

Appendix "I" – Official Plan Amendment _ (OPA _)

DRAFT

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

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(i)

RICHMOND HILL OFFICIAL PLAN
OFFICIAL PLAN AMENDMENT NO. _____

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

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

Mayor

Town Clerk

(ii)

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. ___-1__

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

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

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

PASSED THIS ____ DAY OF _____, 20__.

Mayor

Town Clerk

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

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

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

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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 (MNR) and Municipal Affairs and Housing (MMAH).

1.2 LOCATION

The lands affected by this Amendment are located within the floodplain as determined by the 2014 Floodline and identified as Area “A” – Lake Wilcox North Shore on Schedule “1” attached hereto.

1.3 BASIS

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

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

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

PART TWO - THE AMENDMENT

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

2.2 The Richmond Hill Official Plan is amended as follows:

2.2.1 That **Schedule A2** (Land Use) be amended to identify the updated boundary of the Lake Wilcox SPA and to identify Area “A” – Lake Wilcox North Shore of the SPA.

2.2.2 That **Schedule A7** (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) be amended to identify the updated boundary of the Lake Wilcox SPA and to identify Area “A” – Lake Wilcox North Shore of the SPA.

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

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

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

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

- b. an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations
- c. 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 Town shall support the efforts of the Conservation Authority in the management of floodplain lands and *Special Policy Areas*, which are within the Floodplain Regulation Area as shown on Schedule A2 (Land Use) 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 prior to the approval authority approving such changes or modifications.

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

- i. Policy (2) be deleted and replaced with Policy 3.2.2.4 (2) – (5) as follows:
 - 2. For lands in *Special Policy Areas* shown on Schedule A2 (Land Use) 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 “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 unit detached uses shall be permitted.
 - b. New *low-rise* single unit detached uses shall be required to be floodproofed to the satisfaction of the Conservation Authority.
 - c. Secondary suites shall not be permitted.
4. 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.
 6. The Town shall amend the Zoning By-law on lands wholly or partly designated *Special Policy Area* and enact provisions, where appropriate, related to minimum building or structure setbacks, maximum lot coverage, minimum height of any building or structure opening, floodproofing and other such matters as may be determined to be necessary by the Town and/or the Toronto and Region Conservation Authority.
 - ii. Policy (3) be renumbered to Policy (6);
 - iii. Policy (4) be renumbered to Policy (7);
 - iv. Policy (5) be renumbered to Policy (8);
 - v. Policy (6) be renumbered to Policy (9);
 - vi. Policy (7) be deleted and replaced with Policy (10) as follows:
 9. 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). Where access and egress cannot achieve provincial flood proofing standards, they must achieve the maximum level of flood protection determined by the Town and the TRCA to be practical and feasible. The stated safe access for all pedestrian and vehicular traffic shall be demonstrated to the satisfaction of the Town and TRCA. No new building, structure or addition, shall be permitted within the *Special Policy Area* unless it has been demonstrated to the satisfaction of the Town and Conservation Authority that:

- a. It would not be subjected to flows, which due to their velocity, depth or both, would be a hazard to life or property;
 - b. It would not be susceptible to major structural damage as a result of a flood below or equal to the level of the Regulatory Flood;
 - c. The necessary flood protection measures would not have a negative impact on adjacent properties; or
 - d. Adverse downstream and/or upstream impacts would not be created/exacerbated and/or an increase in risk to life or property would not occur as a result of flooding.
- vii. Policy (8) be renumbered to Policy (11);
- viii. Policy (9) be renumbered to Policy (12);
- ix. Policy (10) be deleted and replaced with renumbered to Policy (13) as follows:

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

- a. an institutional use including a hospital, long-term care homes, retirement home, pre-school, school nursery, day care and/or school where there is a threat to the safe

evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;

b. an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations;

c. an use associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

x. Policy (11) be deleted;

xi. Policy (12) be renumbered to Policy (14);

xii. Policy (13) be deleted and replaced with renumbered Policy (15) as follows:

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

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

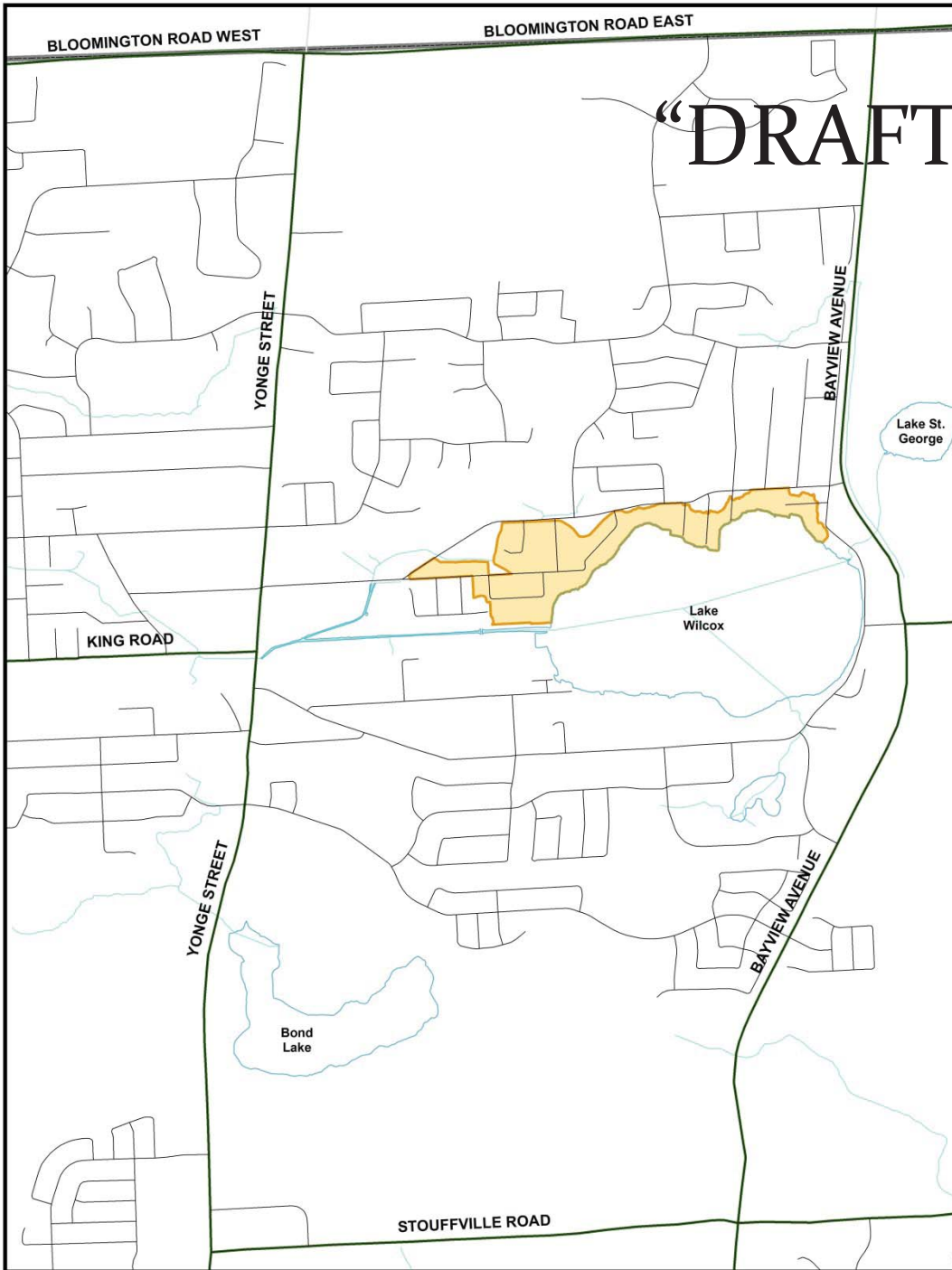
Notwithstanding policies of Section 4.9, the development, redevelopment or rehabilitation of buildings or structures on lands in the *Special Policy Area* identified as "Area "A"" and shown on Schedule A2 (Land Use) and Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable 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"



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

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 of this map, the City of Richmond Hill does not warrant or accept any liability for errors or omissions. The City of Richmond Hill is not responsible for any errors or omissions. The City of Richmond Hill is not responsible for any errors or omissions. The City of Richmond Hill is not responsible for any errors or omissions.

Richmond Hill
 PLANNING & REGULATORY SERVICES
 DEPARTMENT

0 100 200 300 400 500 METERS

PART THREE - THE ATTACHMENTS

Attachment 1 – Staff Report SRPRS.____.____ considered at the _____ Meeting
held on _____, 20__

Attachment 2 – Extract from _____ #__ - __ held on _____, 20__

Attachment 3 – Extract from _____ #__ - __ held on _____, 20__

DRAFT

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. XX-17

A By-law to Amend By-law No. 256-88 of
The Corporation of the Town of Richmond Hill, as amended.

WHEREAS the Council of The Corporation of the Town of Richmond Hill at its Council Meeting of X, 2017, directed that this by-law be brought forward to Council for its consideration;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That By-law No. 256-88, as amended, of the Town 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 xx-17 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 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.
- 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:

“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 xx-17.

2. Schedules "A" and "B" to this By-law xx-17 and attached hereto are declared to form a part of this By-law.

PASSED THIS X DAY OF X, 20XX.

Mayor

Town Clerk

File: DXX-XXXXX

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SCHEDULE "A"

The map displays a portion of Richmond Hill, Ontario, featuring Lake Wilcox in the center. To the north of the lake, a residential area is outlined with a thick black border. This area contains several lots, some of which are labeled with zoning designations: 'F' (likely Farm) and 'R6' (Residential Single-Family). The area is bounded by King Rd to the north, Yonge Street to the east, and Bayview Avenue to the south. The map also shows other residential lots and streets in the surrounding area.

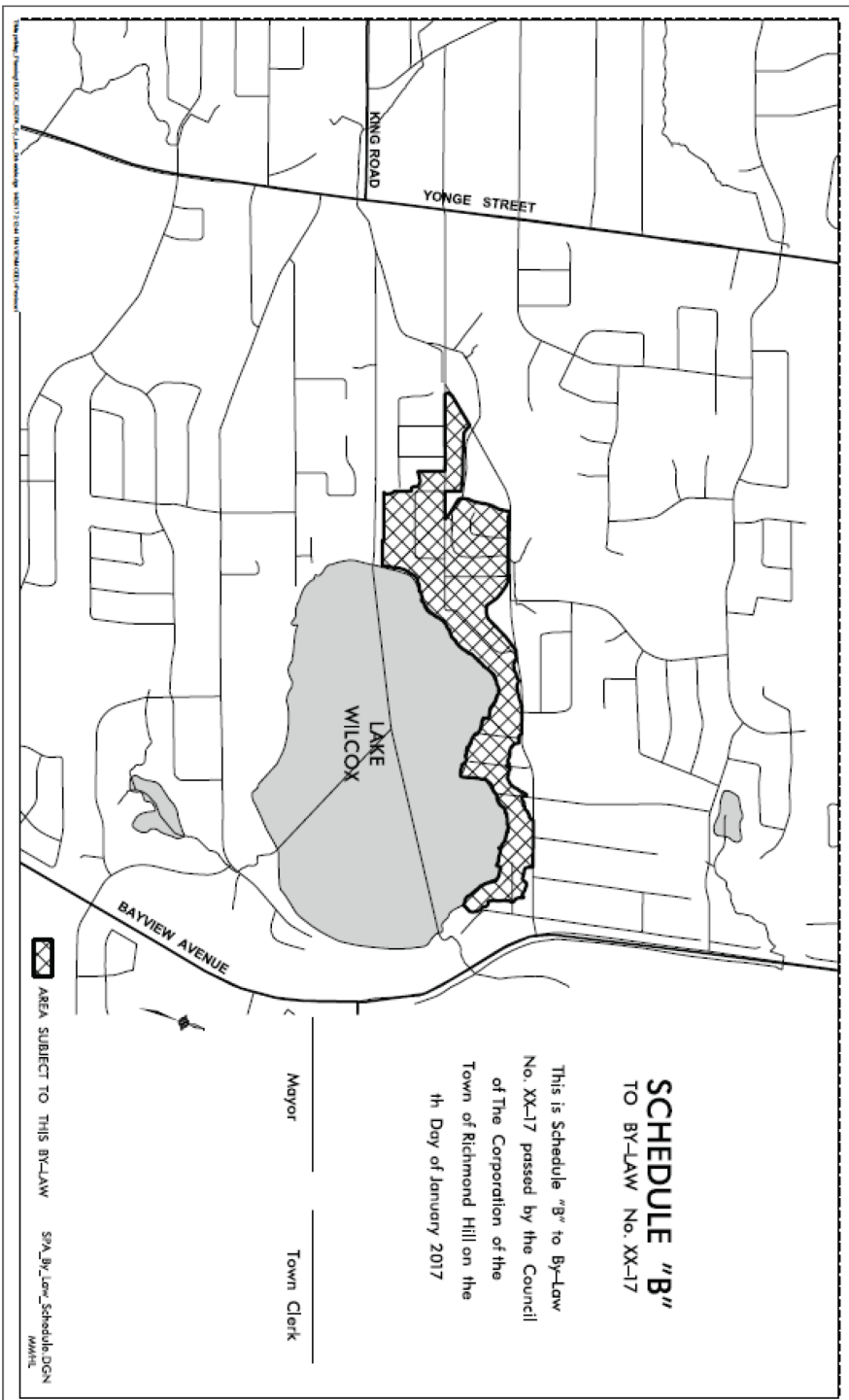
SCHEDULE "A"
TO BY-LAW No. XX-17

This is Schedule "A" to By-Law
No. XX-17 passed by the Council
of The Corporation of the
Town of Richmond Hill on the
th Day of January 2017

Mayor _____ Town Clerk _____

SPN_By-Law_Schedule.DGN
1/11/17

SCHEDULE "B"



THE CORPORATION OF THE TOWN OF RICHMOND HILL

EXPLANATORY NOTE TO BY-LAW NO. XX-17

The purpose of By-law No. xx-17 is to implement the Provincially-approved SPECIAL POLICY AREA policies set out in Official Plan Amendment No. X by amending By-law No. 256-88, as amended.

By-law No. xx-17 replaces the FLOOD DAMAGE CENTRE overlay set out in By-law No. 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 No. xx-17 restricts permitted uses for those lands subject to the SPECIAL POLICY AREA to SINGLE DETACHED DWELLINGS and it prohibits SECONDARY SUITES.

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