

Appendix J – Existing Approved SPA Policies as Provided in Volume 1 of the City of Vaughan Official Plan (Council-adopted September 2010)

Appendix J has been revised to include recommendations for modifying the text of Volume 1 of the Vaughan Official Plan (VOP 2010), adopted by Council on September 7, 2010 and subject to further modifications on September 27, 2011, March 20, 2012 and April 17, 2012. The recommendations to Volume 1 of the VOP 2010 maintain a subsection addressing SPA policies, but direct the reader to the Woodbridge Centre Secondary Plan. The recommendations are contained in Part 1 of Appendix J and will be brought to City of Vaughan Council for adoption following final review of the SPA Justification Report by the Province.

Part 2 of Appendix J includes the existing approved SPA policies as found in Volume 1 of the VOP 2010.

Part 1 – Recommended Modifications to Volume 1 of the VOP 2010 Regarding Special Policy Areas

It is recommended that subsection 3.6.5 of Volume 1 of the VOP 2010 be replaced by the following preamble:

The Provincial Policy Statement generally prohibits development or redevelopment below the Regulatory Flood as determined by the Toronto and Region Conservation Authority.

However, the Provincial Policy Statement also recognizes that parts of certain *urban areas* have historically developed within floodplains. The Provincial Policy Statement recognizes the concept of special policy area (SPA) status as a possible option for flood prone communities or portions thereof where the Province, Conservation Authority and the City agree to accept a higher level of risk to floodplain management. The implementation of floodproofing measures will be a condition of development approval in the SPA by the City in co-operation with the Toronto and Region Conservation Authority.

In accordance with the Special Policy Area provisions of the Provincial Policy Statement, certain lands within the Regulatory Floodplain of the Humber River in the Woodbridge Community have been identified as “Special Policy Area”. Refer to the Woodbridge Centre Secondary Plan for SPA policies and boundaries in the Woodbridge Community.

Part 2 – Existing SPA Policies in Volume 1 of the VOP 2010

The existing approved SPA policies in OPA 440 are provided in Chapter 3 of Volume 1 of the City of Vaughan Official Plan and the existing SPA boundaries are shown in Schedule 8. Until such time as the proposed SPA policies and boundaries in the Woodbridge Centre Secondary Plan are approved by the Province, the existing SPA policies and boundaries provided in Volume 1 of the Official Plan remain in force and in effect.

The existing SPA policies as provided in Chapter 3 of Volume 1 of the VOP 2010, adopted by Council on September 7, 2010 and subject to further modifications on September 27, 2011, March 20, 2012 and April 17, 2012, are provided below.

3.6.5 Special Policy Areas

Existing Special Policy Area (SPA) policies and boundaries are included in this subsection and Schedule 8, respectively, in this Plan. The existing SPA policies and boundaries shall remain in effect and in force until

the proposed SPA policies and boundaries in Section 7.3 and Schedule 9, respectively, of the Woodbridge Centre Secondary Plan have been approved by the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources.

The Provincial Policy Statement generally prohibits development or redevelopment below the Regulatory Flood as determined by the Toronto and Region Conservation Authority.

However, the Provincial Policy Statement also recognizes that parts of certain *urban areas* have historically developed within floodplains. In accordance with the Special Policy Area provisions of the Provincial Policy Statement, certain lands within the Regulatory Floodplain of the Humber River in the Woodbridge Community have been identified as “Special Policy Area” on Schedule 8. The continued viability of these areas depends on a reasoned application of the Provincial standards for flood plain management.

The Provincial Policy Statement recognizes the concept of special policy area status as a possible option for flood prone communities or portions thereof where the Province, Conservation Authority and the City agree to accept a higher level of risk to floodplain management. The implementation of flood proofing measures will be a condition of development approval by the City in co-operation with the TRCA.

It is the policy of Council:

3.6.5.1. The “Special. Policy Area” is identified on Schedule 8. The policies for the land use designations as shown on Schedule 13 located within the “Special Policy Area” and related policies continue to apply.

3.6.5.2. Within the limits of the Special Policy Area, new development, redevelopment, rehabilitation of and addition to existing buildings and structures, shall only be permitted subject to the following policies:

- a. The proposed development is flood protected to the Regulatory Flood, as defined by regulations made under Section 28 of the Conservation Authorities Act, and to the satisfaction of the City in co-operation with the Toronto and Region Conservation Authority;
- b. No buildings or structures other than for conservation or flood control projects will be permitted within the “floodway” of the Humber River as defined by the Toronto and Region Conservation Authority;
- c. Notwithstanding 3.6.5.2.b above, for the lands known municipally as 7676, 7694, 7710, 7720 and 7730 Islington Avenue and located within the floodway, no new buildings or structures, or additions shall be permitted, until these lands are removed from the floodway through remedial measures undertaken by the Toronto and Region Conservation Authority or otherwise removed from the floodway through remedial measures undertaken by the Toronto and Region Conservation Authority and the City;
- d. Notwithstanding the provision of 3.6.5.2.a above, where it is technically impractical to flood protect a building or structure, or an addition thereto, to the level of the Regulatory Flood, the city in consultation with the Toronto and Region Conservation Authority, may permit a lower level of flood protection to a minimum of the 1:350 year flood;
- e. The specific level of flood protection to be imposed, and any flood protection measures to be implemented relative to individual development applications, shall be determined by the Toronto and Region Conservation Authority in consultation with the City. The level of protection to be required shall be the highest level determined to be technically feasible or practical;
- f. All applications for development approval on lands in the Special Policy Area shall be accompanied by engineering studies, prepared by a qualified professional, detailing such matters as flood frequency, the velocity and depth of storm flows, proposed flood damage reduction details, stormwater management techniques and other information and studies as may be required by the Toronto and Region Conservation Authority and the City;
- g. Prior to development proceeding, the Toronto and Region Conservation Authority and the City of Vaughan shall approve any proposed flood damage reduction measures including such matters as setbacks from the floodway, the use of fill, columns or design modifications to elevate openings in buildings and structures above the regulatory flood level, the use of water tight

- doors, waterproof seals at structural joints, berms/floodwalls, strengthened foundation walls, the installation of backwater valves and sump pumps;
- h. For all types of development, dry, passive floodproofing measures shall be implemented to the extent technically and/or practically feasible. Where dry passive floodproofing may not be achieved or practical, wet floodproofing and/or dry, active floodproofing measures may be considered by the Toronto and Region Conservation Authority and the City. The placement of fill as a method of flood damage reduction shall be minimized;
 - i. Upon completion of the foundation of any building or structure, the Toronto and Region Conservation Authority and the City may require a letter from an OLS or Professional Engineer verifying the required floodproofing levels; and
 - j. Ingress and egress for all buildings should be “safe”, pursuant to the Provincial floodproofing standards, and/or achieve the maximum level of flood protection determined by the Toronto and Region Conservation Authority in consultation with the City to be feasible and practical.
- 3.6.5.3. Notwithstanding the provisions of 3.6.5.2, no new development, including additions, shall be permitted on any parcel of land which is in the Special Policy Area if:
- a. the building or structure will be subject to a risk of flooding in excess of 25% over an assumed life of 100 years (approximately 1:350 flood - a probability of occurrence once in every 350 years);
 - b. the development will be subjected to flows which due to their velocity and/or depth would be a hazard to life or susceptible to major structural damage as a result of a flood less than or equal to the Regulatory Storm; and
 - c. the necessary flood damage reduction measures would increase the risks associated with flooding and erosion on adjacent, up stream or downstream properties.
- 3.6.5.4. The following uses shall be prohibited on lands in the Special Policy Area:
- a. institutional uses associated with hospitals, nursing homes, pre-schools, school nurseries, day cares and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the 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, ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
 - c. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- 3.6.5.5. Modifications to the boundaries of the Special Policy Area as shown on Schedule 8 may be considered, based on flood or erosion control remedial measures, to the satisfaction of the Toronto and Region Conservation Authority, and must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources. Such modifications, if approved by the City shall be adopted by amendment to the Official Plan.
- 3.6.5.6. The Zoning By-law may be amended to show lands in the Special Policy Area on Schedule 8 and to include the necessary provisions to implement policy 3.6.5.2, 3.6.5.3 and 3.6.5.4.
- 3.6.5.7. Any new restricted area zoning by-laws within the Special Policy Area shall contain provisions, where appropriate, relating to minimum building or structure setbacks, maximum lot coverage, minimum building or structure setbacks, minimum height of any building or structure opening, and other such matters as determined by the Toronto and Region Conservation Authority and the City of Vaughan.
- 3.6.5.8. The implementation of flood proofing and all other requirements of the Toronto and Region Conservation Authority shall be a condition of the City for development in the Special Policy Area.