



COMMITTEE OF THE WHOLE MEETING

February 29, 2016

SRPRS.16.030

Planning and Regulatory Services
Policy Planning Division

SUBJECT: Update Regarding the Lake Wilcox Special Policy Area (SPA) Review (SRPRS.16.030)

PURPOSE:

The purpose of this report is to update Council on the Lake Wilcox Special Policy Area Review, to advise on the comments received from the Province and to outline the next steps in the study process.

RECOMMENDATION:

That the update regarding the Lake Wilcox Special Policy Area (SPA) Review, as outlined in SRPRS.16.030, be received and all comments referred to staff.

Contact: Michal Matyjewicz, Planner II (Policy), extension 6428
Paul Freeman, Manager of Policy, extension 2472

Submitted by:

Ana Bassios
Commissioner of Planning and Regulatory Services

Approved by:

for Neil Garbe
Chief Administrative Office

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INTRODUCTION:

On July 12, 2010 Council adopted the Richmond Hill Official Plan (OP). The OP includes policies related to studies to be completed in order to implement the vision, including the Lake Wilcox Special Policy Area (SPA) Review to update the existing SPA policies and mapping. In April 2012, the Ontario Municipal Board (OMB) approved a substantial portion of the OP. On that basis, the OP's SPA policies as contained in Section 3.2.2.4 "Special Policy Areas" are in effect except where they have been appealed site specifically. A hearing on the matter of these policies has not been scheduled.

The existing (1995) Lake Wilcox SPA is located within the Humber River watershed on the north side of Lake Wilcox and west of Yonge Street, on the north and south sides of King Road (see Map 1). The existing (1995) SPA was approved by an Order of the Ontario Municipal Board respecting OPA 129 (the former North Urban Area Secondary Plan) over twenty years ago on July 10, 1995.

The Lake Wilcox SPA Review is being undertaken in accordance with the Ministry of Natural Resources' (MNR) *Procedures for Approval of New Special Policy Areas (SPAs) and Modifications to Existing SPAs Under the Provincial Policy Statement, 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards - Special Policy Areas* ("MNR's Technical Guidelines for SPAs"). In accordance with the provincially-mandated process set out in the MNR's Technical Guidelines for SPAs, a Terms of Reference for the study was received by Council in November 2011 (SRPRS.11.158).

Since that time, Town Staff, together with Toronto and Region Conservation Authority (TRCA) Staff, have prepared and submitted technical information (including updated floodplain mapping for the East Humber River area, prepared by the TRCA and its study consultant, Burnside Consulting Limited) based on revised floodplain mapping that was approved by the TRCA in 2014. The draft SPA Justification Report sets out proposed boundary and policy modifications to the existing (1995) Lake Wilcox SPA, as further outlined in this report (SRPRS.16.030). Provincial Staff have provided their comments on the draft Justification Report in late December 2015.

This report provides an update to Council on the Lake Wilcox SPA Review, specifically the provincial comments received on the matter, the revisions required to the proposed SPA boundary and policies to reflect provincial comments and the next steps in the study process, including public consultation. Ultimately, the proposed SPA boundary and policy modifications require the joint approval of the Minister of Municipal Affairs and Housing (MMAH) and the Minister of Natural Resources (MNR) in order to come into effect.

DISCUSSION:

Where is the SPA?

The existing (1995) Lake Wilcox SPA is located within the Humber River Watershed on the north side of Lake Wilcox and west of Yonge Street, on the north and south sides of King Road (see Map 1).

What is the purpose of a SPA?

A SPA is a floodplain management approach that permits existing, small-scale uses in floodplain areas to continue, which would otherwise not be permitted by provincial policy. The Provincial Policy Statement (PPS, 2014) defines a SPA as:

“..an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.”

The lands within the existing (1995) Lake Wilcox SPA have historically existed in the floodplain. In this area, strict adherence to the policies of the PPS, 2014, which direct development to areas outside of lands impacted by flooding hazards, could result in social and economic hardships for existing uses. When justified and approved by the Province, a SPA provides a separate set of policies intended to permit the continuation of existing uses, which are generally on a small scale, within the floodplain.

Lands that are outside of an approved SPA, but which remain within the floodplain, are generally designated as part of the Town's Greenway System, to be protected, enhanced, and actively managed in a natural state over the long-term.

Why was the Lake Wilcox SPA Review Initiated?

The OP directs the Town to undertake a review of the Lake Wilcox SPA. The study was undertaken to update the existing SPA policies and mapping to reflect the TRCA's updated floodplain mapping for the area and the PPS, 2014.

Provincial Comments on the Draft SPA Justification Report

In accordance with the MNR's Technical Guidelines for SPAs, a draft SPA Justification Report was prepared by Town Staff, together with TRCA Staff, for review by Provincial Staff in MMAH and MNR (see Appendix "A" for Executive Summary). The complete version of the draft SPA Justification Report is now available on the Town's website (at http://www.richmondhill.ca/subpage.asp?pageid=planning_policy_lake_wilcox) and it is generally summarized below.

Draft SPA Justification Report

The draft SPA Justification Report was prepared as part of the Lake Wilcox SPA Review to assess and set out recommendations on the boundary and policies for the existing (1995) Lake Wilcox SPA. The draft SPA Justification Report was informed by the TRCA's revised floodplain mapping for the Humber River watershed (2014) and sets out technical and land use planning information, including a Draft Official Plan Amendment (OPA). The report is arranged in three sections: Context; Technical Analysis and Emergency Management; and Planning Analysis and Special Policy Area Justification.

The Context section provides an analysis of provincial, regional and local policies and establishes the policy basis for the study. It was determined that certain policies in the PPS, 2014 have changed compared to the PPS, 2005, which was the relevant PPS at the time that the Town's 2010 Official Plan (OP) was prepared. The draft SPA Justification Report recommends modifications to the OP to ensure the SPA policies reflect the PPS, 2014.

The Technical Analysis and Emergency Management section provides information to address the technical and emergency management / safety requirements of the MNR's Technical Guidelines for SPAs. It includes a floodplain characterization undertaken by the TRCA, which determined that the floodplain, based on a major storm event, has expanded. The flood risk assessment identifies the extent of low and high risk areas. This assessment has determined that the majority of lands in the existing (1995) SPA are in the high risk category, indicating that the depth of water and/or velocity (speed) of flows and/or a combination of the two may be a risk for human stability (i.e. a person's ability to stand upright) in a major storm event. To address the emergency management requirements of the MNR's Technical Guidelines, the Town's emergency management policies and procedures, as outlined in Richmond Hill's Emergency Plan, were reviewed with the Town's Fire and Emergency Management Staff and included in the draft SPA Justification Report to demonstrate how the Fire and Emergency Services group would be deployed in an emergency situation, including a potential flood event.

The Planning Analysis and Special Policy Area Justification section identifies the evolution of the local planning context and examines existing conditions, responding to the land use planning information requirements of the MNR's Technical Guidelines for SPAs. The examination of existing conditions in the SPA area determined that the continued use of the SPA floodplain management approach is appropriate. However, a

boundary modification for the existing (1995) Lake Wilcox SPA was proposed, as outlined below and as identified on Map 2:

- Area "A" – Lake Wilcox North Shore, generally along the north shore of Lake Wilcox;
- Area "B" – Oak Ridges Local Centre Lands, generally the lands within the floodplain at the southeast corner of Yonge Street and North Lake Road;
- Area "C" – Schomberg Road, generally the lands to the west of Schomberg Road, south of Aubrey Avenue; and
- The removal of the SPA overlay from certain lands within the existing north shore area of the Lake Wilcox SPA and the existing King Road SPA areas.

In accordance with the MNR's Technical Guidelines for SPAs, modifications to the OP (2010), the Town's Site Plan Control By-law (By-law 137-09) and the Zoning By-law (to be prepared at a later date through the Town's Comprehensive Zoning By-law Project) to reflect the proposed SPA have been outlined with the Draft SPA Justification Report.

Provincial Response

Provincial Staff in MMAH and MNRF reviewed the Draft SPA Justification Report in accordance with the PPS, 2014 and the MNR's Technical Guidelines for SPAs and provided their comments in late December 2015 (see Appendix "B" for the Provincial Comment Letter). On the basis of these provincial comments, the draft SPA Justification Report will require modification. Ultimately, any boundary and/or policy modifications related to SPAs require the joint approval of the Ministers of MMAH and MNRF.

The main comments on the draft SPA Justification Report from the Province are as follows:

- Provincial Staff support the inclusion of Area "A" – Lake Wilcox North Shore in the SPA. However, the removal of certain lands from the existing SPA (generally inclusive of Westlea Avenue and Everglades Court) is not supported by Provincial Staff, and these lands should remain in the SPA as the potential flood risk has not decreased for these lands;
- Provincial Staff do not support the inclusion of Area "B" – Oak Ridges Local Centre Lands in the SPA. Area "B" was not supported as there are feasible opportunities for development outside of the floodplain within the broader "Oak Ridges Local Centre" area and, as identified in the PPS, 2014, the SPA is not intended to allow for new or intensified development;
- Provincial Staff do not support the inclusion of Area "C" – Schomberg Road in the SPA. The lands are not contiguous to the existing (1995) Lake Wilcox North Shore area and do not share the historic community viability rationale utilized in the establishment of the existing SPA;
- Provincial Staff support the deletions of the existing SPA areas along King Road, which are now generally designated as part of the Greenway System in the OP;

- Subject to modifications reflecting provincial comments regarding Area "A", "B" and "C", Provincial Staff are supportive of the Draft OPA that was included in the draft SPA Justification Report (see Appendix "C" for the Draft OPA). Provincial Staff have requested that a draft zoning by-law amendment to implement the Draft OPA be provided as part of the SPA Review, rather than through the Town's Comprehensive Zoning By-law Project.

Town Staff are supportive of the provincial comments and have revised the proposed SPA boundary accordingly (see Map 3). The proposed SPA, as revised to reflect provincial comments, has been modified in the following ways:

- Area "A" is modified to reflect provincial comments regarding the deletion of certain portions of the existing (1995) SPA along the north shore of Lake Wilcox;
- Area "B" and Area "C" – which were not supported by Provincial Staff – have been removed.

On the basis of the revised floodplain mapping and analysis that was undertaken by the Town and TRCA as part of the draft SPA Justification Report, and the comments from Provincial Staff as outlined in this Staff Report, it is recommended that all comments be referred to Staff. It is further recommended that Staff consult with the public on the proposed SPA, as revised to reflect provincial comments.

Study Process and Next Steps

Following the Terms of Reference for the Lake Wilcox SPA Review (received by Council in November 2011 (SRPRS.11.158)) Town Staff, together with TRCA Staff, have prepared technical information, including updated floodplain mapping for the East Humber River area in 2014. Based on this technical information, Town Staff, together with TRCA Staff, prepared a draft SPA Justification Report that was submitted to the Province for preliminary review. In late December 2015, Provincial Staff provided their comments to Town Staff on the draft SPA Justification Report. This staff report provides Council with an update on the Lake Wilcox SPA Review, and specifically the draft SPA Justification and the provincial comments.

Following Council's receipt of this report, Town Staff will hold an Open House regarding the Lake Wilcox SPA Review to consult with the public on the draft SPA Justification Report, the provincial comments and the proposed SPA as shown on Map 3. TRCA, York Region and Provincial Staff will be invited to attend the Open House. Town Staff will also hold targeted stakeholder meetings with the two appellants to the OP's SPA policies and schedule. Following the Open House and targeted stakeholder meetings, the draft SPA Justification Report will be revised.

Town Staff will report back to Council on the draft SPA Justification Report, Draft OPA and Zoning By-law Amendment at a Council Public Meeting. Upon "approval in principle" from Council and in accordance with the MNR's Technical Guidelines for SPAs, the Draft OPA will be forwarded to York Region Council and the TRCA for "approval in principle".

Once resolutions for "approval in principle" on this matter have been obtained from all three bodies, Town Staff will provide a revised submission to the Province for approval. Once reviewed by the Province, a joint Ministerial decision will be provided to approve, approve in part or deny the draft Official Plan Amendment and draft Zoning By-law Amendment. If approved jointly by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry, Town Staff will bring forward the final Official Plan Amendment and Zoning By-law Amendment for adoption by Council and approval by York Region. A standard appeal period will then follow.

FINANCIAL/STAFFING/OTHER IMPLICATIONS:

The approved Planning and Regulatory Services Department Capital Budget includes funding for this project. There are no financial/staffing/other implications.

RELATIONSHIP TO THE STRATEGIC PLAN:

The Lake Wilcox SPA Review is one of the studies undertaken to implement the Town's Official Plan vision. It addresses each of the goals of the Strategic Plan – *A Plan for People, a Plan for Change* as follows:

Stronger Connections in Richmond Hill

The SPA Review will strengthen and support inter-governmental working relationships with York Region, the Conservation Authority, MMAH, and MNR. In addition, it will strengthen environmental connections by ensuring floodplain lands are appropriately planned to achieve a healthier watershed and enhanced Greenway System.

Better choice in Richmond Hill

The SPA Review will provide a high-quality option for how to limit the risks to public health and safety and/or property damage resulting from flooding within the Lake Wilcox SPA.

A More Vibrant Richmond Hill

The SPA Review helps to maintain a vibrant Richmond Hill by limiting development within the floodplain. In doing so, the larger Greenway System will be enhanced over the long term.

Wise Management of Resources in Richmond Hill

The SPA Review demonstrates the Town's continued commitment to managing lands within the floodplain to limit risks to public health and safety and/or property damage and to achieve a healthier watershed and lake ecosystem. In addition, the SPA Review demonstrates the Town's commitment to responsible governance by providing an update of the SPA mapping and policies to reflect contemporary data.

CONCLUSION:

The Town is undertaking a review of the Lake Wilcox SPA as required by the Town's OP and in accordance with the provincially-mandated approvals process outlined in the MNR's Technical Guidelines for SPAs. Town Staff have prepared a Draft SPA Justification Report, which sets out proposed modifications to the existing (1995) SPA boundary and policies. Provincial Staff have provided their comments on the draft SPA Justification Report in December 2015, as outlined in this staff report. This report recommends that all comments be referred to Staff and that Staff consult with the public on the proposed SPA. Town Staff will report back to Council with a revised SPA Justification Report at a Council Public Meeting. Any changes to the SPA boundaries or policies that may result from this Review will require the joint approval of the Ministers of MMAH and the MNR.

APPENDIX CONTENTS

- “A”** Executive Summary of the Draft SPA Justification Report - **ATTACHED**
 - “B”** Provincial Comments – **ATTACHED**
 - “C”** Draft Official Plan Amendment (OPA), as included in the Draft SPA Justification Report - **ATTACHED**
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Drawings

- Map 1** – Existing Lake Wilcox Special Policy Area (Approved in 1995)
- Map 2** – Draft Proposed Lake Wilcox Special Policy Area
- Map 3** – “Revised” Proposed Lake Wilcox Special Policy Area (Based on Provincial Comments)

EXECUTIVE SUMMARY

The Lake Wilcox Special Policy Area (SPA) Review was undertaken to assess the boundary and policies for the existing Lake Wilcox SPA, generally located along the north shore of Lake Wilcox and in the East Humber Valley Corridor, near the intersection of Yonge Street and King Road, in Richmond Hill. The SPA Review was informed by the Toronto and Region Conservation Authority's (TRCA) revised floodplain modelling and mapping for the Humber River watershed and was undertaken in accordance with the mandated process outlined by the Ministry of Natural Resources (MNR) in the *"Procedures for Approval of New Special Policy Areas (SPAS) and Modifications to Existing SPAS Under the Provincial Policy Statement, 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards - Special Policy Areas"* ("MNR's technical guideline for SPAs"). The Special Policy Area Justification Report (this report) brings together the technical and land use planning information requirements within the existing Lake Wilcox SPA in accordance with the MNR's technical guideline for SPAs.

The policy context for the Lake Wilcox SPA Review includes an analysis of Provincial, Regional and local policies and establishes the policy basis for the study. It was determined that certain policies in the PPS, 2014 have changed compared to the PPS, 2005, which was the relevant PPS at the time that the Town's Official Plan (OP) was prepared. The OP will be modified to reflect these changes, as outlined in this report.

The technical and emergency management information in this report addresses the requirements of the MNR's technical guideline for SPAs. It includes a floodplain characterization undertaken by the TRCA that has determined that the floodplain, as defined by the 2013 Floodline, has expanded. The flood risk assessment identifies the extent of low and high risk areas where depth and velocity of flows were determined to be a risk for human stability. This analysis determines that the majority of lands in the existing SPA are in the high risk category. A review of the Town's emergency management policies and procedures, as outlined in Richmond Hill's Emergency Plan, demonstrate how the Fire and Emergency Services group will address emergency situations, including floods.

The report's planning analysis – which presents the evolution of the local planning context and examines existing conditions - responds to the land use planning information requirements of the MNR's technical guideline for SPAs. The examination of existing conditions provides a "snapshot" of the floodplain and the SPA and determines that sufficient development potential remains to warrant the continued use of the SPA floodplain management approach. In order to reflect the 2013 Floodline and achieve the land use vision of the OP (2010), a boundary reconciliation for the existing Lake Wilcox SPA is recommended to identify Area "A" – Lake Wilcox North Shore, Area "B" – Oak Ridges Local Centre Lands and Area "C" – Schomberg Road as SPA. Modifications to the OP (2010) are recommended and can be characterized as follows:

- Town-wide modifications to reflect the direction of the PPS, 2014;
- Area-specific modifications to the OP (2010)'s "Neighbourhood" designation for Areas "A" & "C";
- Area-specific modifications to the OP (2010)'s "Oak Ridges Local Centre" designation for Area "B";
- and
- Modifications to the OP (2010)'s Schedules.

On that basis, it is recommended that:

- The Official Plan be amended to implement the boundary reconciliation and policy modifications to the existing Lake Wilcox SPA, as attached in Appendix "J" – Official Plan Amendment_(OPA_);

- By-law 137-09, the Town's Site Plan Control By-law, as amended, be further amended to include Areas "A," "B" and "C" of the proposed Lake Wilcox SPA; and,
- The Zoning By-law be amended to implement the provisions of OPA _ as part of the Town's Comprehensive Zoning By-law Project.

**Ministry of
Municipal Affairs
and Housing**

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December 18, 2015

Mr. Paul Freeman
Manager of Policy
Planning and Regulatory Services
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Dear Mr. Freeman,

**RE: Justification Report for the Lake Wilcox Special Policy Area (SPA) in
Richmond Hill (revised June 5, 2015)
MMAH File No.: 19-EOPA-155146**

The Ministry of Municipal Affairs and Housing (MMAH) and Ministry of Natural Resources and Forestry (MNRF) staff have had the opportunity to review the June 2015 draft revised Justification Report for the Lake Wilcox Special Policy Area (SPA) in the Town of Richmond Hill which has been prepared in collaboration with the Toronto and Region Conservation Authority (TRCA). This review was undertaken in the context of the Provincial Policy Statement, 2014 (PPS) wherein any change or modification to the official plan policies, land use designations or boundaries applying to SPA lands, must be approved by the Ministers of MMAH and MNRF prior to the approval authority approving such changes or modifications.

The report was evaluated against the policies of the PPS as well as MNRF's Technical Guide – River and Stream Systems: Flooding Hazard Limit, Appendix 5: Special Policy Areas Procedures dated January 2009 (the "SPA Procedures").

The draft report identifies the following proposed changes to the Lake Wilcox SPA:

- New areas to be included in the SPA;
- Removal of areas from the SPA area; and
- Modifications to the SPA policies.

Proposed SPA Boundary Adjustments (Additions) – Approval in Principle

The SPA Procedures outline the “*procedure for approval of new Special Policy Areas (SPAs) and modifications to existing SPAs under the Provincial Policy Statement, Policy 3.1.4.*” Section 2.3 of the SPA Procedures for modifications to existing SPAs (major additions due to flood plain enlargement) indicates that if the addition to the SPA is greater than 25%, or a minimum of 10 hectares, whichever is smaller, the proposal should be treated as a “new” SPA. The procedure also recognizes that there may be situations where there may be both additions and deletions. In these situations, the SPA Procedures direct that the determination of what constitutes “major additions” will be based on the additions to the SPA only. Assessment is not made based on a “net” increase/decrease in SPA area.

The existing SPA, including Lake Wilcox, north shore and King Road, north and south side, is 15.23 hectares. The proposed SPA includes the addition of **10.25** hectares as follows (as illustrated in **Attachment 1** – proposed additions and deletions to the existing SPA):

- 6.99 hectares to the Lake Wilcox, north shore area (Sub-area “A”)
- 1.54 hectares for Sub-Area “B”, and
- 1.72 hectares for Sub-Area “C.”

Adding 10.25 hectares constitutes an increase in size of ~66%, which exceeds the threshold for modifications to an existing SPA. The addition to Area Sub-Area “A” alone is greater than a 25% increase in the size of the SPA. Consequently, the SPA Procedures for the approval of New Special Policy Areas direct that the proposed expansion constitutes a new SPA and as such the SPA Procedures for a new SPA must be followed. Section 2.0 of the SPA Procedures for approval: New Special Policy Areas outlines the steps and information requirements, including the requirement for “approval in principle” for Special Policy Area status.

The technical advisory committee meetings among the Town, Provincial and TRCA staff regarding the draft Justification Report provided to date is considered pre-consultation as per Section 2.1 of the SPA Procedures. At the pre-consultation stage, the Ministry is required to inform the proponent whether an application for SPA is appropriate and may be considered. At this time, staff are prepared to only consider moving forward the SPA expansion for Area “A” and do not believe the proposed new Areas “B” and “C” are appropriate for further consideration for the reasons outlined in **Attachment 2** of this letter.

Additional information regarding area “A” is still required before approval in principle is granted, please see “next steps” for details.

Proposed SPA Area Deletions (Area "A" Lake Wilcox North Shore)

We do not support the proposed Area "A" deletions where the lands continue to be located within the floodplain and development exists. (See comments provided **Attachment 3** to this letter regarding "principles for deletion" for more detail in support of this position.)

Proposed SPA Area Deletions (King Road, North and South Side Sub-areas)

Staff are supportive of the proposed deletions of the sub-areas north and south of King Road from the existing SPA (comprising 2.11 gross hectares). The Justification Report provides supporting rationale for the proposed deletions. The King Road north side sub-area applies to a single residential property (but does not include the residential structure on the lands). The remaining lands form part of the Greenway System of the OP (2010) related designations (Natural Core and/or zoned "Flood") and will be protected and enhanced over the long term. The King Road south side sub-area applies to 6 properties which are predominantly within the Greenway System or are Town-owned. Only the Town-owned property (Charles Connor Room) is entirely within the floodplain and is designated as "Natural Core" and "Oak Ridges Local Centre." With respect to the Town-owned community facility, we note that any new development is subject to the one zone concept, should its SPA status be removed. The other lands have the potential to expand outside the floodplain as the floodplain has decreased as a result of the 2013 Floodline.

Justification Report

The draft justification report is comprehensive. However, based on the above recommendation and comments regarding areas "A", "B" and "C" as well as some outstanding technical matters regarding area "A", revisions to the report are required. These revisions are listed in **Attachment 3** to this letter.

Proposed Policy Modifications

With the exceptions of the modifications also noted in **Attachment 3**, we are supportive of the proposed policy changes as they are consistent with the PPS, 2014. We also recognize and support various policy measures the Town has included to address risk management; such policies include: harmonized site plan control requirements throughout the entire SPA, prohibiting secondary suites within flood prone areas, and prohibiting new lot creation.

Zoning By-law Update

A requirement of a comprehensive SPA review resulting in policy modifications is a draft zoning by-law amendment to implement the Official Plan land use and policy changes affecting the SPA.

The Justification Report (section 7.3.4, page 105) indicates the Town is proposing to update zoning for the Lake Wilcox SPA through the Town's comprehensive zoning by-law update project and therefore a draft zoning by-law amendment is not included.

We note that the Lake Wilcox SPA zoning is outdated and was never updated to conform with OPA 129 as it applies to the existing SPA (Lake Wilcox north shore area). For the Lake Wilcox north shore sub-area, Zoning By-law 256-88 applies to the lands. Zoning By-law 256-88 implemented the prior OPA 71 (that pre-dates OPA 129 which established the SPA), that includes a "Flood Damage Centre" overlay and the use of flood proofing provisions. This by-law was approved by the OMB and has been in effect since August 1990. As noted earlier, the Town is also proposing deletions and additions to the Lake Wilcox north shore sub-area (new Area "A"). As such, the zoning by-law requires significant updating to conform with the OP. A draft of the zoning by-law should be provided with the Justification Report.

Should there be a delay until the Town is able to incorporate the draft zoning within its comprehensive zoning by-law update; we are open to discuss an "interim approach" for the SPA until such time as the comprehensive zoning by-law can be updated.

Next Steps

We understand that the Town will be consulting with the public on its findings related to the new floodplain modelling and proposed changes to the SPA. Following consultation, Town staff will provide Council with recommendations. Please keep us informed of this process as it unfolds.

The Town should update the draft Justification Report that addresses the items/issues identified in this letter and Attachment 3, which include the following:

- Removal of proposed additions Areas "B" and "C" which are not supported from the Justification Report and proposed Official Plan Amendment (Appendix "J" of the Justification Report);
- Reconsideration of the proposed Area "A" deletions where the lands continue to be located within the floodplain and development exists.
- Complete technical criteria (e.g. appropriateness of other measures) for SPA eligibility, set out in Schedule 1 of the SPA Procedures (see comments regarding section 3.7 of the Justification Report);
- Updated principles for adding and removing lands.
- Updated draft Official Plan Amendment, and
- Draft zoning by-law amendment to conform with the OP.

As a final package(s) to the province, per Sections 2.2.1 and 4.0 of the SPA Procedures, the Town should provide **nine copies** of:

- the complete and updated justification for boundary expansion (if it is greater than 25%) as well as the other proposed changes to the SPA (deletions and policy modifications),
- the proposed Official Plan Amendment (not yet adopted by the Town) for which Ministerial approval is being sought,
- council (Town of Richmond Hill and York Region) and TRCA Board resolutions related to (1) the proposed expansion, (if greater than 25%), and (2) the modifications to the official plan, and
- notice of the statutory public meeting, including public comments/submissions related to the proposed OPA.

Should you have any questions, please contact Louis Bitonti, Senior Planner, Community Planning and Development at 416-585-6563 or the undersigned at 416-585-6063.

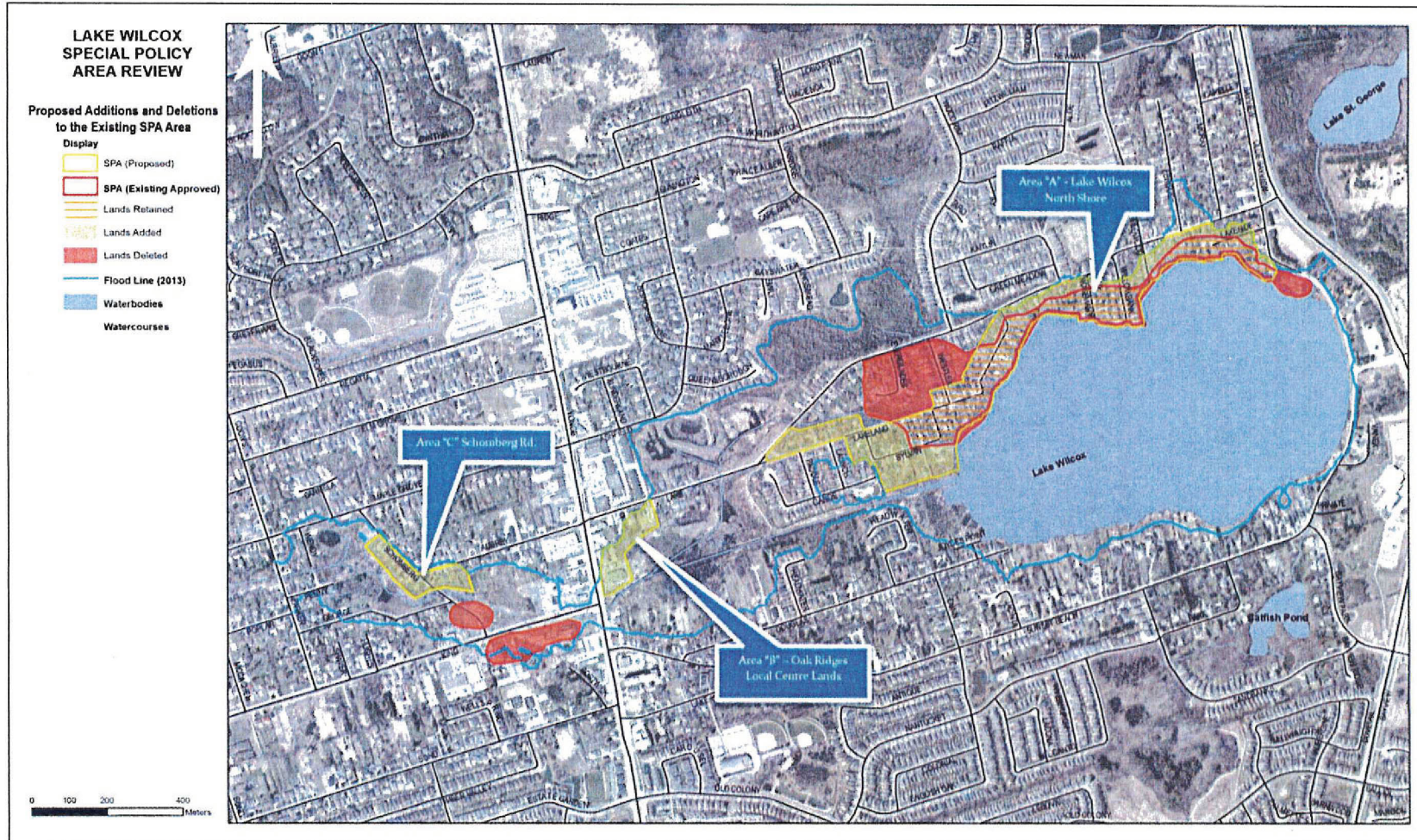
Yours truly,



Mark Christie, MCIP, RPP
Manager, Community Planning and Development
Municipal Services Office- Central Region

- cc. Kazia Milian, Land Use Planning Supervisor, MNRF
Jane Ireland, Regional Director, Southern Region, MNRF
Paul Heeney, District Manager, Aurora District, MNRF
Laurie Nelson, Senior Manager, TRCA
Karen Whitney, Director of Community Planning, York Region
Augustine Ko, Senior Planner, York Region

Attachment 1 Proposed Additions and Deletions to the Existing SPA



Attachment 2

Explanation for refusal to consider Areas “B” and “C” for SPA status

Proposed Addition of Area “B” – Oak Ridges Local Centre Sub-Area

The proposed lands are designated “Oak Ridges Local Centre” in the Richmond Hill OP (2010) and are within the flood plain. The “Oak Ridges Local Centre” designation envisions the lands will develop into a low-rise, pedestrian-oriented mixed uses, including residential uses serving the Oak Ridges community. The Town’s basis/rationale in seeking the addition of Area “B” is that it would not be able to achieve the form of redevelopment of lands in the “Oak Ridges Local Centre” designation without the SPA overlay.

We are not supportive of this area being added to the Lake Wilcox SPA for the following reasons:

- The PPS Special Policy Area definition directs that, a SPA may be approved by the Ministers to provide for the continued viability of existing uses and address significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development within the floodplain. A SPA is also not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the floodplain.
- The majority of the “Oak Ridges Local Centre” as shown in the Richmond Hill OP (2010) is located primarily outside of the floodplain where feasible opportunities for development exist.
- The Town is seeking intensity of development for potential development of additional residential units and therefore increasing risk to public health, safety and property damage in terms of increased sensitive residential land uses, and
- There has been no demonstration of no significant social and economic hardship to the Town if these lands are not included in the Lake Wilcox SPA.

Proposed Addition of Area “C”- Schomberg Road Sub-Area

The rationale/basis for inclusion of this area in the SPA is that from a built form perspective the residential dwellings in Sub-Area “C” have similar characteristics to Sub-Area “A” (Lake Wilcox North Shore sub-area) but have not seen the same level of development of replacement housing and therefore Schomberg Road generally retains its low density character.

We are not supportive of this area being added to the Lake Wilcox SPA for the following reasons:

- The proposed Sub-Area "C" lands are in the "High Risk" Conditions category (Figures 12 and 36 of the Justification Report) and therefore to allow the addition of this area, it would be increasing risk to allow larger unit redevelopment potential within this portion of the floodplain.
- The lands proposed as Area "C" are identified as "hazard land" in the Town's infill study (OPA 129) and not identified as having infill or severance potential. The study also shows that there are opportunities for development outside the floodplain identified for infill and back lot redevelopment over time.
- This area is not contiguous to the existing Lake Wilcox North Shore sub-area and does not share the historic community viability rationale for the establishment of the original SPA primarily along the Lake Wilcox north shore sub-area.
- There is no justification to indicate that redevelopment of these lots in accordance with the one zone concept would result in significant economic or social hardship.

Attachment 3

Justification Report Technical and Specific Comments

Overall

As per the letter, the draft Justification Report needs to be amended to remove all elements related to the justification for: 1) the additions of proposed new Areas "B" and "C", and 2) removal of Area "A" lands within the floodplain.

Flood Risk Assessment

- Section 3.6 Flood Risk Analysis and Low and High Risk Conditions (Pg. 35 and Pg. 36), the updated floodline mapping includes "dry" areas surrounded by flooding, which would be rendered inaccessible during times of flooding. Please provide confirmation that these areas have been identified as areas of "natural hazard" as prescribed within the Provincial Policy Statement 2014 (there would be no access to these sites except through the high risk areas, also known as "an area of inundation containing high points of land" in the PPS). Please update all mapping accordingly.
- Section 3.7 Flood Mitigation Options (Pg. 37) - More consideration must be given to this section of the report. **Additional details are required regarding mitigation options and what benefits they may provide.** The report indicates that options have been, but, none of them would result in the removal of all vulnerable structures from the floodplain. It is not clear, however, whether the need to expand the SPA would be required if some additional mitigation measures were instituted thereby reducing the floodplain/flood vulnerability of the area, or if these measures would at least result in a reduction in current risk. As such, **please provide supplementary information on existing and potential mitigation measures**, and include the full Burnside Consulting Report referenced on page 37 as an appendix to the Justification Report.
- Section 7.3 (Proposed SPA Analysis) and Table 7 Detailed Overview of the SPA Sub-Areas
 - As previously noted in our December 2014 preliminary comments, the Justification Report should provide a written analysis regarding the change in the floodplain and associated risk to modifying the boundaries of the SPA. Although we acknowledge the Town has made a good attempt at incorporating preliminary comments from the earlier draft Justification Report, it is still unclear from the table provided within the report (Table 7) if there is

an increase or decrease in risk to public safety and/or potential for loss-of-life and property damages as a result the proposed SPA.

- The methodology applied for the risk assessment considers a “reduction” in risk by removal of portions of the SPA which remain in areas inundated by flooding. The Town is proposing to remove areas currently in the SPA and exchange them for specific areas not in the SPA. From a risk perspective, this methodology does not demonstrate a reduced risk in those areas which remain within the flooding hazard.
- It should be noted that there is an increase in risk to the public and property damages from the originally approved SPA as direct result of the updated hydrology and hydraulics. Flooding in the areas within the SPA has increased by approximately 0.75m as a result of the updated hydro-technical information. Rationale, to support the justification for this proposed modification from a reduction in risk perspective, needs to be included.
- Please update Table 7 (Pg. 87) – to address the comments above and to reflect only the proposed Area “A” (Lake Wilcox North Shore) expansion and deletions of the existing SPA sub-areas west of Yonge Street. (Given that some of the expansion area is for lots already in the SPA, please clarify how many new lots are added to the SPA as a result of the proposed expansion.)

Principles for Adding and Removing Lands

- Section 7.2 of the report provides principles for adding and removing lands to the SPA. These principles are relied upon in the Town’s justification for addition and deletion of lands. When evaluating these principles against the policies of the PPS, 2014 and the SPA Procedures, we note that these principles need to better reflect the PPS and the procedures.
- In terms of Principles for Adding Lands, section 3.0 of the PPS states, “development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.” Further, it is clearly stated in Section 3.1 of the PPS that development shall generally be directed to areas outside of flooding hazards, as defined in the PPS. The principles within section 7.2 of the Justification Report do not include reducing risk to public health, safety and property, which is paramount to the approval of an SPA. In addition, Principle #7, “lands having redevelopment or replacement potential and help to complete the streetscape” is not in accordance with the PPS wherein the definition of SPA directs: “A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.” As such, please revise the principles accordingly.

- In terms of Principles for Deleting Lands, the SPA Procedures, Sections 2.1 and 2.2 indicate that modification requests as a result of a permanent flood plain reduction or flood depths reduction can be considered. As such principle #4, that the “lands have been comprehensively redeveloped since the SPA has been approved” is irrelevant. At a practical level, deleting these areas from the existing SPA does not decrease risk associated with floodplains and it should be noted by removing the SPA in these areas, any redevelopment or re-building as a result of fire or flooding, would have to be flood-proofed to the regional standard. Consequently, the proposed removal of lands in Sub-Area “A” that are still prone to flooding is not in keeping with the SPA Procedures, and the principles for removal of lands should be revised accordingly.

Proposed Policy Modifications

- Section 7.3.2 Proposed Policy Modifications to the OP (Table 8, Pg. 98 & Appendix “J” – Official Plan Amendment), the following modifications are requested:
 - Please remove all policies and mapping from the schedules specifically relating to “Area B” and “Area C”.
 - Please retain the first sentence of Policy 3.2.2.4 (2) 4 e. “New development must locate primary system building controls such as service units and panels, above the Regulatory Flood level” and Policies 3.2.2.4 (4) b. and 3.2.2.4 (4) g. as they apply to all development in the SPA.
- Please confirm if there is, and if there is not add, an over-arching policy to the effect of ‘where there is a conflict between these SPA policies and any other policy in this Official Plan, the SPA policies prevail’.
- Please confirm if there is, and if there is not add, policies to implement the new PPS Policy 3.1.3: “Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.”

Editorial

- Section 2.4 (Pg. 18) – This section states: “The SPA concept allows for selective development and redevelopment to occur in the flood fringe and floodway”. Please note that the floodway/flood fringe concept applies to the two zone concept. For clarity, please refer to this as the floodplain.
- Sections 3.3, 3.4 and 6.1 (Pg. 21 and Pg. 25, Figures 3, 4, 6, 12 and 20) - It is unclear why there is reference to a 2006 floodline update (e.g. Pg. 25), as there has been a subsequent update this information. Additionally, there is reference to both a

2013 and a 2014 flood line. If this is the same floodline, please provide a consistent date. The report should apply a consistent current floodline based upon the most up to date floodline as determined by TRCA, as well as the best available floodline that could represent what was historically used when the SPA was first established.

- In sections 6.2 and 6.4, please remove from the land area calculations the area that is associated with Lake Wilcox.
- Please reconcile inconsistencies in values related to land area and in number of lots in section 7.1 and Table 7.

Mapping

- Please revise all mapping to show High Risk where an area not subject to flooding or within the Low and Moderate Risk area is surrounded by High Risk area (per comment above regarding "Flood Risk Assessment").
- Please provide a large map, similar to Figure 12, with Low, Moderate, and High Risk Conditions that show the proposed SPA Area "A" overlaid on the Low, Moderate and High Risk mapping.

DRAFT

**AMENDMENT NO. _
TO THE RICHMOND HILL
OFFICIAL PLAN**

015

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PART THREE - THE ATTACHMENTS

Attachment 1 –	Staff Report SRPRS.____ considered at the _____
	Meeting held on _____, 20__
Attachment 2 –	Extract from _____ # ____ held on _____,
	20__
Attachment 3 –	Extract from _____ # ____ held on _____,
	20__

(i)

RICHMOND HILL OFFICIAL PLAN

OFFICIAL PLAN AMENDMENT NO. _____

The attached schedule and explanatory text constitute Amendment No. _ to the Richmond Hill Official Plan.

This amendment was prepared and recommended by the Richmond Hill Council and was adopted by the Council of The Corporation of the Town of Richmond Hill by by-law No. ___-___ in accordance with Sections 17 and 21 of the *Planning Act* on the ____ day of _____, 20__.

Mayor

Town Clerk

(ii)

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. __-1_

A By-law to Adopt Amendment No. _ to the
Richmond Hill Official Plan.

The Council of the Corporation of the Town of Richmond Hill in accordance with provisions of the *Planning Act*, R.S.O. 1990, hereby enacts as follows:

1. That Amendment No. _ to the Richmond Hill Official Plan, consisting of the attached Part Two and Schedule 1 is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to The Regional Municipality of York for approval of the aforementioned Amendment No. _ to the Richmond Hill Official Plan.
3. That this by-law shall come into force and take effect on the day of the final passing thereof.

PASSED THIS ____ DAY OF _____, 20__.

Mayor

Town Clerk

PART ONE - THE PREAMBLE is not a part of the Amendment.

PART TWO - THE AMENDMENT, consisting of text and schedule, constitutes Amendment No. _ to the Richmond Hill Official Plan.

PART THREE – THE ATTACHEMENTS, which is not a part of the Amendment, contains background information relevant to the Amendment.

DRAFT

PART ONE - THE PREAMBLE

1.1 PURPOSE

The purpose of this Amendment to the Richmond Hill Official Plan is to implement policy modifications to the "Special Policy Area," "Natural Hazards," "Neighbourhood" and "Oak Ridges Local Centre" policies and to implement a revised boundary for the Lake Wilcox Special Policy Area (SPA) as approved by the Ministers of Natural Resources (MNR) and Municipal Affairs and Housing (MMAH).

1.2 LOCATION

The lands affected by this Amendment are located within the floodplain as determined by the 2013 Floodline and identified as Area "A" – Lake Wilcox North Shore, Area "B" – Oak Ridges Local Centre Lands and Area "C" – Schomberg Road on Schedule "1" attached hereto.

1.3 BASIS

The proposed Amendment is considered by Council to be appropriate for the following reasons:

- The proposed Amendment recognizes that in the Lake Wilcox SPA, strict adherence to the policies of the PPS, 2014 concerning new development would result in social and economic hardships and provides a separate set of policies to provide for the continued viability of existing uses, which are generally on a small scale.
- The proposed Amendment has been approved by the Ministers of Natural Resources (MNR) and Municipal Affairs and Housing (MMAH).
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 (PPS, 2014).
- The proposed Amendment conforms to the Region of York Official Plan.
- The proposed Amendment implements the policies of the Richmond Hill Official Plan that require an update to the policies and mapping of the Lake Wilcox SPA.

- The proposed Amendment will support development within the Lake Wilcox SPA in a manner that is consistent with the Richmond Hill Official Plan.

PART TWO - THE AMENDMENT

2.1 All of this part of the document entitled **PART TWO – THE AMENDMENT** consisting of the following text and the attached schedule designated as Schedule “1” constitute Amendment No. ___ to the Richmond Hill Official Plan.

2.2 The Richmond Hill Official Plan is amended as follows:

2.2.1 That **Schedule A2** (Land Use) be amended to identify the updated boundary of the Lake Wilcox SPA and to identify Area “A” – Lake Wilcox North Shore, Area “B” – Oak Ridges Local Centre Lands and Area “C” – Schomberg Road of the SPA.

2.2.2 That **Schedule A7** (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) be amended to identify the updated boundary of the Lake Wilcox SPA and to identify Area “A” – Lake Wilcox North Shore, Area “B” – Oak Ridges Local Centre Lands and Area “C” – Schomberg Road of the SPA.

2.2.3 That **Schedule AX** (Lake Wilcox Special Policy Area) to the Richmond Hill Official Plan be added to identify the subject lands as Area “A” – Lake Wilcox North Shore, Area “B” – Oak Ridges Local Centre Lands and Area “C” – Schomberg Road, as shown on Schedule “1” attached hereto.

2.2.4 That **Section 3.2.2.3 Natural Hazards** be amended in the following manner:

- i. Policy (2) be deleted and replaced with Policy 3.2.2.3 (2) as follows:

Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

- a. an institutional use including a hospital, long-term care homes, retirement home, pre-school, school nursery, day care and/or school where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;

- b. an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations
- c. an use associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

- ii. Policy (3) be deleted and replaced with Policy 3.2.2.3 (3) as follows:

The Town shall support the efforts of the Conservation Authority in the management of floodplain lands and *Special Policy Areas*, which are within the Floodplain Regulation Area as shown on Schedule A2 (Land Use), Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) and Schedule AX (Lake Wilcox Special Policy Area). The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications.

2.2.5 That **Section 3.2.2.4 Special Policy Areas** be amended in the following manner:

- i. Policy (2) be deleted and replaced with Policy 3.2.2.4 (2) – (5) as follows:
 - 2. For lands in *Special Policy Areas* shown on Schedule A2 (Land Use), Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) and Schedule AX (Lake Wilcox Special Policy Area), the development, redevelopment or rehabilitation of buildings or structures shall be subject to site plan control.
 - 3. Where lands designated Neighbourhood are identified as being located in "Area "A"" or "Area "C"" of the *Special Policy Area* as shown on Schedule A2 (Land Use), Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) and Schedule AX (Lake Wilcox Special Policy Area), the development, redevelopment or rehabilitation of buildings or structures may be permitted subject to the following criteria:

- a. Notwithstanding the land use permissions established in 4.9.1, only *low-rise* single unit detached uses shall be permitted.
 - b. New *low-rise* single unit detached uses shall be required to be floodproofed to the satisfaction of the Conservation Authority.
 - c. Secondary suites shall not be permitted.
4. Where lands designated Oak Ridges Local Centre are identified as being located in "Area "B"" of the *Special Policy Area* as shown on Schedule A2 (Land Use), Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) and Schedule AX (Lake Wilcox Special Policy Area), the development, redevelopment or rehabilitation of buildings or structures may be permitted subject to the following criteria:
- a. Notwithstanding the land use permissions established in 4.3.2.1, Community Uses as identified in Section 4.1 of this Plan shall be prohibited.
 - b. Where new residential uses are proposed, no habitable living space shall be permitted below the Regulatory Flood level.
 - c. An Emergency Plan prepared by a qualified professional will be required for new multi-unit development. Where new development is proposed, emergency access/egress to and from the building to flood-free lands shall be required above the Regulatory Flood elevation, accessible to emergency vehicles. Such access may be provided by way of a permanent right-of-way over lands that are above the Regulatory Flood elevation and accessible to emergency vehicles. Interior and exterior components of the emergency access shall be designed to meet the anticipated occupant loads and be fully accessible, in accordance with the Building Code and the Town's Emergency Plan. Access to flood-free lands may not entail access through more than two independent buildings.
 - d. New development shall be required to provide emergency access to flood-free lands. The Town of Richmond Hill may require the establishment of a right-of-way in perpetuity for use by adjacent lands.

- e. New development shall be required to prepare an Emergency Plan to the satisfaction of the Town and the Conservation Authority. Where new development includes a plan of condominium, appropriate provision to execute the operational elements and protocols must be included in the applicable Condominium Act Declaration.
 - f. New development proposing residential uses shall provide warnings for prospective owners and/or tenants. The warnings shall advise purchasers/tenants of the location of the development in the floodplain, to the satisfaction of the Town of Richmond Hill and Toronto and Region Conservation Authority.
 - g. New development must locate primary building system controls such as service units and panels, above the Regulatory Flood level. Where it is technically impractical to locate these systems at or above the Regulatory Flood level, they shall be floodproofed and located at the highest level technically feasible and practical. The minimum floodproofing shall be the 1:350 year storm event, as determined by the Toronto and Region Conservation Authority.
 - h. Underground parking shall be prohibited.
 - i. Pursuant to 3.2.2.4 (15), site specific Official Plan Amendments to the *Special Policy Area* for intensification beyond the level of *development* permitted in this Plan shall only be considered through a *municipal comprehensive review* and subject to the approval of the Ministers of the Ministry of Municipal Affairs and Housing and Natural Resources.
 - j. Secondary suites shall not be permitted.
5. The Town shall amend the Zoning By-law on lands wholly or partly designated *Special Policy Area* and enact provisions, where appropriate, related to minimum building or structure setbacks, maximum lot coverage, minimum height of any building or structure opening, and other such matters as may be determined to be necessary by the Town and/or the Toronto and Region Conservation Authority.
- ii. Policy (3) be renumbered to Policy (6);
 - iii. Policy (4) be renumbered to Policy (7);
 - iv. Policy (5) be renumbered to Policy (8);

- v. Policy (6) be renumbered to Policy (9);
- vi. Policy (7) be deleted and replaced with Policy (10) as follows:
 - 1. That access and egress to all new buildings and structures providing overnight accommodation shall be safe, pursuant to the provincial floodproofing standards (dry access/egress is preferred). For uses providing overnight accommodation of for redevelopment (not involving an increase in overnight accommodation/residential units), where access and egress cannot achieve provincial flood proofing standards, they must achieve the maximum level of flood protection determined by the Town and the TRCA to be practical and feasible. The stated safe access for all pedestrian and vehicular traffic shall be demonstrated to the satisfaction of the Town and TRCA. No new building, structure or addition, shall be permitted within the *Special Policy Area* unless it has been demonstrated to the satisfaction of the Town and Conservation Authority that:
 - a. It would not be subjected to flows, which due to their velocity, depth or both, would be a hazard to life or property;
 - b. It would not be susceptible to major structural damage as a result of a flood below or equal to the level of the Regulatory Flood;
 - c. The necessary flood protection measures would not have a negative impact on adjacent properties; or
 - d. Adverse downstream and/or upstream impacts would not be created/exacerbated and/or an increase in risk to life or property would not occur as a result of flooding.
- vii. Policy (8) be renumbered to Policy (11);
- viii. Policy (9) be renumbered to Policy (12);
- ix. Policy (10) be deleted and replaced with renumbered to Policy (13) as follows:

New development shall be prohibited on any parcel of land which is wholly or partly in a *Special Policy Area* where the use is:

- a. an institutional use including a hospital, long-term care homes, retirement home, pre-school, school nursery, day care and/or school where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
- b. an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations
- c. an use associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

- x. Policy (11) be deleted;
- xi. Policy (12) be renumbered to Policy (14);
- xii. Policy (13) be deleted and replaced with renumbered Policy (15) as follows:

The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications.

- 2.2.6 That **Section 4.3.2 Oak Ridges Local Centre** be amended by adding policy 4.3.2.1 (9) as follows:

Notwithstanding the policies of Section 4.3.2, the development, redevelopment or rehabilitation of buildings or structures on lands in the *Special Policy Area* as "Area "B"" and shown on Schedule A2 (Land Use), Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) and Schedule AX (Lake Wilcox Special Policy Area), may only be permitted subject to the policies of Section 3.2.2.4 Special Policy Areas.

- 2.2.7 That Section **4.9 Neighbourhood** be amended by adding policy 4.9.1 (6) as follows:

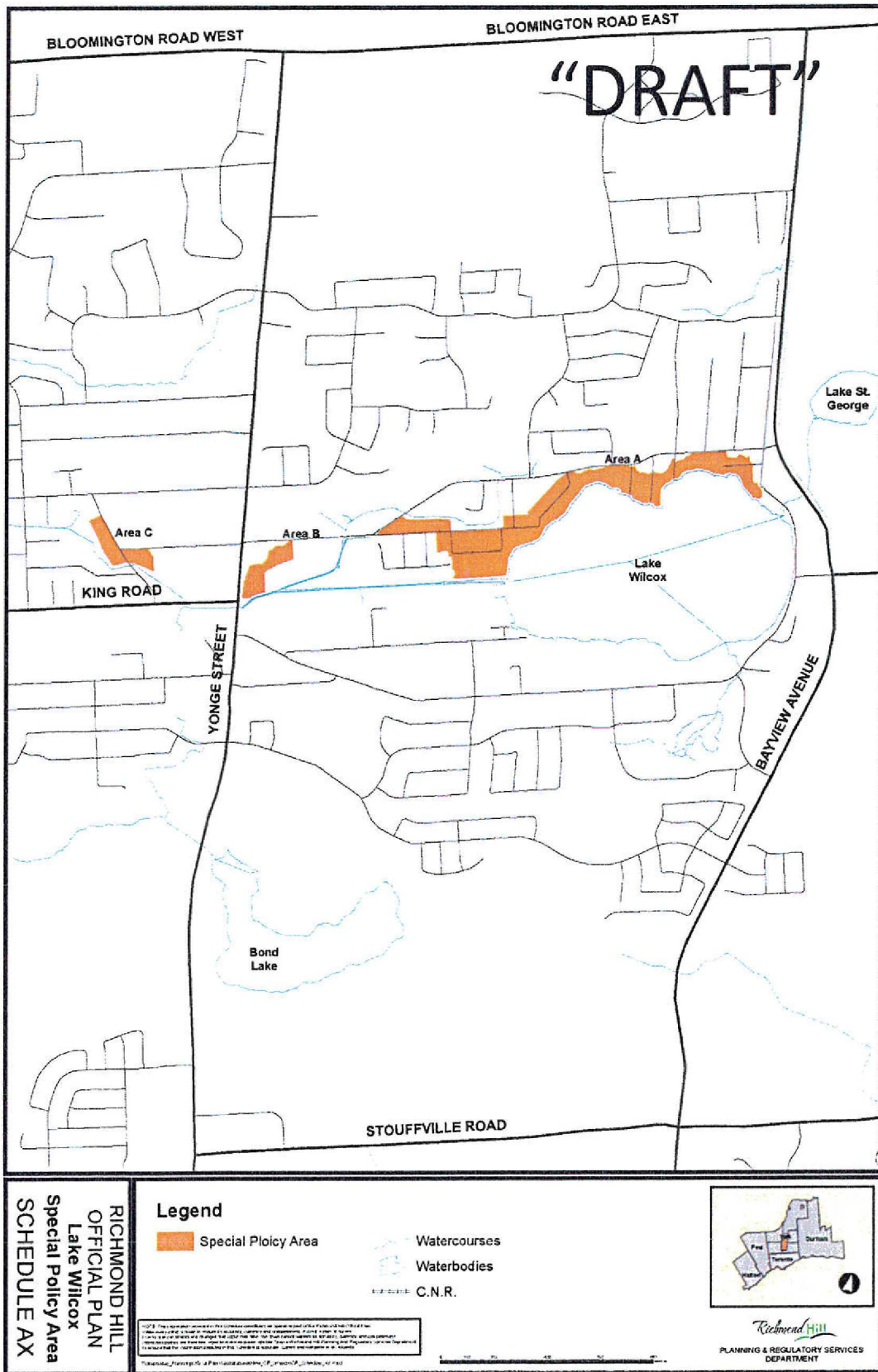
Notwithstanding policies of Section 4.9, the development, redevelopment or rehabilitation of buildings or structures on lands in the *Special Policy Area* identified as "Area "A"" or "Area "C"" and shown on Schedule A2 (Land Use), Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) and Schedule AX (Lake Wilcox Special Policy Area), may only be permitted subject to the policies of Section 3.2.2.4 Special Policy Areas.

- 2.2.8 That Section **7.2 Definitions** be amended by adding the following definitions:

Essential emergency service: for the purpose of policy 3.2.2.3 and policy 3.2.2.4 means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Hazardous substances: for the purpose of policy 3.2.2.3 and policy 3.2.2.4 means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

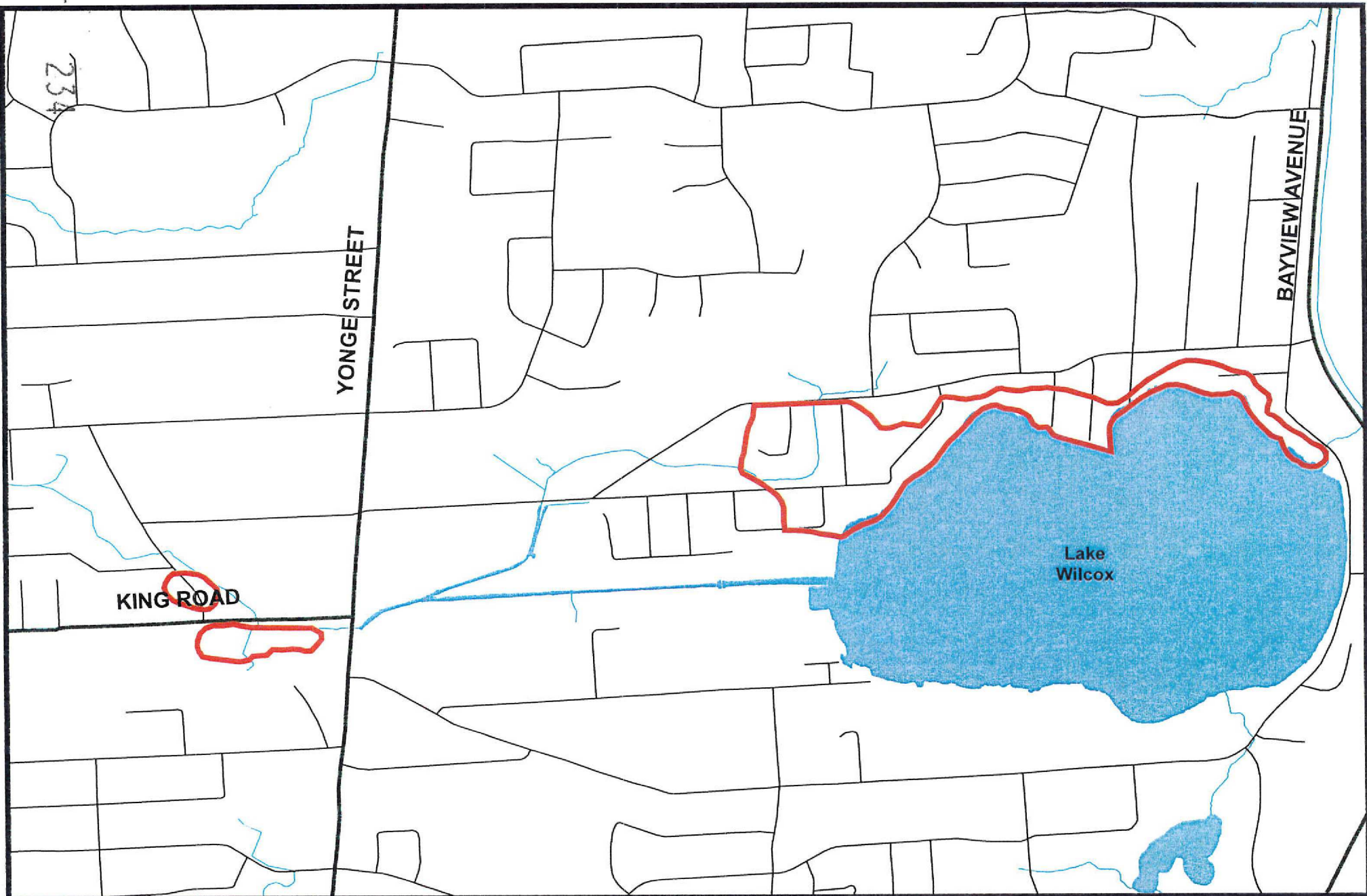
Schedule "1"



PART THREE - THE ATTACHMENTS

- Attachment 1 – Staff Report SRPRS. ___ considered at the _____ Meeting held on _____, 20__
- Attachment 2 – Extract from _____ # - ___ held on _____, 20__
- Attachment 3 – Extract from _____ # - ___ held on _____, 20__

DRAFT



Legend

-  SPA (Approved)
-  Waterbodies
-  Watercourses

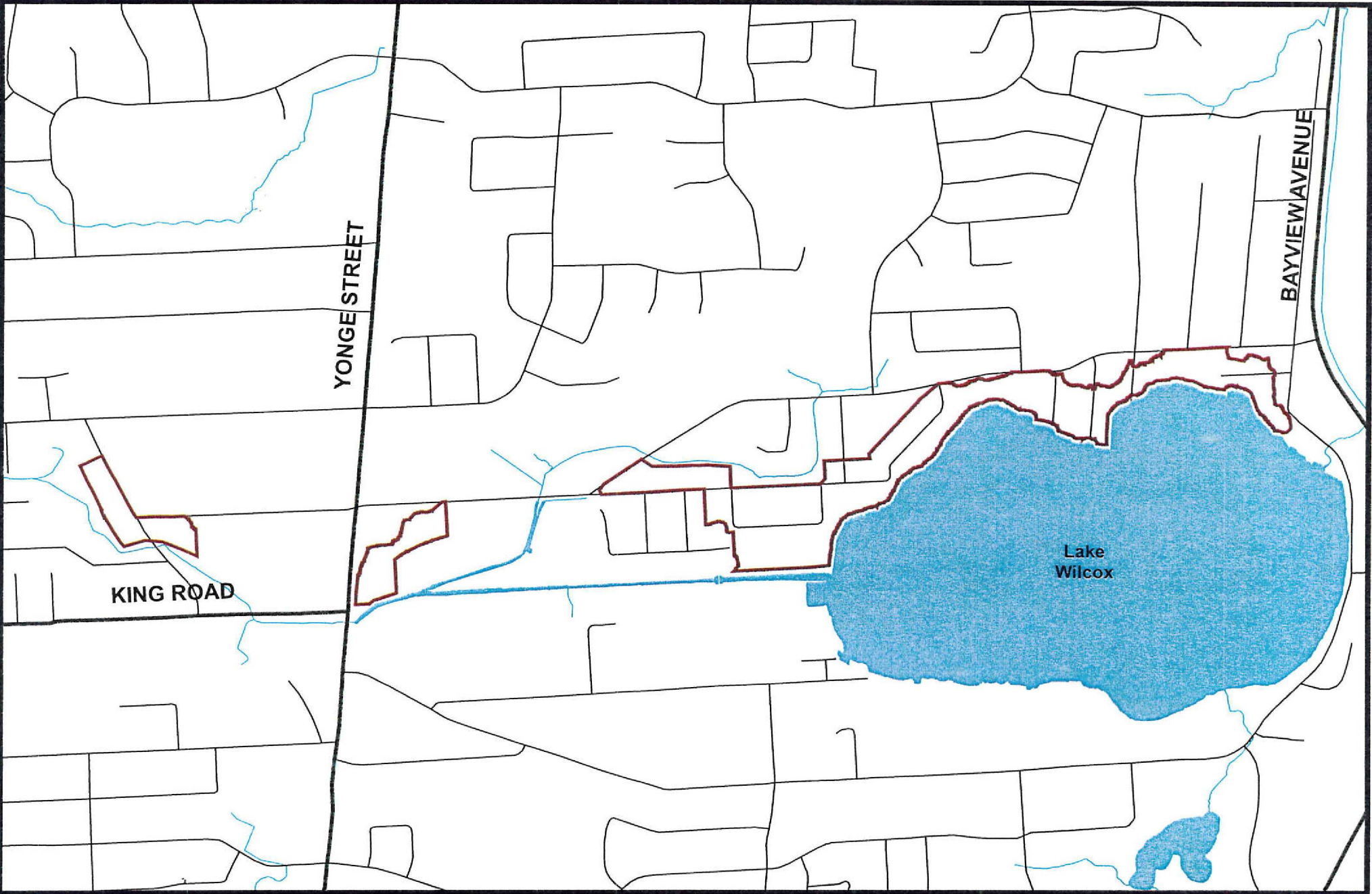
Existing Lake Wilcox Special Policy Area (Approved in 1995)

MM/HL SRPRS.16.030 MAP 1



**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

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- Legend**
- Proposed SPA
 - Waterbodies
 - Watercourses

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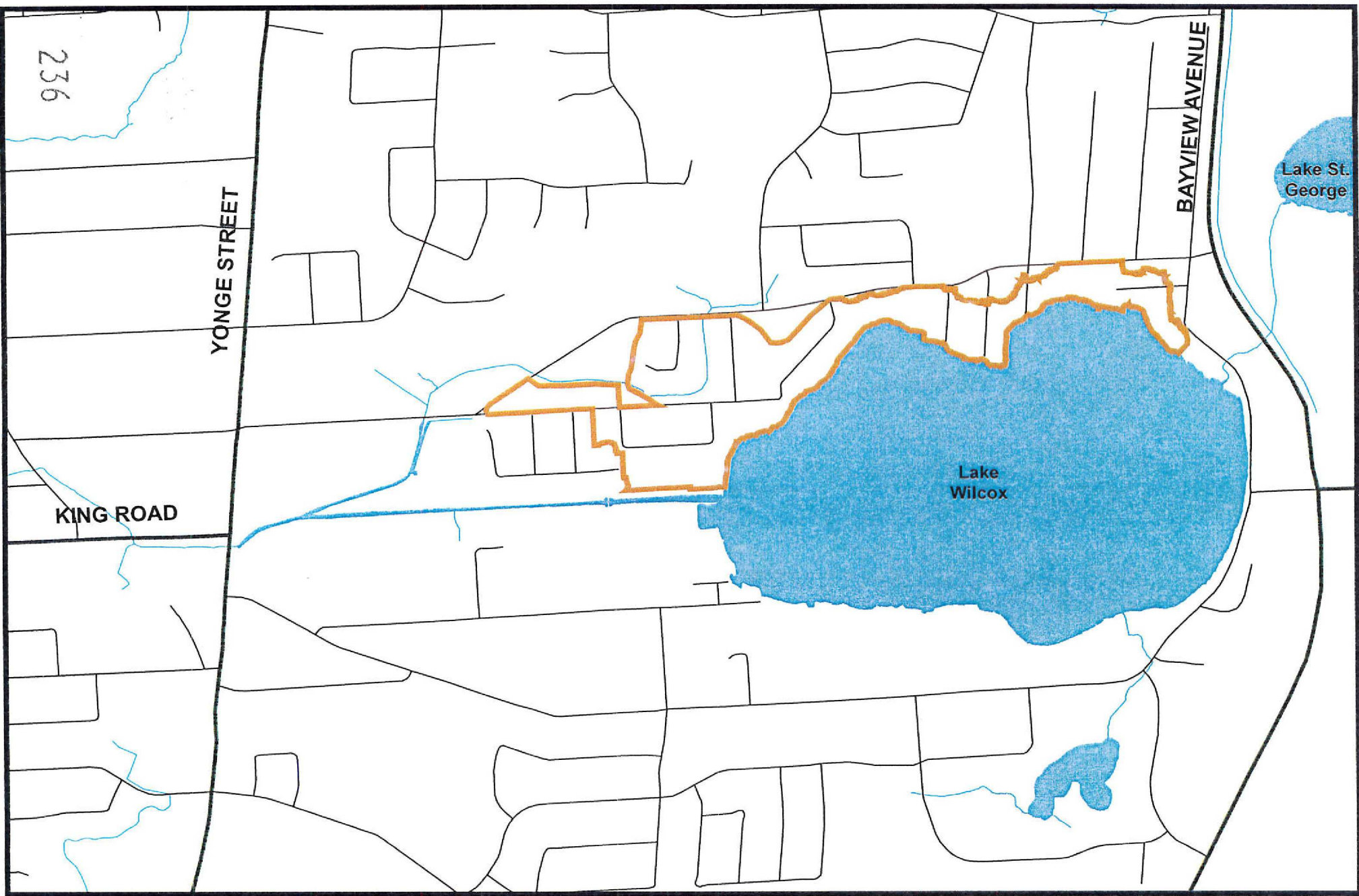
Draft Proposed Lake Wilcox Special Policy Area

MM/HL SRPRS.16.030 MAP 2



**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

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- Legend**
-  Revised Proposed SPA
 -  Waterbodies
 -  Watercourses

**"Revised" Proposed Lake Wilcox Special Policy Area
(Based on Provincial Comments)**

MM/HL SRPRS.16.030 MAP 3



**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

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