

**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;*

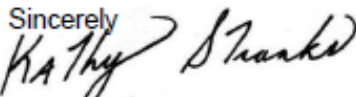
*AND WHEREAS TRCA staff has reviewed the proposed amendments and support the updates as proposed;*

*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](mailto: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

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#### 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 (MNRF), 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 MNRF. 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

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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

0 150 300 800 Metres





