

## **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, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre  
777, rue Bay, 17<sup>e</sup> 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](mailto: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.