
Subject:

FW: Petition for the Committee of the Whole

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Communication
CW: <u>March 25/14</u>
Item: <u>Deputation 1)</u>

-----Original Message-----

From: Nicholas Voudouris [<mailto:nicknote@rogers.com>]

Sent: Monday, March 10, 2014 8:34 AM

To: Abrams, Jeffrey

Cc: Watson John; Watson John; John Richardson G; Shefman, Alan; Traub, Debi

Subject: Petition for the Committee of the Whole

Dear Mr Abrams,

Further to our telephone call last week from Greece, I respectfully request that I be allowed to present a petition to the Committee of the Whole on March 25th, 2014. I will have my secretary in my office scan and send the petition to you today to meet tomorrow's deadline and I have the signatures available for you as well should you need to see them before hand.

This petition is essentially a request from the vast majority of the homeowners around Oakbank pond to ask City Council to maintain the environmental and aesthetic nature of Oakbank pond. I have discussed this petition at length with our councillor, Alan Sheffman, who suggested we do it.

I appreciate your help in this matter and if you have any questions, please feel free to contact me.

Sincerely,

Nick Voudouris
15 Oakbank Road
Thornhill, Ontario
L4J-2B8

The rationale for the petition

The request is intended to ensure there is a minimum 50 foot buffer as a green edge around Oakbank Pond in which no new pools, patios, cabanas or accessory buildings or any structures could be built. At present, it appears that it may be possible to construct a house, pool or patio within 8 or 9m setback under Conservation Authorities' policies even though Conservation Authority owns the pond.

A municipal by-law has better control for the location of buildings and structures and the best control is designation of this 50' strip as environmental protection/open space in the Official Plan and amend the zoning as required so as to prevent buildings and structures in this natural buffer strip.

The request is for council to create such a by-law and until a by-law passes to place an interim freeze, which would prevent any applications going forward until there is an appropriate bylaw in place.

**PETITION TO CITY OF VAUGHAN COUNCIL
RE: ESTABLISHMENT OF 15 METRE ENVIRONMENTAL PROTECTION STRIP
AROUND THE SHORE OF OAKBANK POND**

WHEREAS Oakbank Pond Park was acquired in 1956 by the Don Valley Conservation Authority for \$2,500.00 with the assistance of the Township of Vaughan, acting at the request of and with financial assistance from various ratepayers in the area;

AND WHEREAS the Township of Vaughan had solicited such contributions on the basis that “the restoration of this pond as a natural habitat for birds, etc., is advantageous to all property owners in the area”;

AND WHEREAS the Don Valley Conservation Authority was dissolved by the *Conservation Authorities Amendment Act*, S.O. 1956 c 9, which Act vested the assets of the Don Valley Conservation Authority in The Metropolitan Toronto and Region Conservation Authority;

AND WHEREAS the Trustees of the Police Village of Thornhill undertook extensive planting of material, clean up and improvement of the park and pond and reported to the Metropolitan Toronto and Region Conservation Authority as of December 1957 that “the pond is becoming increasingly popular with nature study groups in summer and skaters in winter, and it is the desire of the Trustees and associated groups to make it a credit and asset to the district.”;

AND WHEREAS Oakbank Pond and Oakbank Pond Park have continued to be a credit and asset to the district;

AND WHEREAS the Report presented at the Public Hearing May 9, 1989, that preceded the adoption of By-law 268-89 stated:

“In instances where lots abut lands zoned OS1 (Mill Pond)... the rear yard setback should be increased to 15m to protect encroachment into the sensitive natural spacious open space character of these areas.”;

AND WHEREAS By-law 268-89 provided:

“Notwithstanding [the basic rear yard requirement of 9.0m] for lots abutting lands zoned OS1 Open Space Conservation Zone... the minimum rear yard shall be 15m.”;

AND WHEREAS recent events have shown that By-law 268-89 does not provide 15 metre side yard setback protection in respect of lots the side yards of which abut Oakbank Pond;

AND WHEREAS it is desirable that there be a uniform 15 metre environmental protection strip around the shore of Oakbank Pond;

AND WHEREAS The Metropolitan Toronto and Region Conservation Authority was continued under the name "Toronto and Region Conversation Authority" by the *City of Toronto Act*, 1997 (No. 2) S.O. 1997 c 28;

AND WHEREAS Toronto and Region Conversation Authority administers Ontario Regulation 166/06: Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses;

AND WHEREAS Oakbank Pond is a wetland within the meaning of Regulation 166/06;

AND WHEREAS the York Region Official Plan provides:

"Wetlands are essential natural elements of the Regional ecosystem, providing environmental, economic and social benefits. These lands, which are seasonally or permanently covered by shallow water or where the water table is close to or at the surface, are characterized by hydric soils and hydrophytic or water tolerant plants. Among other functions, wetlands control and store surface water to assist in flood control and ground water recharge. Wetlands also act as sediment traps to improve water quality and act as habitat for a wide variety of plant and animal species.";

AND WHEREAS the City of Vaughan Official Plan provides that:

"The watercourses, woodlands, wetlands and related open spaces and agricultural lands each have an important function in maintaining ecological vitality and diversity in the City.";

AND WHEREAS Section 3.1.1.3 of the City of Vaughan Official Plan provides that it is the policy of Council:

"To work with the Toronto and Region Conservation Authority, the Region, the Province and landowners to define and protect the Natural Heritage Network within Vaughan and provide policies to enhance that Network over time.";

AND WHEREAS it is both necessary and desirable that the lands within 15 metres of the shore of Oakbank Pond be zoned to provide a uniform and consistent environmental zone around the shore of Oakbank Pond;

AND WHEREAS it is further desirable that there be an interim control by-law initiated and a special study area designated immediately by Council in respect of that area which lies within 15 metres of the shore of Oakbank Pond to preserve the integrity of that strip pending the establishment of the uniform 15 metre environmental protection strip;

NOW THEREFORE the undersigned owners of lots the side and rear yards of which abut Oakbank Pond hereby petition Vaughan Council to:

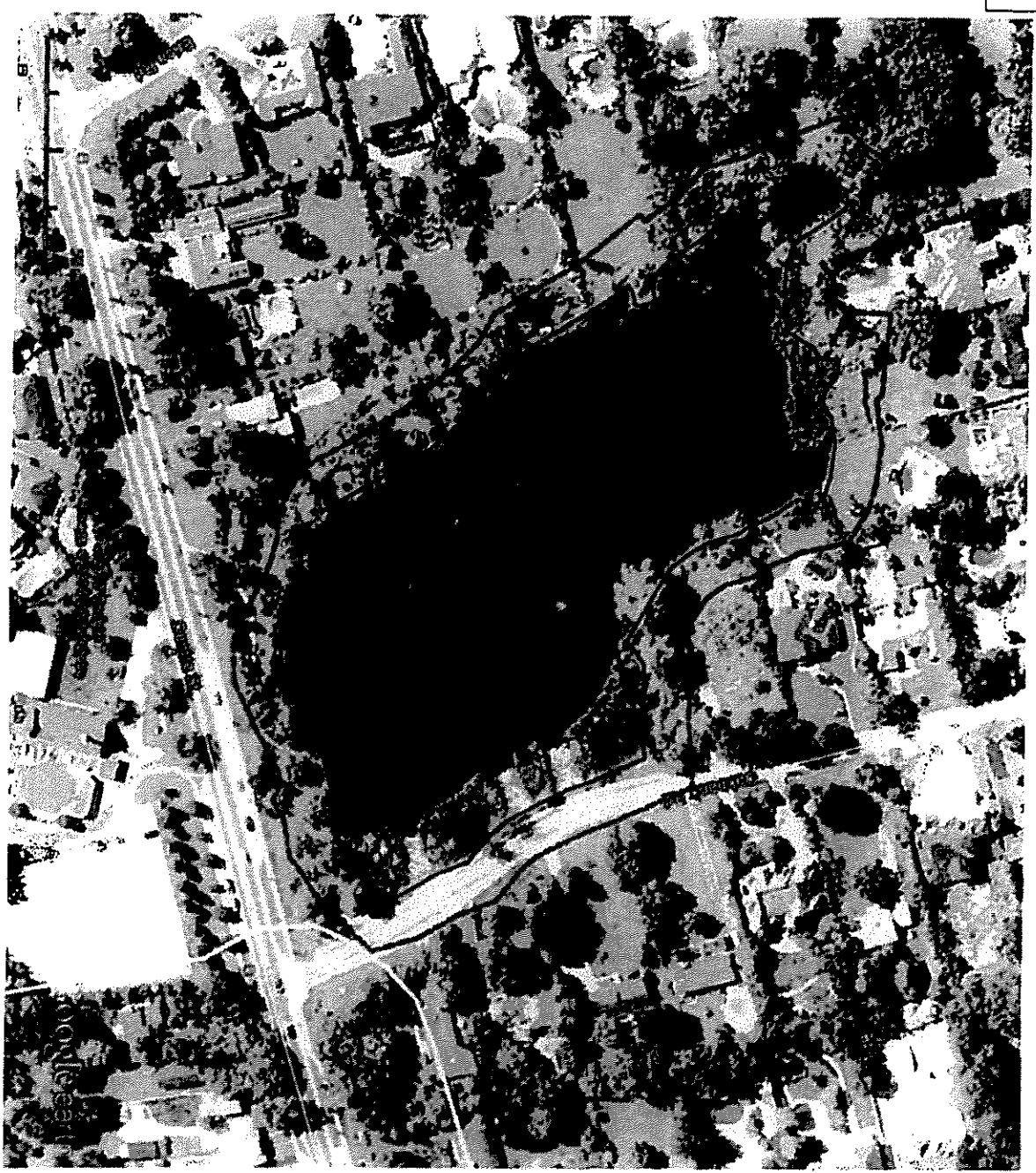
1. Initiate an interim control by-law and designate a special study area, pursuant to Section 38 of the *Planning Act*, immediately in respect of that area which lies within 15 metres of the shore of Oakbank Pond;
2. Establish a 15 metre environmental protection strip around the shore of Oakbank Pond to be designated as open space and zoned so as to ensure environmental protection.

Name

Address



Map showing location of properties covered by signatures on the Petition



General Site Overview of
Oak Bank Pond, Vaughan, ON

Notes:

- (1) Site Drawing based on maps and drawings supplied by TRCA. TRCA information has been superimposed onto aerial photography hence all lines are approximate with error of 3m+/-.
- (2) Scale as indicated on drawing.
- (43) Drawing not to be used for the purposes of legal survey.

Drawing Key

- Regulation Limits TRCA
- Water Edge, Oak Bank Pond
- 15m Setback from Water's Edge

Title:

Oak Bank Pond, Regulation Boundaries

Client:

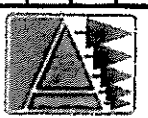
John Richardson of Dale & Lessmann, LLP.

Drawn By: C. Colborne, A.Sc.T.

Project No.: 15* 4048

Date: February 5, 2014

Drawing No.: 4048/40205001



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