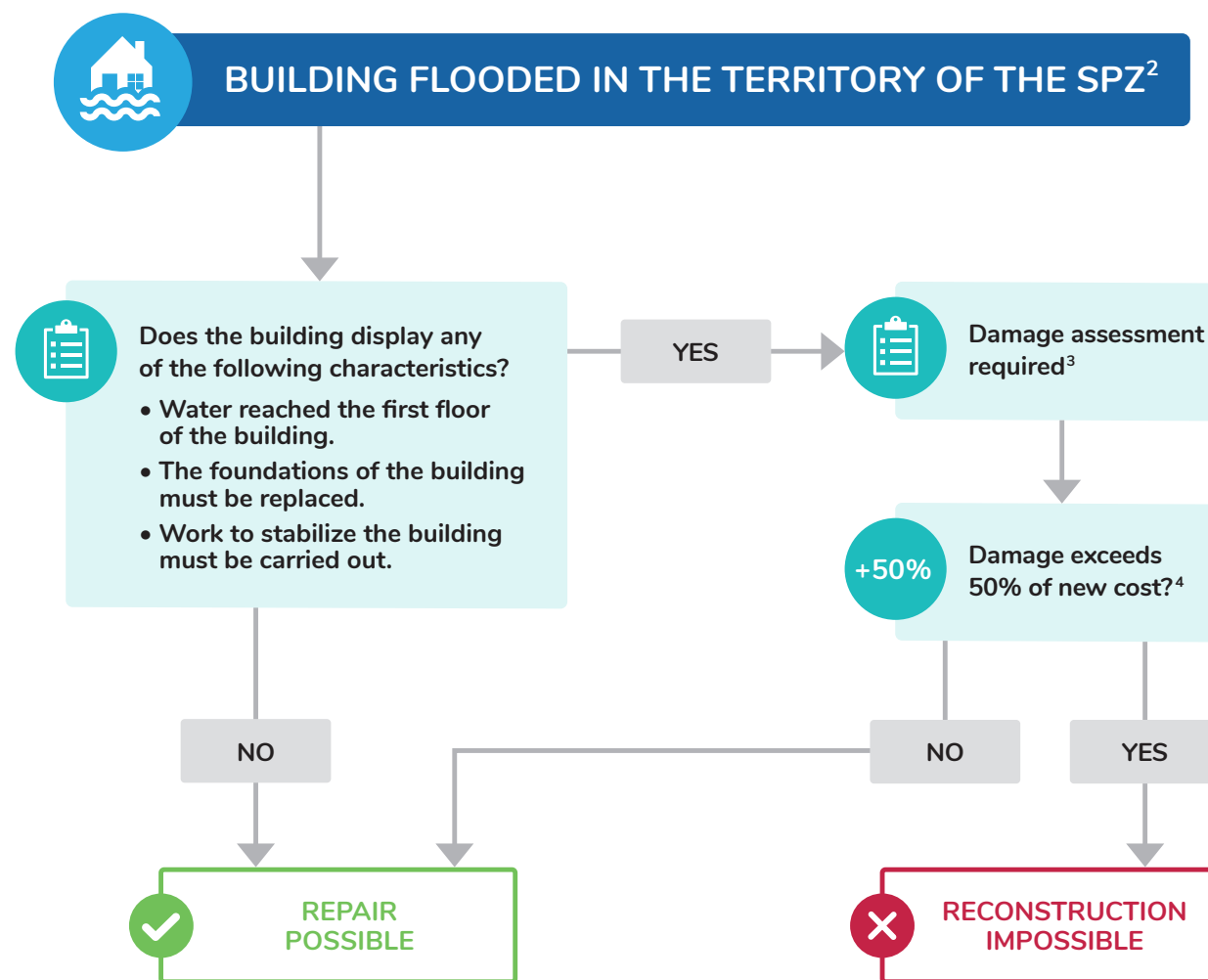
- Power of the Minister of Municipal Affairs and Housing to amend, revise or revoke by order the applicable regulations.

### FOLLOW-UP AND ACCOUNTABILITY

- Transmission to the RCM of the permits granted by the municipalities;
- Report submitted by the RCMS to the Minister of Municipal Affairs and Housing concerning the building permits issued and any observed contravention to the regulations.

### DURATION AND ABROGATION

- Power of the Minister of Municipal Affairs and Housing to lift the application of the special planning zone, by RCM, when all of the municipalities have integrated the prescriptive framework to be established by the Government and accountability reflects the sound administration of the special planning zone.



1) Subject to government approval following the public meetings.

2) The rules do not apply to Sainte-Marthe-sur-le-Lac in the zone flooded in 2019.

3) The damage assessment must be conducted by a professional who possesses expertise in this field.

4) The municipality determines whether the damage exceeds 50% of the new cost according to the documents submitted.