



Staff Report for Council Meeting

Date of Meeting: June 9, 2021

Report Number: SRPI.21.051

Department: Planning and Infrastructure
Division: Policy Planning
Development Zoning

Subject: **SRPI.21.051 Request for Approval – Official Plan Amendment and Zoning By-law Amendment for the Lake Wilcox Special Policy Area**

Purpose:

The purpose of this staff report is to request approval from Council with respect to Official Plan Amendment 22 and an amendment to Zoning By-law 256-88 for the Lake Wilcox Special Policy Area.

Recommendation(s):

- a) That Staff Report SRPI.21.051 be received;
- b) That Council adopt Official Plan Amendment 22 (OPA 22) with respect to the Lake Wilcox Special Policy Area (attached as Appendix A to SRPI.21.051);
- c) That Council enact By-law 64-21 to amend Zoning By-law 256-88 in order to implement OPA 22 (attached as Appendix B to SRPI.21.051); and,
- d) That City staff be directed to submit a request for approval of Official Plan Amendment 22 to the Region of York.

Contact Person:

Chun Chu, Senior Planner, phone number 905-771-5493 (re: OPA 22 or D01-20010)
Ferdinando Toniolo, Senior Planner, Zoning, phone number 905-771-2442 (re: D24-21001)

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure Department

Approved by: Mary-Anne Dempster, City Manager

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All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Background:

This staff report is an update to the work undertaken by staff with respect to the Lake Wilcox Special Policy Area, building on [Staff Report SRPRS.17.103](#), which was presented at the June 20, 2017 Committee of the Whole Meeting and received by [Council at its meeting on October 2, 2017](#). On that day, Council provided approval in principle for the draft Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBLA) respecting the Lake Wilcox Special Policy Area. Since that time, as noted below, several additional steps were undertaken in order to receive approval of the draft OPA and ZBLA from the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry.

In accordance with the Provincial letter dated April 6, 2021, the City has now received the requisite ministerial approvals (see letter attached as Appendix C). The Ministerial approval is based on endorsements of the OPA and ZBLA from both the Region of York and the Toronto and Region Conservation Authority (TRCA) received in January 2018. These letters of endorsement are attached as Appendices D and E to this staff report.

In February 2018, after receipt of these letters, the City submitted its formal request to the Province for Ministerial approval of the draft OPA and ZBLA. In December 2019, after having reviewed the City's package of materials in support of the draft OPA and ZBLA, provincial staff suggested consideration of some technical modifications to the amendments. In response, the City worked collaboratively with the TRCA, the Region of York, and the Province to address Provincial staff's concerns. This collaboration culminated in the joint Ministerial approval letter dated April 6, 2021. The Ministers' letter indicates approval of the proposed policy and boundary amendments to the special policy area, subject to a few modifications to the draft OPA policies and ZBLA provisions. These requested modifications are supported by City, regional and TRCA staff. Consequently, the City is now in a position to formally adopt the updated OPA and ZBLA and proceed to final approvals with the Region of York.

The Lake Wilcox Special Policy Area (SPA)

Presently, the Lake Wilcox Special Policy Area (SPA) is an area located in a flood plain along the north shore of Lake Wilcox and west of Yonge Street along King Road. In accordance with the Provincial Policy Statement, no development is permitted within a flood plain. However, in special circumstances, the Province has allowed for development to continue and new development to occur. This special circumstance was granted to the City in 1995 for the Lake Wilcox area when Official Plan Amendment 129 was approved and this area was identified as an SPA.

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As a special policy area (SPA), the Province permits existing uses and limited development in this historically flood prone area in order to enable the community to continue to be viable. Within the SPA, development is permitted in accordance with zoning by-law permissions related to matters such as set backs, lot coverage, height, etc., as well as in terms of the level of flood-proofing required to ensure the safety of people and property. Outside of the SPA, the flood-proofing requirements are more stringent and in accordance with the TRCA's permitting system, the gross floor area of development on a lot within a floodplain is limited to 150% of the **existing** building on the property. By identifying the north shore area Lake Wilcox as a SPA, the Province, the TRCA, Region and City have relaxed the natural hazard policy standards in relation to protection from flood-related events. This relaxation of policy poses a greater level of risk to human health and properties, then what is experienced in floodplain areas outside of the SPA. As such, official plan policies and zoning by-law for the area must meet provincial technical standards, and further, approval for this SPA and any changes to the boundary and/or policies related to it is required from two ministries – the Ministry of Municipal Affairs and Housing, and the Ministry of Natural Resources and Forestry.

Between 2011 and 2014, the City with the assistance of TRCA, undertook a study regarding this area, and determined that due to changes in provincial policy and the flood plain itself, changes to policy, the applicable zoning regime and the boundary of the SPA were needed. The Ministers' letter acknowledges that these changes are necessary and through their approval the City can move to formal adoption of the OPA and ZBLA for the SPA.

Update to the Proposed Lake Wilcox SPA Official Plan Amendment and Zoning By-law Amendment

As noted above, the Ministers' have approved of the policy and mapping changes subject to modifications. The Provincially requested modifications are minor and stylistic in nature. More specifically, the Province has clarified that "dry passive floodproofing" is preferred, and that the minimal elevation of exterior openings to any structure or dwelling should be no less than the "1:350 storm elevation" standard. Aside from these minor edits, the majority of the OPA and ZBLA remain the same as the version approved in principle by Council in 2017.

Staff also notes that Schedule A to the draft ZBLA has been further modified to reflect the boundary of Zoning By-law 256-88, as amended by By-law 313-96 which removed certain lands from the Zoning By-law 256-88 area.

The OPA and ZBLA, with the modifications requested by the Ministers would serve to:

- Continue to limit the permitted uses in the SPA to single detached dwellings on existing lots of records in order to minimize risks to public health and safety;
- Continue to prohibit new lot creation in order to protect lives and property;
- Expand the boundary of the SPA according to updated floodplain mapping, which allows existing lots within the floodplain around Lake Wilcox to have

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development/redevelopment potential, where they are located outside of the City's Greenway System;

- Remove the SPA boundary from those areas that are within the City's Greenway System, or are no longer in the floodplain, or for which there is opportunity for development / redevelopment outside of the floodplain.
- Update the 2010 Official Plan Schedules A2 "Land Use" and Schedule A7 "Flood Plain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas" to reflect changes to the SPA boundary;
- Update the language in the policies to reflect changes to the Provincial Policy Statement, 2014 and 2020, which include the range of permitted and prohibited uses, technical / floodproofing standards, and safe access requirements; and,
- Update Zoning By-law 256-88 to implement OPA 22, which includes replacing the existing "Flood Damage Centre" overlay with a "Special Policy Area" overlay, and prohibiting additional residential units (secondary suites) in the area.

Planning Analysis

Staff Report SRPRS.17.103 provided a full analysis of how the draft OPA and ZBLA for the Lake Wilcox Special Policy Area (SPA) conforms with regional and provincial policies. Since that time, a number of provincial plans and policies have been updated. Nonetheless, provincial directions for SPAs remain unchanged, and hence, OPA 22 and the associated ZBLA continues to conform to provincial and regional policies.

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement (PPS) identifies SPAs as lands located within natural hazards, and as such, growth should be directed outside of flood plains. Consequently, SPAs are not intended to allow for new or intensified development and/or site alteration. In addition, any changes to official plan policies, land use designations or boundaries of SPAs must be approved by the Province (Policy 3.1.4(a)).

OPA 22 and the associated ZBLA for the Lake Wilcox Special Policy Area only provide for modest low density development within the proposed SPA. The amendments do not permit new lot creation, and the only dwelling type permitted is single-detached dwelling units on existing lots. As noted above, the City received Ministerial approval of the draft OPA and ZBLA in April 2021. As such, the amendments are consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The *Growth Plan* notes that growth should be directed away from hazardous areas, including SPAs. Furthermore, the minimum intensification and density targets in the provincial plan do not require SPAs to develop beyond what is permitted by the Province (Policy 5.2.5(7)(a)).

As noted above, OPA 22 and the associated ZBLA do not permit new lot creation, and only single-detached dwellings are permitted on existing lots. Therefore, the proposed policies and provisions conform with the *Growth Plan*.

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Oak Ridges Moraine Conservation Plan, 2017 (ORMCP)

The lands within the proposed SPA are designated “Settlement Area” within the *Oak Ridges Moraine Conservation Plan* (ORMCP). The ORMCP is silent on SPAs and generally refers to the other Provincial and municipal plans for more detailed land use direction.

Region of York Official Plan, 2010

The Region’s Official Plan identifies the Lake Wilcox SPA as an “approved floodplain special policy area” and states that any change to designation or boundaries would require provincial approval prior to obtaining regional approval (Policy 2.3.23). The City has fulfilled the regional requirements through the approvals obtained from the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources and Forestry.

Financial/Staffing/Other Implications:

There are no financial implications resulting from recommendations made in this staff report.

Relationship to Council’s Strategic Priorities 2020-2022:

The approval of Official Plan Amendment 22 (OPA 22) and the amendment to Zoning By-law 256-88 support Council’s Strategic Priority for 2020-2022 related to “Balancing Growth and Green” and “Strong Sense of Belong” by providing housing options to residents while addressing environmental risks due to climate change. The amendments are based on updated TRCA flood modelling data and therefore comply with provincial standards for flood plain management.

Climate Change Considerations:

OPA 22 and the amendment to Zoning By-law 256-88 directly address climate change adaptation by updating policies and provisions to protect people and properties from flood damage arising from extreme storms, while still ensuring the long-term viability of the community.

Next Steps:

After OPA 22 and its associated ZBLA are adopted by City Council, staff will provide notice to all prescribed bodies and those parties who have requested notification. City staff will also forward OPA 22 to the Region of York as they are the approval authority for the City’s SPAs. Following regional approval, there will be a 20-day appeal period, after which and pending no appeals on the regional approval, the proposed amendments will come into full force and effect.

Conclusion:

The City has collaborated with the TRCA, the Region of York, and the Province to modernize the policies, provisions, and mapping of the Lake Wilcox Special Policy Area.

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The collective work has resulted in the preparation of an updated draft OPA and ZBLA that conform with provincial policy, and reflect provincial technical standards and up-to-date flood modelling data. The draft OPA and ZBLA have been approved with requested modification by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry. The City is in the final stage of completing this work by seeking Council's adoption of the updated OPA and ZBLA, and requesting final approval of same from the Region.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix A – Official Plan Amendment 22
- Appendix B – By-law 64-21 to Amend Zoning By-law 256-88
- Appendix C – Approval Letter from the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources and Forestry, dated April 6, 2021
- Appendix D – Letter of Endorsement from York Region, dated January 23, 2018
- Appendix E – Letter of Endorsement from the Toronto and Region Conservation Authority, dated January 29, 2018

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Report Approval Details

Document Title:	SRPI.21.051 Request for Approval-Official Plan Amendment and Zoning By-law Amendment - Wilcox Special Policy Area.docx
Attachments:	- SRPI.21.051-Appendix A-Official Plan Amendment 22.pdf - SRPI.21.051-Appendix B-Amendment to Zoning By-law 256-88.pdf - SRPI.21.051-Appendix C-Approval Letter from Province.pdf - SRPI.21.051-Appendix D-Endorsement Letter from York Region.pdf - SRPI.21.051-Appendix E-Endorsement Letter from TRCA.pdf
Final Approval Date:	May 31, 2021

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - May 18, 2021 - 10:28 AM

Patrick Lee - May 18, 2021 - 11:18 AM

Kelvin Kwan - May 18, 2021 - 12:03 PM

MaryAnne Dempster - May 31, 2021 - 9:45 AM

Appendix A to SRPI.21.051

**Official Plan Amendment 22 regarding the Lake Wilcox Special
Policy Area**

**Amendment 22
to the Richmond Hill
Official Plan**

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THE CORPORATION OF THE CITY OF RICHMOND HILL

BY-LAW NO. 65-21

A By-law to Adopt Amendment No. 22 to the
Richmond Hill Official Plan.

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

1. That Amendment No. 22 to the Richmond Hill Official Plan, consisting of the text and maps provided in the attached Part Two, Section 2.2. of this document, is hereby adopted and consolidated with the Richmond Hill Official Plan.
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. 22 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 _____, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

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” and “Neighbourhood” policies and to implement a revised boundary for the Lake Wilcox Special Policy Area (SPA) as approved by the Ministers of Natural Resources (MNRF) and Municipal Affairs and Housing (MMAH).

1.2 LOCATION

The lands affected by this Amendment are located within the floodplain as determined by the 2014 Floodline and identified as Special Policy Area (Revised Proposed) 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 hazard policies of the Provincial Policy Statement (PPS), 2020 concerning new development would result in social and economic hardships and provides a separate set of policies in accordance with the PPS Special Policy Area policies and definition, to provide for the continued viability of existing uses, which are generally on a small scale.
- By way of letter dated April 6, 2021, the proposed Amendment has been approved by the Ministers of Natural Resources and Forestry (MNRF) and Municipal Affairs and Housing (MMAH) in accordance with the Provincial Special Policy Area approval guidelines.
- The proposed Amendment is consistent with the Provincial Policy Statement (PPS), 2020.
- 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.

PART TWO - THE AMENDMENT

2.1 All of this part of the document entitled **PART TWO – THE AMENDMENT** consisting of the following text in section 2.2 and the attached Schedule “1” constitute Amendment No. 22 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 remove the boundary of the Lake Wilcox SPA and replace it with the updated boundary identified as “SPA Boundary (Revised Proposed)” on Schedule 1 of this document.

2.2.2 That **Schedule A7** (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) be amended to remove the boundary of the Lake Wilcox SPA and replace it with the updated boundary identified as “SPA Boundary (Revised Proposed)” on Schedule 1 of this document.

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 home, 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. a 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 City 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) and Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas). 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 and Forestry 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 (1) be amended by replacing the word “Town” with “City” so that it reads as follows:

The policies established and used within the defined limits of *Special Policy Areas* shown on Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) are areas where the Province of Ontario, the Conservation Authority, and the City agree to accept a higher level of flood risk.

- ii. Policy (2) be deleted and replaced with Policies 3.2.2.4 (2) – (6) as follows:

2. For lands in *Special Policy Areas* shown on Schedule A2 (Land Use) and Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas), 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 the *Special Policy Area* as shown on Schedule A2 (Land Use) and Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas), 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 detached dwelling units shall be permitted.
- b. New *low-rise* single detached dwelling units shall be required to be floodproofed to the highest level technically feasible.
- c. *Additional Residential Units* shall not be permitted.

4. New development must locate primary building system controls such as service units and panels, above the Regulatory Flood level.

5. 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 and Forestry.

6. The City 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, floodproofing and other such matters as may be determined to be necessary by the City and/or the Toronto and Region Conservation Authority.

iii. Policy (3) be renumbered to Policy (7);

iv. Policy (4) be deleted and replaced with Policy (8); as follows:

The approval of minor variance and/or site plan applications for buildings or structures in *Special Policy Areas* shall be conditional upon the landowner incorporating into the project flood measures capable of ensuring that the new buildings or structures, or additions to existing buildings or structures, will not be flooded under Regulatory Flood conditions, to the satisfaction of the City and the Conservation Authority. Dry passive floodproofing to the Regulatory Flood level is preferred.

v. Policy (5) be renumbered to Policy (9);

vi. Policy (6) be renumbered to Policy (10);

vii. Policy (7) be deleted and replaced with Policy (11) as follows:

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) as outlined in Provincial guidance. Where access and egress cannot achieve provincial flood proofing standards, they must achieve the maximum level of flood protection determined by the City 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 City 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 City 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.
- viii. Policy (8) be renumbered to Policy (12);
- ix. Policy (9) be renumbered to Policy (13);
- x. Policy (10) be deleted and replaced with renumbered to Policy (14) 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 home, retirement home, pre-school, school nursery, day care, school and/or any land uses 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. a use associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

- xi. Policy (11) be deleted;
- xii. Policy (12) be renumbered to Policy (15);
- xiii. Policy (13) be deleted and replaced with renumbered Policy (16) 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 and Forestry prior to the approval authority approving such changes or modifications.

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

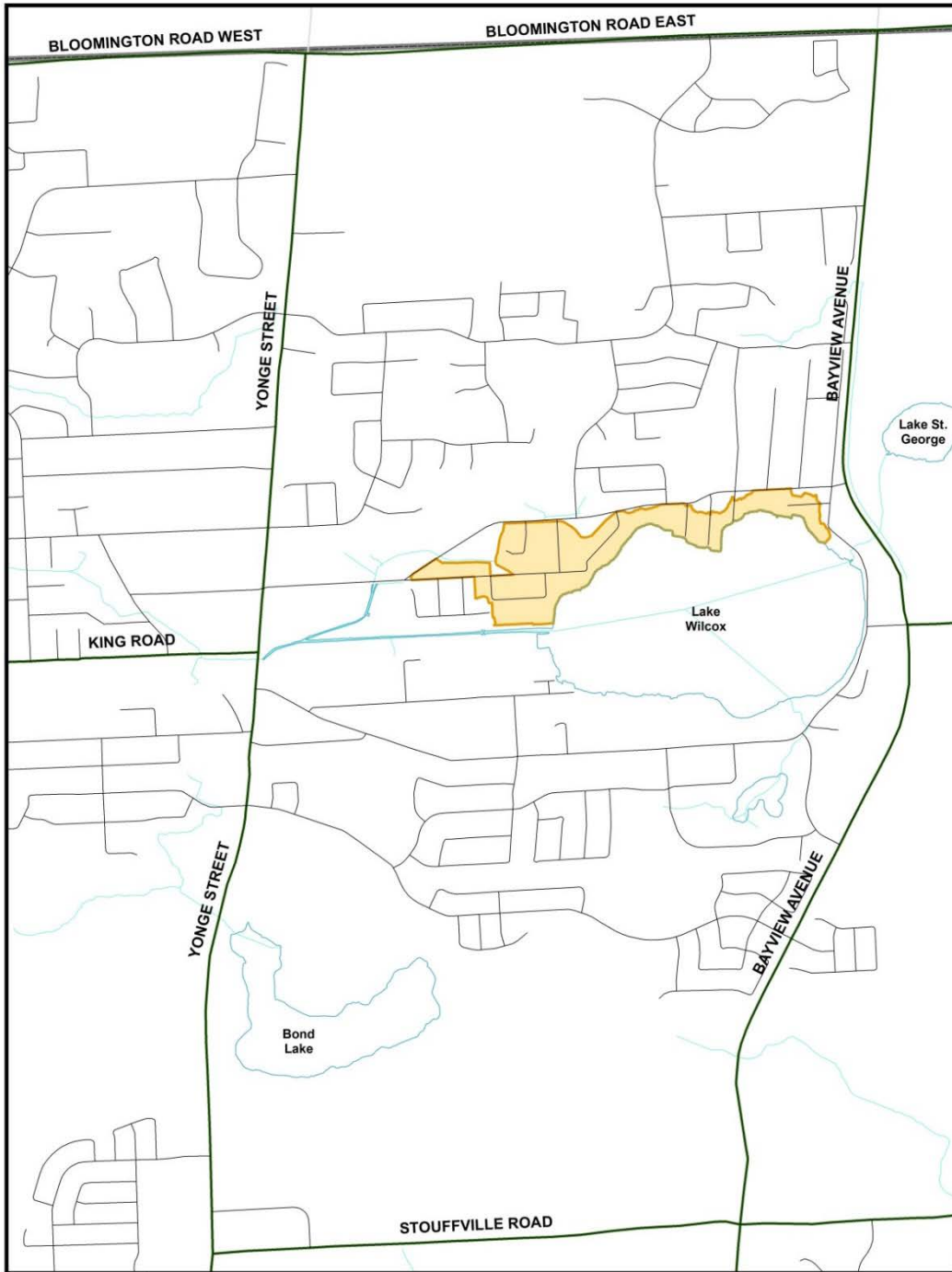
Notwithstanding policies of Section 4.9, the development, redevelopment or rehabilitation of buildings or structures on lands in the *Special Policy Area* identified on Schedule A2 (Land Use) and Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) may only be permitted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

- 2.2.7 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 to OPA 22



**RICHMOND HILL
OFFICIAL PLAN
Lake Wilcox
Special Policy Area
Sch. "1" to OPA 22**

Legend

- Waterbodies
- SPA (Revised Proposed)
- Watercourses

NOTE: The information provided in this Schedule constitutes an operative part of the Richmond Hill Official Plan. While every effort is made to ensure the accuracy, currency and completeness, it is for your information only. Due to site developments and changes that occur over time, the Town cannot warrant the accuracy, currency and completeness. Conditional policies are hereby called to make inquiries with the Town of Richmond Hill Planning and Regulatory Services Department to ensure that the information depicted in this Schedule is accurate, current and complete at all aspects.



Richmond Hill
PLANNING & REGULATORY SERVICES
DEPARTMENT

THE CORPORATION OF THE CITY OF RICHMOND HILL

BY-LAW 64-21

A By-law to Amend By-law 256-88 of
The Corporation of the City of Richmond Hill, as amended.

Whereas the Council of The Corporation of the City of Richmond Hill (“The Corporation”) at its meeting of October 10, 2017, approved in principle the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBLA) respecting the Lake Wilcox Special Policy Area as presented in SRPRS.17.103, and directed that Town staff submit a request for approval of the OPA from the Minister of Municipal Affairs and Housing and the Minister of Natural Resources and Forestry;

And whereas the Ministry of Natural Resources and Forestry and the Ministry of Municipal Affairs and Housing considered both the OPA and the ZBLA and determined that the proposed changes indicated by the OPA and ZBLA meet provincial requirements outlined in the Provincial Policy Statement, 2020;

And whereas the Ministry of Natural Resources and Forestry and the Ministry of Municipal Affairs and Housing on April 6, 2021, approved the proposed changes indicated by the OPA and ZBLA, to the City of Richmond Hill’s Special Policy Area policies and mapping, subject to modifications;

And whereas the Council of The Corporation at its meeting on June 9, 2021 adopted Official Plan Amendment 22 (“OPA 22”) with respect to the Lake Wilcox Special Policy Area as shown in Appendix A to SRPI.21.051; and,

And whereas the Council of The Corporation at its meeting on June 9, 2021 also directed that Zoning By-law 64-21 be passed to amend Zoning By-law 256-88 in order to implement OPA 22.

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. That By-law 256-88, as amended, of the City of Richmond Hill, be hereby further amended by:
 - a. removing the “FLOOD DAMAGE CENTRE,” as indicated in a cross hatch overlay on Schedule “A” of By-law 256-88 and replacing it with Schedule “A” attached hereto;
 - b. adding the “SPECIAL POLICY AREA,” as indicated in a cross hatch overlay on Schedule “B” to this By-law 64-21 and attached hereto; and

- c. removing Section 6.2 (6) and Section 10.1 and adding the following to Section 10 – Exceptions / Additional Provisions:

10.1

Notwithstanding any other inconsistent or conflicting provisions of By-law 256-88, as amended, of the Corporation the following special provisions shall apply to the lands within the “SPECIAL POLICY AREA” as indicated in a cross hatch overlay on Schedule “B” to this By-law 64-21 and attached hereto:

- (a) Only SINGLE DETACHED DWELLINGS shall be permitted within the SPECIAL POLICY AREA.
- (b) SECONDARY SUITES shall not be permitted within the SPECIAL POLICY AREA.
- (c) The minimum elevation of any window, door or other exterior opening(s) to a new, or expansion to an existing DWELLING, BUILDING or STRUCTURE located within the LAKE WILCOX SPECIAL POLICY AREA shall be the Regulatory Storm Flood elevation; however, in no case shall the minimum elevation be less than the 1:350 storm elevation, as approved by the Toronto and Region Conservation Authority.
- d. Adding the following definitions to Section 4 – Definitions:
- “ACCESSORY” means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or BUILDING, and allocated on the same LOT.
- “SECONDARY SUITE” means a self contained DWELLING UNIT ACCESSORY to the main dwelling unit.
- “SPECIAL POLICY AREA” means an area that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry 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.
- e. Removing the following definitions from Section 4 – Definitions:

The Corporation of the City of Richmond Hill
By-law 64-21

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“FLOOD DAMAGE CENTRE”

- f. Removing the term “FLOOD DAMAGE CENTRE” from Section 5.20 Site Plan Control (a) of By-law 256-88 and replacing it with the term “SPECIAL POLICY AREA” as set out in this By-law 64-21.
2. Schedules “A” and “B” to this By-law 64-21 and attached hereto are declared to form a part of this By-law.

Passed this 9th day of June, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

THE CORPORATION OF THE CITY OF RICHMOND HILL

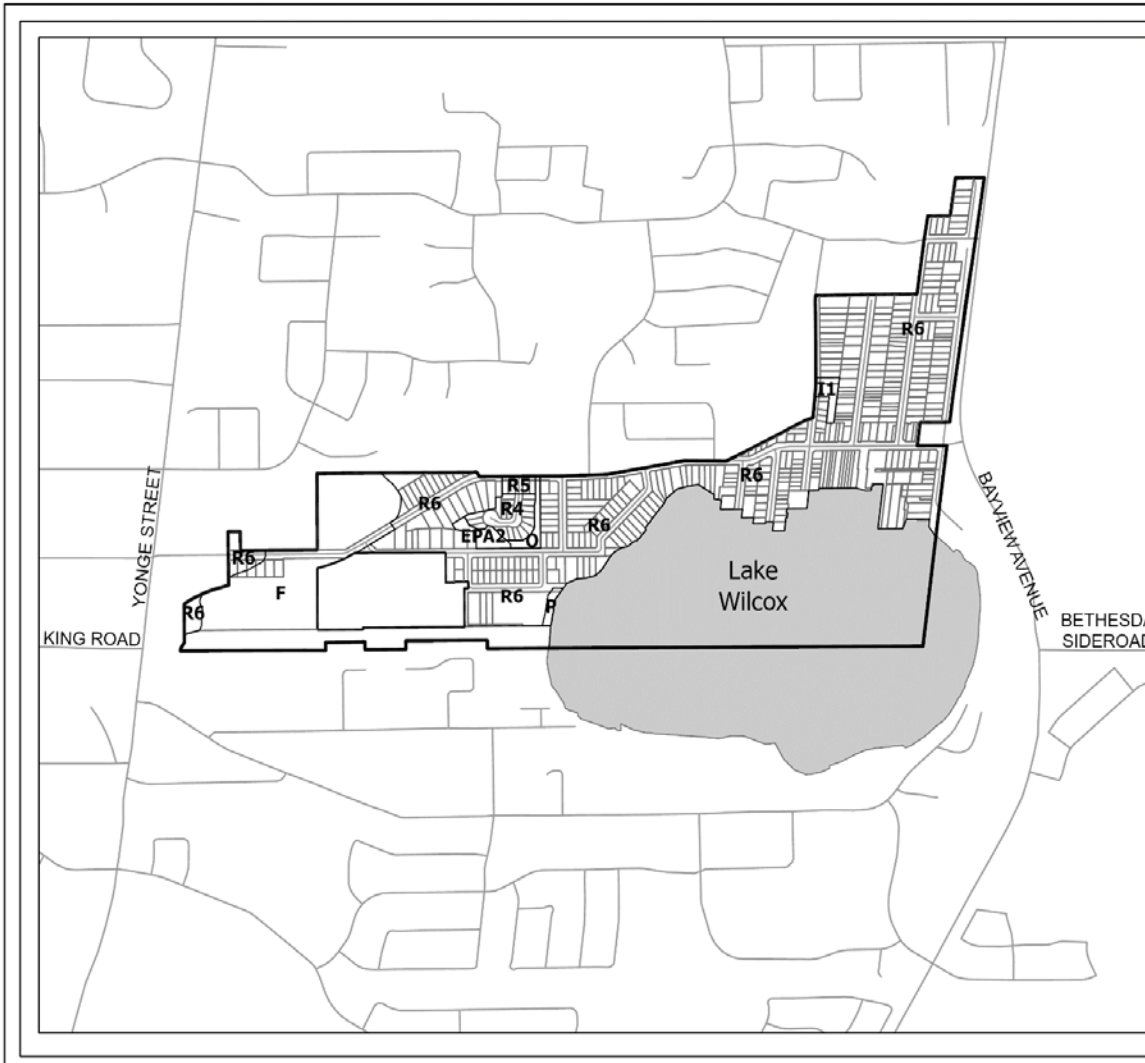
Explanatory note to by-law 64-21

The purpose of By-law 64-21 is to implement the Provincially-approved SPECIAL POLICY AREA policies set out in Official Plan Amendment 22 by amending By-law 256-88, as amended.

By-law 64-21 replaces the FLOOD DAMAGE CENTRE overlay set out in By-law 256-88, as amended, with a SPECIAL POLICY AREA overlay within the north shore area of Lake Wilcox and as more precisely indicated on Schedule "B" to this By-law.

By-law 64-21 restricts permitted uses for those lands subject to the SPECIAL POLICY AREA to SINGLE DETACHED DWELLINGS and it prohibits SECONDARY SUITES.

SCHEDULE "A"



SCHEDULE " A "

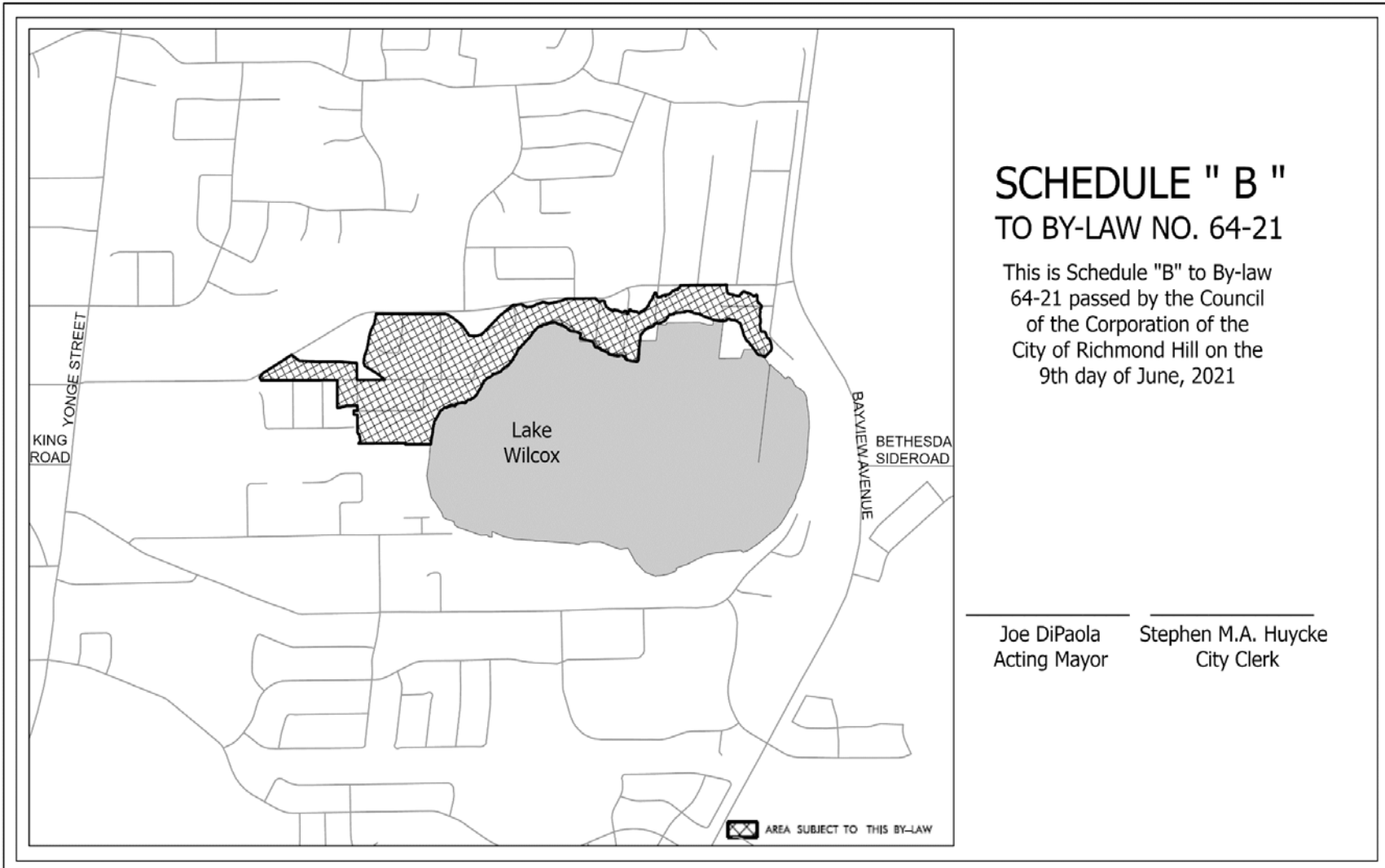
TO BY-LAW NO. 64-21

This is Schedule "A" to By-law 64-21 passed by the Council of the Corporation of the City of Richmond Hill on the 9th day of June, 2021

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

SCHEDULE "B"



SCHEDULE " B "

TO BY-LAW NO. 64-21

This is Schedule "B" to By-law 64-21 passed by the Council of the Corporation of the City of Richmond Hill on the 9th day of June, 2021

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

Appendix C to SRPI.21.051

**Approval Letter from the Ministry of Municipal Affairs and
Housing and the Ministry of Natural Resources and Forestry
regarding the Lake Wilcox Special Policy Area (2021)**

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2021-1976

April 6, 2021

Your Worship
Mayor Joe DiPaola
City of Richmond Hill
officemayor@richmondhill.ca

Dear Mayor DiPaola:

Re: Proposed Update to the Lake Wilcox Special Policy Area policies and mapping to the City of Richmond Hill's Official Plan and draft Zoning By-law Amendment

Thank you for forwarding the City of Richmond Hill's comprehensive update to the Lake Wilcox Special Policy Area official plan policies and mapping to the Ministries of Municipal Affairs and Housing and Natural Resources and Forestry for approval in accordance with the Provincial Policy Statement, 2020.

I would like to commend the City's efforts and commitment in its comprehensive review of the City's Special Policy Area and related policies, which included considerable consultation with provincial staff and the Toronto and Region Conservation Authority.

The proposed modifications to the Special Policy Area include revisions to the existing boundaries, and policy changes that emphasize increased flood proofing, safe access/egress requirements and limiting intensification in this area.

I am pleased to advise that the proposed changes have been reviewed by provincial staff and have been determined to meet provincial requirements outlined in the Provincial Policy Statement, 2020.

It is my understanding that City Council endorsed the proposed Official Plan and Zoning By-law Amendments on October 10, 2017 and will proceed to formally adopt these amendments under the *Planning Act*, upon receiving approval from both, my colleague the Honourable John Yakabuski, Minister of Natural Resources and Forestry, and myself.

Accordingly, I wish to inform you that both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing approve the proposed changes to the City of Richmond Hill's Special Policy Area policies and mapping, subject to the modifications attached in Appendix A.

It is my understanding these modifications are acceptable to staff at the City of Richmond Hill and the Toronto Region Conservation Authority and further, that I will be notified once Council has adopted both amendments.

Once again, thank you and your staff for continuing to work closely with the Province on this important update to Richmond Hill's Lake Wilcox Special Policy Area.

Sincerely,



Steve Clark
Minister

- c: The Honourable John Yakabuski, Minister of Natural Resources and Forestry
Sybelle Von Kursell, Manager of Policy, City of Richmond Hill
John MacKenzie, Chief Executive Officer, Toronto and Region Conservation Authority
Paul Freeman, Chief Planner, Planning and Economic Development, York Region
Laurie Miller, Regional Director (A), Municipal Services Office – Central Ontario

APPENDIX A

Provincial modifications to Draft Official Plan Amendment and Draft Zoning By-law Amendment that were approved in principle by the City of Richmond Hill Council on October 2, 2017, as shown through underlining (adding text) and strikeouts (removing text).

Draft Official Plan Amendment Policy 3.2.2.4 (3) –

Where lands designated Neighbourhood are identified as being located in “Area “A”” of the *Special Policy Area* as shown on Schedule A2 (Land Use) and Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas), 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 detached ~~uses~~ dwelling units shall be permitted.
- b. New *low-rise* single detached ~~uses~~ dwelling units shall be required to be floodproofed to the ~~satisfaction of the Conservation Authority to~~ highest level technically feasible.
- c. Secondary suites shall not be permitted.

Draft Official Plan Amendment Policy 3.2.2.4 (7) –

The approval of minor variance and/or site plan applications for buildings or structures in *Special Policy Areas* shall be conditional upon the landowner incorporating into the project flood measures capable of ensuring that the new buildings or structures, or additions to existing buildings or structures, will not be flooded under Regulatory Flood conditions, to the satisfaction of the Town and the Conservation Authority. Dry passive floodproofing to the Regulatory Flood level is preferred.

Draft Official Plan Amendment Policy 3.2.2.4 (10) –

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) as outlined in Provincial guidance. 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.

Draft Official Plan Amendment Policy 3.2.2.4 (13) –

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 home, retirement home, pre-school, school nursery, day-care, ~~and/or~~ school and/or any land uses 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; or
- c. a use associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

Draft Zoning By-law Amendment Provision 1c.:

10.1 Notwithstanding any other inconsistent or conflicting provisions of By-law 256-88, as amended, of the Corporation the following special provisions shall apply to the lands within the “SPECIAL POLICY AREA” as indicated in a cross hatch overlay on Schedule “B” to this By-law xx-17 and attached hereto:

- (a) Only SINGLE DETACHED DWELLINGS shall be permitted within the SPECIAL POLICY AREA.
- (b) SECONDARY SUITES shall not be permitted within the SPECIAL POLICY AREA.
- (c) the minimum elevation of any window, door or other exterior opening(s) to new, or expansion to an existing DWELLING, BUILDING or STRUCTURE located within the LAKE WILCOX SPECIAL POLICY AREA shall be the Regulatory Storm Flood elevation; however, in no case shall the minimum elevation be less than the 1:350 storm elevation, as approved by the Toronto and Region Conservation Authority.

Appendix D to SRPI.21.051

**Letter of Endorsement from the Region of York regarding the
Lake Wilcox Special Policy Area (2018)**



January 23, 2018

Mr. Kelvin Kwan
Commissioner of Planning &
Regulatory Services
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, Ontario
L4B 3P4

Attention: Ms. Sybelle von Kursell, Manager of Policy Planning

**Re: Lake Wilcox Special Policy Area
Comprehensive Policy and Boundary Update
York Region Endorsement**

The Town of Richmond Hill has conducted a comprehensive Official Plan policy review and boundary update of the Lake Wilcox Special Policy Area. This review was based on a comprehensive flood risk management and planning analysis in accordance with provincial guidelines. York Region is requested to endorse the proposed Official Plan Amendment and Zoning By-law Amendment that will implement the updated Special Policy Area (“SPA”) policies and boundary.

The Lake Wilcox SPA review updates the existing Official Plan policies and SPA boundary to ensure consistency with the 2014 Provincial Policy Statement and Toronto and Region Conservation Authority’s (“TRCA”) updated flood plain mapping for the area. The proposed Official Plan Amendment and zoning by-law amendment is a result of this comprehensive and technical review.

The proposed Official Plan Amendment amends the “Natural Hazards” and “Special Policy Area” designations, on a Town wide basis, by clarifying that modifications to SPA boundaries, land use designations and/or policies require the approval of the Ministers of Municipal Affairs and Natural Resources and Forestry, and also updates the range of permitted and prohibited uses and technical/flood proofing standards and safe access requirements.

The proposed Official Plan Amendment also amends the “Neighbourhood” designation for lands within the Lake Wilcox SPA area, by only permitting single detached dwellings. The 2010 Richmond Hill Official Plan Schedule A2 “Land Use” and Schedule A7 “Flood Plain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas” are modified to reflect TRCA’s current flood plain mapping of the Lake Wilcox SPA area.

The proposed Zoning By-law Amendment contains more detailed provisions and standards to implement the proposed Official Plan Amendment.

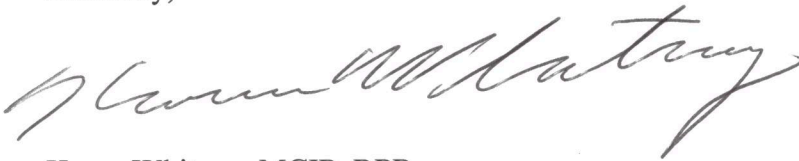
The Town of Richmond Hill's Council endorsed the approval of the draft Official Plan Amendment and Zoning By-law Amendment for the Lake Wilcox SPA on October 10, 2017. The Toronto and Region Conservation Authority's Board endorsed the approval on January 5, 2018.

York Region Council has delegated approval of local routine Official Plan Amendments to the Director of Community Planning and Development Services. When the Ministers of Municipal Affairs and Natural Resources and Forestry approve the Official Plan Amendment, Regional staff will exercise our delegated approval authority and issue our Notice of Decision.

Based on the foregoing, York Region staff hereby endorse the approval of the Lake Wilcox Special Policy Area Official Plan Amendment and Zoning By-law Amendment by the Ministers of Municipal Affairs and Natural Resources and Forestry.

Please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524 or at augustine.ko@york.ca should you have any questions or require further assistance.

Sincerely,



Karen Whitney, MCIP, RPP
Director of Community Planning and
Development Services

AK

Appendix E to SRPI.21.051

Letter of Endorsement from the Toronto and Region Conservation Authority regarding the Lake Wilcox Special Policy Area (2018)

January 29, 2018

Sent via email

SEE DISTRIBUTION LIST

At Authority Meeting #10/17, of Toronto and Region Conservation Authority (TRCA), held on January 05, 2018, Resolution #A240/17 in regard to Lake Wilcox Special Policy Area was approved as follows:

WHEREAS the Town of Richmond Hill, in collaboration with Toronto and Region Conservation Authority (TRCA), has undertaken a comprehensive review to update the policies and boundary of the Lake Wilcox Special Policy Area (SPA) in accordance with provincial guidelines for amending the policies and boundaries of existing SPAs;

AND WHEREAS the Town of Richmond Hill has proposed amendments to the policies and mapping in their Official Plan and Zoning By-law associated with the Lake Wilcox SPA, based upon this comprehensive review;

AND WHEREAS TRCA staff has reviewed the proposed amendments and support the updates as proposed;

THEREFORE LET IT BE RESOLVED THAT the Authority endorse the request of the Town of Richmond Hill to update the policies and boundary of the Lake Wilcox Special Policy Area through an Official Plan Amendment (OPA) and Zoning By-law Amendment for approval;

AND FURTHER THAT the Town of Richmond Hill, the Region of York, the Ministry of Municipal Affairs and the Ministry of Natural Resources and Forestry be so advised by the CEO's Office.

Enclosed for your information and any action deemed necessary is the report as presented to the Executive Committee. If you have any questions or require additional information, please contact Laurie Nelson at 416-661-6600 extension 5281, lnelson@trca.on.ca.

Sincerely



Kathy Stranks
Senior Manager, Corporate Secretariat
CEO's Office

cc. Laurie Nelson, Associate Director, Planning and Policy, TRCA

/Encl.

DISTRIBUTION LIST

Augustine Ko, Senior Planner, The Regional Municipality of York

Janani Mahendran, Senior Planner (A), Municipal Services Office – Central Ontario, Ministry of

Municipal Affairs | Ministry of Housing

Steven Strong, Senior District Planner, Ministry of Natural Resources and Forestry

Sybelle von Kursell, Manager, Planning Policy, Planning & Regulatory Services, Town of
Richmond Hill

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Section I – Items for Authority Action

TO: Chair and Members of the Executive Committee
Meeting #10/17, Friday, December 15, 2017

FROM: Carolyn Woodland, Senior Director, Planning, Greenspace and Communications

RE: **LAKE WILCOX SPECIAL POLICY AREA**
Comprehensive Policy and Boundary Update, Town of Richmond Hill

KEY ISSUE

The Town of Richmond Hill is updating the policies and boundary of the Lake Wilcox Special Policy Area based upon a comprehensive flood risk management and planning analysis in accordance with provincial guidelines. The Authority is requested to endorse the proposed Official Plan Amendment and Zoning By-law Amendment that will implement the updated Special Policy Area policies and boundary.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS the Town of Richmond Hill, in collaboration with Toronto and Region Conservation Authority (TRCA), has undertaken a comprehensive review to update the policies and boundary of the Lake Wilcox Special Policy Area (SPA) in accordance with provincial guidelines for amending the policies and boundaries of existing SPAs;

AND WHEREAS the Town of Richmond Hill has proposed amendments to the policies and mapping in their Official Plan and Zoning By-law associated with the Lake Wilcox SPA, based upon this comprehensive review;

AND WHEREAS TRCA staff has reviewed the proposed amendments and support the updates as proposed;

THEREFORE LET IT BE RESOLVED THAT the Authority endorse the request of the Town of Richmond Hill to update the policies and boundary of the Lake Wilcox Special Policy Area through an Official Plan Amendment (OPA) and Zoning By-law Amendment for approval;

AND FURTHER THAT the Town of Richmond Hill, the Region of York, the Ministry of Municipal Affairs and the Ministry of Natural Resources and Forestry be so advised by the CEO's Office.

BACKGROUND

A "Special Policy Area" designation is a planning mechanism provided by the Province of Ontario to recognize the unique circumstances of historic communities that existed within flood vulnerable areas prior to the implementation of a provincial flood hazard planning policy and where it has been demonstrated that the application of other provincial flood hazard planning management approaches (One Zone or Two Zone) would not allow for the continued social and economic viability and revitalization of these areas. New SPAs and any amendments to the policies, land use designations or boundaries of existing SPAs must be approved by both the Minister of Municipal Affairs and the Minister of Natural Resources and Forestry because they allow for reductions to provincially prescribed floodproofing standards within these areas, where this is

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deemed appropriate. As stated in the Provincial Policy Statement (PPS), SPAs are not intended to allow for new or intensified development, if a community has feasible opportunities for development outside the flood plain.

The proposal for a new SPA or modifications to the boundaries or policies of an existing provincially approved SPA may only be initiated by lower-tier or single-tier municipalities as the proponent. Such proposals must be undertaken in accordance with the Ministry of Natural Resources and Forestry Technical Guide, Appendix 5 – River and Stream Systems: Flooding Hazard Limit, “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 Area, dated January 2009”. The policies and boundaries of an SPA are determined through a consultative process between the municipality, TRCA, Ministry of Municipal Affairs (MMA) and the Ministry of Natural Resources and Forestry (MNR), to the SPA policies and mapping in a municipality’s Official Plan and Zoning By-law. These site specific SPA policies are used by TRCA staff to inform the standards applied within these areas through TRCA’s regulatory permitting responsibilities under Section 28(1) of the *Conservation Authorities Act*.

The existing 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 (Attachment 1). The policies and boundary of the existing Lake Wilcox SPA were approved by an Order of the Ontario Municipal Board (OMB) respecting OPA 129 (the former North Urban Area Secondary) on July 10, 1995.

On July 12, 2010, the Town of Richmond Hill Council adopted a new Official Plan (OP). The OP included direction to undertake a review of the Lake Wilcox SPA in order to update the existing policies and mapping. The OP contains SPA policies (Section 3.2.2.4) which were largely carried forward from OPA 129, with minor modifications to be consistent with the PPS, 2005. The recommendations of this report are based on the outcome of the comprehensive SPA policy and boundary review process that has now been completed.

RATIONALE

The proposed policy and boundary modifications to the Lake Wilcox SPA reflect a collaborative and consultative effort between staff from the Town of Richmond Hill, TRCA (policy, planning and engineering staff), MMA and MNR. This process was undertaken to ensure consistency with the PPS, 2014 and informed by updated flood plain mapping for the area. The provincial approval procedures require an endorsement of the proposed updated SPA policies and boundary by Town Council as part of the Town’s final submission package to the Province of Ontario. A similar endorsement from the Authority is also required. On October 10, 2017, Town Council approved in principle the Draft Official Plan Amendment and Draft Zoning By-law Amendment as detailed in the staff report to the Committee of the Whole held on October 2, 2017 ([Link to Staff Report](#)).

Flood Risk within the Lake Wilcox SPA

A fundamental element of the comprehensive SPA review was to update the boundary of the SPA based upon current flood plain mapping. Flood plain mapping for the East Humber River area was updated in 2014 in accordance with the methodology and specifications for regulatory mapping prescribed by the Ministry of Natural Resources and Forestry (Technical Guide-River and Stream Systems: Flooding Hazard Limit, 2002).

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TRCA prepared a series of maps to illustrate the current technical flood plain information to inform and assist the Town with the risk analysis, land use and emergency management components of the SPA review. This included maps illustrating flood depths and velocities for both the Regulatory (Regional/Hurricane Hazel) Flood event and the 1:350 year storm. Modelling shows that flood depths during a Regulatory Flood will range from 0 to 3 metres, with the majority of the SPA experiencing 1 to 2 metres depth of flooding near the shoreline of Lake Wilcox. Under the 1:350 year storm (more frequent), flood depths are for the most part within the 0 to 2 metre range, with depths up to 3 metres noted within the valley system upstream (east) of Yonge Street.

In addition, TRCA generated a Regional Risk analysis map (Attachment 2) in accordance with criteria set by MNRF to identify areas within the SPA where flood depths and velocities would be considered low risk (safe for vehicular and pedestrian access/egress); medium risk (safe for pedestrian access/egress only); and high risk (potentially unsafe for both). The risk assessment determined that the majority of the SPA is within the high risk area. As the velocities of flood waters in a Regional storm event in the SPA are generally low, the risk criterion is exceeded on the basis of depth of flooding.

Flood Mitigation Options

As part of the SPA review, Burnside Consulting was retained by TRCA and the Town of Richmond Hill to investigate alternatives for reducing or eliminating the flood vulnerabilities in the SPA. The study looked at the mechanisms of flooding that govern the flood limits within the Lake Wilcox area. Where distinct causes were identified, potential opportunities to reduce the aggregate flood risk within the SPA were identified, and the benefits and costs of such alternatives assessed in a preliminary manner. The study concluded the primary influence on the flood levels within the SPA is a result of the relatively flat topographic profile of the area downstream of Lake Wilcox in combination with the culvert at Yonge Street into which the Lake Wilcox outlet channel discharges. During the Regulatory storm event, the culvert does not have sufficient capacity to convey the Regulatory flows downstream, resulting in floodwaters building up in the valley/flood plain behind Yonge Street. Flood depths on the upstream (east) side of Yonge Street eventually reach a level that allows water to flow over and across Yonge Street, and into the East Humber River on the downstream (west) side of Yonge Street.

A number of alternatives for remediation or elimination of flood risk within the SPA were identified, all centered on improvements to the capacity of the crossing at Yonge Street (e.g. box culverts, clear-span bridge). None of the alternatives investigated had the ability to remove all vulnerable structures from the flood plain, as the relatively flat topography within the overland areas in the SPA promotes a wide, shallow flood plain under expected flow conditions. It would require major engineering works, including regrading of the shoreline of the lake to eliminate the wide shallow flood plain that exists. Ultimately, the major engineering works required, and their associated costs, would not result in the removal of all vulnerable structures from the flood plain.

Emergency Management

Emergency management and planning plays an important role in minimizing the risk to public health, safety and property damage within the Lake Wilcox SPA. The Town of Richmond Hill and TRCA work closely together to ensure that the most current flood risk information is shared to facilitate the coordination of flood forecasting and emergency planning. TRCA operates a Flood Forecasting and Warning System that monitors watershed and weather conditions daily in order to issue timely warning of anticipated or actual flood conditions. Conditions during a flood event are closely monitored by TRCA and communicated to the municipality. As with all emergencies, municipalities have the primary responsibility for the welfare of residents and incorporate flood emergency response into municipal emergency planning.

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In addressing the provincial SPA 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 SPA Justification Report to demonstrate how the Fire and Emergency Services group would be deployed in an emergency situation, including a potential flood event.

Special Policy Area Planning Justification

A comprehensive policy and land use planning analysis was undertaken in accordance with the requirements of the provincial SPA guidelines. The findings of the technical analysis (flood plain characterization, analysis of risk, flood plain remediation assessment and assessment of emergency management) and the land use planning analysis (policy context, assessment of existing conditions and land use vision established by the 2010 Official Plan) established the basis for the recommended boundary revisions and policy modifications for the Lake Wilcox SPA.

Planning principles were developed to guide the SPA boundary revisions. Generally speaking, principles for removing lands from the existing SPA included: the removal/or reduction in the flood plain area based on the updated mapping; lands designated as part of the Greenway System (as defined by the OP 2010); and potential for expansion of existing uses outside of the flood plain. Principles for adding lands to the SPA included: the expansion of the flood plain; the location of lands within various categories of risk as defined by the major storm event; and the impact to the viability/continuation of existing uses in light of the PPS, 2014 policies for natural hazard lands. The proposed SPA boundary resulting from this review process includes the existing residential development on the north side of Lake Wilcox as identified in the attachments to this report.

The Town has prepared a draft Official Plan Amendment (OPA) and draft Zoning By-law Amendment (ZBA) to be consistent with current provincial legislation and implement the outcome of the comprehensive SPA review. The following is a summary of changes:

- the OP's Natural Hazard (3.2.2.3) and Special Policy Area (Section 3.2.2.4) policies have been modified to reflect the policy language of the PPS, 2014;
- clarification that modifications to SPA boundaries, land use designations and/or policies require the approval of the Ministers of MMA and MNRF;
- clarification on the range of permitted and prohibited uses, technical/floodproofing standards and safe access/egress requirements;
- residential use permissions for SPA lands within the "Neighbourhood" designation will be limited to single detached dwellings;
- continuation of policy from OP 2010 that prohibits new lot creation within natural hazard lands, including the SPA;
- amending the Zoning By-law with a "Special Policy Area" overlay to implement updated regulatory standards associated with the SPA; and
- prohibiting secondary suites within the SPA as a measure to minimize the risk to life and property.

The comprehensive SPA review was subject to a public/landowner consultation process as per the requirements of the provincial SPA guidelines and as prescribed under the *Planning Act*. TRCA staff is satisfied that the Draft OPA and ZBA capture TRCA's planning and regulatory interests, roles and responsibilities for development within the SPA. Staff recommends that draft amendments be supported.

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DETAILS OF WORK TO BE DONE

The following is a summary of the concluding steps in the process to update the Lake Wilcox SPA boundary and policies, in accordance with the provincial guidelines:

- Town Council approval in principle of the Draft Official Plan Amendment and Draft Zoning By-law Amendment (October 10, 2017);
- TRCA resolution of endorsement of the Draft OPA and ZBA;
- Region of York resolution of endorsement of the Draft OPA and ZBA;
- Council, TRCA and York resolutions forwarded to MMA and MNRF;
- Submission of final/formal documentation to the Province for approval;
- Ministers of MMA and MNRF issue a decision;
- Town Council adopts the OPA and enacts ZBA and, with respect to the OPA, approval by the Region of York.

FINANCIAL DETAILS

Funding for the flood plain modelling was provided by the Region of York under account 127-90 and funding was provided by the Town of Richmond Hill for the flood plain mapping. Funding to support policy and planning input and GIS services for mapping products was provided by the Region of York under accounts 120-12 and 120-19.

CONCLUSION

The Town of Richmond Hill, in collaboration with TRCA, has undertaken a comprehensive review of the Lake Wilcox Special Policy Area in accordance with provincial guidelines for amending the policies and boundaries of existing SPAs. The SPA Planning Justification is based upon a flood risk assessment using the most current flood plain management information for the East Humber River to inform land use and emergency planning. The development of the Town's submission, including the SPA Justification Report, Draft OPA and ZBA, has been subject to extensive discussions with MMA and MNRF staff to ensure that their comments have been addressed. On this basis, TRCA staff recommends that the Authority support the proposed updates to the Lake Wilcox SPA boundary and policies as outlined in this report in order to advance to the next steps of the Provincial approval process.

Report prepared by: Laurie Nelson, extension 5281; Quentin Hanchard, extension 5324

Emails: lnelson@trca.on.ca, qhanchard@trca.on.ca

For Information contact: Laurie Nelson, extension 5281;

Quentin Hanchard, extension 5324

Emails: lnelson@trca.on.ca, qhanchard@trca.on.ca

Date: November 23, 2017

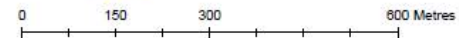
Attachments: 2

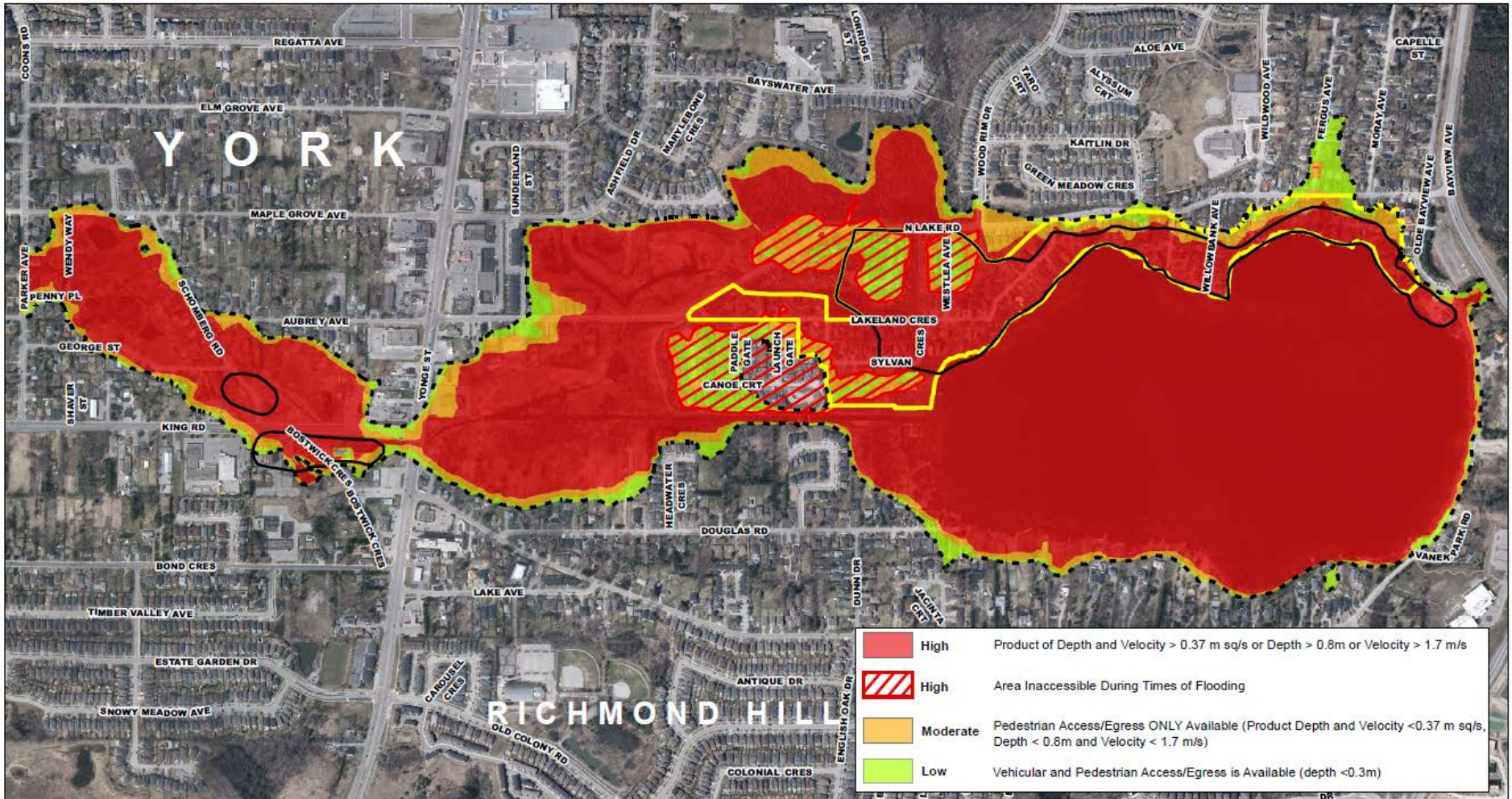


Toronto and Region Conservation Authority
 Special Policy Area - Lake Wilcox
 Regional Floodline with SPA Boundary

- Legend:**
- Flood Line (2014)
 - Flood Line (2006)
 - Flood Line (1977)
 - Flood Plain (2006)
 - Current SPA Boundary
 - Proposed SPA Boundary

February 2015





	High	Product of Depth and Velocity > 0.37 m sq/s or Depth > 0.8m or Velocity > 1.7 m/s
	High	Area Inaccessible During Times of Flooding
	Moderate	Pedestrian Access/Egress ONLY Available (Product Depth and Velocity < 0.37 m sq/s, Depth < 0.8m and Velocity < 1.7 m/s)
	Low	Vehicular and Pedestrian Access/Egress is Available (depth < 0.3m)

Toronto and Region Conservation Authority
 Special Policy Area - Lake Wilcox
 Regional Event - Low, Moderate and High Risk Conditions

Legend

- Regional Flood Line (2014)
- Current SPA Boundary
- Proposed SPA Boundary

September 2016

