

ADDITIONAL AGENDA



GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

WEDNESDAY, NOVEMBER 21, 2012 - 9:00 AM

COUNCIL CHAMBER, CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

REMOVAL OF DEPUTATION

- B. Rusty Rustenburg and Bill Evans, volunteers with respect to the Streetsville Park Chimney Swift Project.

ADDITIONAL DEPUTATIONS

- F. Item 2 Sue Shanly, MIRANET
- G. Item 2 Marlene Baur-Larose, Credit Reserve Association
- H. Item 2 Ralph Hafer, Whiteoaks Lorne Park Community Association
- I. Item 2 Michelle Walmsley, Resident
- J. Item 2 Leslie Powers, Resident

INFORMATION ITEMS

- Item 2 Letter dated November 16, 2012 from the Meadow Wood Rattray Ratepayers Association
- Item 2 Letter dated November 18, 2012 from the Gordon Woods Homeowners Association

- Item 2 Email dated November 19, 2012 from the Cranberry Cove Port Credit Ratepayers' Association
- Item 2 Letter dated November 19, 2012 from the Whiteoaks Lorne Park Community Association
- Item 2 Email dated November 19, 2012 from Phil Green, Resident

ADDITIONAL ADVISORY COMMITTEE REPORTS

Public Vehicle Advisory Committee Report 3-2012 – November 13, 2012
(Recommendation PVAC-0012-2012 to PVAC-0018-2012)

Heritage Advisory Committee Report 9-2012 – November 20, 2012
(Recommendation HAC-0082-2012 to HAC-0095-2012)

This item was not available at the time of printing and will be distributed prior to the meeting.

Contact: Sacha Smith, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext 4516 Fax: 905-615-4181
sacha.smith@mississauga.ca



General Committee
NOV 21 2012

The Meadow Wood Rattray Ratepayers Association

November 16th, 2012

To: Mayor Hazel McCallion

Members of Council: Jim Tovey (Ward 1), Pat Mullin (Ward 2), Chris Fonseca (Ward 3), Frank Dale (Ward 4), Bonnie Crombie (Ward 5), Ron Starr (Ward 6), Nando Iannicca (Ward 7), Katie Mahoney (Ward 8), Pat Saito (Ward 9), Sue McFadden (Ward 10), George Carlson (Ward 11)
cc: Crystal Greer (City Clerk)

Re: Tree by-law Amendment of the Tree Permit Bylaw 475-05

The Meadow Wood Rattray Ratepayers Association is supporting Forestry Staffs changes to the Tree Permit Bylaw. The Tree Permit By-law was last amended in 2005 and since that time the city has made Changes to its Official Plan as well as implementing the Strategic Plan and the Living Green Master Plan. There are different aspects within each of these plans that highlight the need to protect the City's natural environment. Therefore it is necessary to also make changes to the Tree Permit Bylaw to ensure it reflects and aligns itself with the Official Plan, the Strategic Plan and the Living Green Master Plan.

Everyone is in agreement with the fact that trees are an important part of our community, enhance the economic value of our homes and properties and contribute to our quality of life. The intent of making changes to the bylaw is to have better control of tree cutting and replanting in our neighborhoods where infill development is on the increase. Additionally, the Private Tree Protection By-law provides a 'standardized and equitable approach to protecting the City's urban forest.' The current bylaw is outdated in that it concentrates more on tree cutting procedures than on forestry management and tree preservation.

We support the following amendments to the Tree Permit By-law 475-05 and include further suggestions below:

1. Name change from 'Tree Permit By-law' to 'Private Tree Protection By-law'.

The name change is important as it now emphasizes protection and preservation and aligns itself better with the City's policies stated above.

2. A permit is required to remove 3 or more trees with a diameter of 15 cm or greater in a Calendar year.

We support this change as it still gives the average citizen the ability to maintain his own yard and manage the trees within it. This point was mentioned by many at the three meetings Forestry Staff held

this past Spring and which I attended. A lot of residents, particularly in the south already have many trees on their lot and need to be able to manage them in a responsible way. It now also protects private properties that are being re-developed and penalizes developers and tree removal companies if they take down trees without a permit.

3. Replacement tree proposal

We are in agreement with the 1 replacement tree for every tree less than 50cm as well as the 2 replacement trees for every tree 50cm in diameter or greater. The size and species criteria should be left up to forestry staff to decide along with the individual homeowner.

4. Fines and Permit fees

We agree with the increase in fines and the minimal changes to the permit fees. At the same time we also agree the changes will not necessarily stop builders or corporations from removing trees without a permit if they choose to do so. Adding a 'stop work order' or building permit restrictions to those who choose to break the rules is another way to ensure the guidelines are followed. We also suggest a phone line that is answered 24/7 for residents to call when they hear the chainsaws start-up.

While the MWRRRA supports these changes, we strongly feel that there should be an amendment within the Bylaw to protect our large trees. We would like to include a provision whereby a single tree permit is required for 'distinctive' trees. These are cultural landmarks defined as any tree with a diameter of 50cm (20 inches) or greater as measured at 1.4 meters above ground level. Once this type of tree is taken down it cannot be replaced and would take another 50-200 years to grow. Their value to the community includes significant economic, aesthetic and environmental benefits. Their loss negatively impacts the character of our neighborhoods and the city of Mississauga. This amendment would impact on few residents but provide much needed protection for these cultural landmarks.

This provision would align our bylaw with other large municipalities across Canada. The City of Ottawa includes a 'distinctive' tree provision at 50 cm and Toronto has established 30cm as their guideline for a single tree permit. Our other neighbours to the north and west, Brampton and Oakville also have single large tree protection in their Bylaws.

An updated tree bylaw will provide us with a modern framework in which to manage our urban forest and ensure good stewardship of our trees for future generations. We also hope it will be able to provide education to the public, developers and tree removal companies on the value that trees add to our communities and the city of Mississauga as a whole.

Respectfully,

Susan Shanly, on behalf of the Meadow Wood Rattray Ratepayers Association

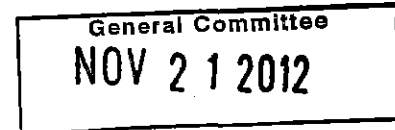


Gordon Woods Homeowners' Association

MISSISSAUGA ONTARIO

November 18th, 2012

To: Members of Council:
Mayor Hazel McCallion
Jim Tovey (Ward 1)
Pat Mullin (Ward 2)
Chris Fonseca (Ward 3)
Frank Dale (Ward 4)
Bonnie Crombie (Ward 5)
Ron Starr (Ward 6)
Nando Iannicca (Ward 7)
Katie Mahoney (Ward 8)
Pat Saito (Ward 9)
Sue McFadden (Ward 10)
George Carlson (Ward 11)
cc: Crystal Greer (City Clerk)



Re: Tree by-law Amendment

After careful review of the proposed Amendments to the current Tree Permit Bylaw 475-05, the Directors of the Gordon Woods Homeowners Association support the changes recommended by Forestry staff along with the following comments and recommendations.

Since the Tree Permit By-law was last amended in 2005, various initiatives including the Living Green Master Plan (2011) have highlighted the need to protect the city's natural environment. Everyone is in agreement with the fact that trees are an important part of our community, enhance the economic value of our homes and properties and contribute to our quality of life.

The intent of making changes to the bylaw is to have better control of tree cutting and replanting in our neighborhoods where infill development is on the increase. Additionally, the Private Tree by-law provides a 'standardized and equitable approach to protecting the City's urban forest.' The current bylaw is outdated in that it centers more on tree cutting procedures than on forestry management and tree preservation.

We support the following amendments to the Tree Permit By-law 475-05 and include suggestions for modifications as outlined below:



Gordon Woods Homeowners' Association

MISSISSAUGA ONTARIO

1. Name change from 'Tree Permit By-law' to 'Private Tree Protection By-law'.

We support the name change as it focuses the intent towards protecting trees rather than on managing the tree cutting process.

2. A permit is required to remove 3 or more trees with a diameter of 15 cm or greater in a calendar year.

We support this change to the bylaw as it allows for better management of the medium size trees as they mature.

While we support this change, there is an agreement from our residents to include additional protection for the larger trees and we propose to include a provision whereby a single tree permit is required for 'distinctive' trees. These are cultural landmarks defined as any tree with a diameter of 50cm (20 inches) or greater as measured at 1.4 meters above ground level. Their value to the community includes significant economic, aesthetic and environmental benefits. Their loss negatively impacts the character of our neighborhoods.

We estimate this provision would apply to less than 3 percent of all the trees on private property in the City of Mississauga, many of which are located in Gordon Woods, a unique urban forest in Ward 7.

This provision would align our bylaw with other large municipalities across Canada. The City of Ottawa includes a 'distinctive' tree provision at 50 cm and Toronto has established 30cm as their guideline for a single tree permit.

3. Replacement tree proposal

There has been much discussion regarding replanting guidelines and we agree with the Forestry department that the original proposed changes were too strict and costly for individual property owners.

We are in agreement with maintaining the 1:1 replacement ratio and recommend the 1:2 replacement ratio for the trees 50cm in diameter or greater. The size and species criteria should be left up to forestry staff to decide.

4. Fines and Permit fees

We agree with the increase in fines and the proposed changes to the permit fees. At the same time we also agree the changes will not stop builders or corporations from removing trees without a permit if they choose to do so. Adding a 'stop work order' or building permit restrictions to those who choose to break the rules is another way to ensure the guidelines are followed.



Gordon Woods Homeowners' Association

MISSISSAUGA ONTARIO

According to the Corporate Report dated February 8th, 2012, the additional revenue the increased number of applications would generate will cover the cost to administer and enforce the above changes including additional staffing and the promotion of increased awareness.

The Corporate Report also recognizes several new policy initiatives over the past seven years that reflect the need for changes to the current by-law:

- Action 46 of the Living Green Master Plan - directs an amendment to the existing bylaw to include single trees and further measures to restrict tree removals and ensure consistency with the Official Plan.
- The Official Plan further recognizes that in order to achieve a sustainable urban tree canopy, it must be protected, maintained and enhanced. A tree protection program should encourage small trees to mature as well as protect large, healthy trees that add much value to the community.

The updated tree bylaw will provide us with a modern framework in which to manage our urban forest and ensure good stewardship of our trees for future generations.

The comments above have been reviewed by all Directors of the Gordon Woods Homeowners Association. We propose the timing is appropriate for the above amendments to the existing Tree Permit By-law effective March 1, 2013 and endorse their approval.

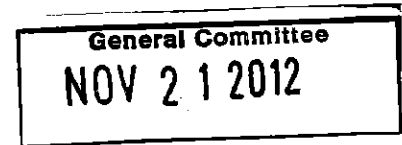
Respectfully,

The Executive of the Gordon Woods Homeowners Association

Sharon Giraud, President
Don Stewart, VP
Andy Tafler, VP
Shelly Byman, Membership
Richard Dundas, Secretary



Whiteoaks Lorne Park
Community Association
P.O. Box 52524 Turtle Creek P.O.
1801 Lakeshore Road West
Mississauga ON L5J 4S6



November 19, 2012

To: Mayor McCallion:
Jim Tovey (Ward 1), Pat Mullin (Ward 2), Chris Fonseca (Ward 3), Frank Dale (Ward 4), Bonnie Crombie (Ward 5), Ron Starr (Ward 6), Nando Iannicca (Ward 7), Katie Mahoney (Ward 8), Pat Saito (Ward 9), Sue McFadden (Ward 10), George Carlson (Ward 11), Crystal Greer (City Clerk).

Re: Tree by-law Amendment

Madame Mayor and Members of Council, our association, Whiteoaks Lorne Park Community Association, represents some 1600 homes in Ward 2 and we have reviewed the proposed Amendments to the current tree by-law 475-05 and support the recommendations made by the Forestry staff.

We feel that the proposed amendments address a number of the shortcomings of the last Amendments made in 2005. These include recognizing the benefits that the larger trees provide to the environment, and the City as a whole, as well as limiting the number of trees that can be removed without a permit to help preserve the character of the neighborhood.

As Council is aware, the current by-law allows property owners to remove 4 trees, regardless of size, in the calendar year without a permit. Over the past few years, we have seen this by-law ignored or "worked around" actions taken by both residents and developers. For example, the 4 trees are removed towards the end of a year, with another 4 trees being cut early in the new year for a total of 8 trees. While this has not been a common occurrence, it has happened in the case of infill housing. Further, trees have been removed before an application to build a new home is applied for. In one instance (Bramsey Drive), practically, the entire lot was cleared of trees. The local neighbors were outraged that anyone moving into such a mature area "would not take greater consideration to preserve trees before building a new home"? While none of these actions contravene the current tree by-law, it very much angers the constituents of our association who have made the Whiteoaks Lorne Park area their home primarily because of the beauty, number, age and size of our trees. We are indeed very fortunate to be living in such an area.

We feel that the City of Mississauga has shown its commitment to the environment as a whole through the implementation of various initiatives to help increase and preserve the tree canopy in Mississauga, such as the aerial spraying in 2006 for the gypsy moth infestation. This is a clear example of the City's commitment to preserving the tree canopy on both public and private land. We attended the information sessions held by the City and there was not one resident who opposed the spraying in order to save the trees.

The City's Living Green Master Plan was formulated with input from many residents of Mississauga. With over 50% of the City's tree canopy being on private, residential land, **everyone** needs to participate in the responsible removal of trees for all to enjoy the benefits of a healthy tree canopy. The whole really is greater than the sum of the parts. As Council has approved the Living Green Master Plan, we believe the proposed amendments will help move forward the greening of the City.

We feel that the tree by-law must be a strong one. Unlike other by-laws where infractions can be rectified (lower height of a fence, amend size of dwelling/deck etc...), when a mature tree is cut down and removed, it simply cannot be put back in the ground. Therefore, the by-laws need to be heavily enforced with strong consequences in order to deter indiscriminate cutting of trees.

Therefore, we propose that the City give strong consideration to protecting larger/distinctive trees as has been done in other jurisdictions. We would recommend that a separate permit be required to remove any one tree measuring 50 cm or above as this would recognize the added value "mature trees" provide to our environment and value of our properties.

The benefits from effective tree preservation and planting will accrue tomorrow and for generations to come. The proposed Amendments are a logical extension of the City's own initiatives and we feel they warrant your support.

Respectfully,

Ralph Hafer, Director
Guido Hafer, Committee Member
Whiteoaks Lorne Park Community Association

From:
Sent:
To:
Cc:
Subject:

From: Philip Green <
Date: Mon, 19 Nov 2012 17:21:26 -0500
To: Pat Mullir
ReplyTo:
Subject: Tree by-law

General Committee
NOV 21 2012

Pat,

I am utterly disappointed in Council for approving the amended tree by-law, for the reasons I cited in my Mississauga News article. This by-law will have the unintended but predictable consequence of reducing tree-cover in Mississauga over the long term. It is bad forestry.

Most importantly, though, it is disrespectful of private property rights. Essentially, it enables the city to appropriate private property, as the tree replacement fee forces property owners to pay the city should they decide to remove their own property--their trees.

The staff report justified the new version of the by-law with a survey. Does this mean, as long as some majority of people in some survey, valid or not, want to impinge upon the individual's rights for the greater good, that the City will pass a by-law to do so? If so, is my property safe with this council?

This by-law also violates the polluter-pays principle, a fundamental principle of sound environmental management. In that principle, the polluter who enjoys some benefits, such as profits, from polluting must pay for the loss of enjoyment of property they cause others. With this tree by-law, a person who *provides a benefit* to other people with his trees must pay for other people's enjoyment of those trees. By the polluter-pay principle, if the City wishes to reduce property owner's ability to enjoy their private property by restricting what they can do with their trees, it should pay them for it. I suggested a mechanism in my article.

As say this as a ratepayer and voter in Mississauga, and as CEO of a company that has planted 25 million trees in the last three years.

Phil

--
Phil Green

REPORT 3-2012

General Committee

NOV 21 2012

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Public Vehicle Advisory Committee presents its third report for 2012 and recommends:

PVAC-0012-2012

1. That a by-law be enacted to amend the following schedules of the Public Vehicle Licensing By-law 420-04, as amended, to include optional run-flat free tire systems as an alternative to the traditional spare tire and jack required in all vehicles.

2. That Schedule 3, Section 14(9) of the Public Vehicle Licensing By-law 420-04, as amended, be repealed and replaced as follows:

Schedule 3, section 14

(9) is equipped with an extra tire, wheel and jack ready for use for that vehicle or be equipped with a run-flat free tire system.

3. That Schedule 4, Section 14(9) of the Public Vehicle Licensing By-law 420-04, as amended, be repealed and replaced as follows:

Schedule 4, section 14

(9) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system.

4. That Schedule 6, Section 8(9) of the Public Vehicle Licensing By-law 420-04, as amended, be repealed and replaced as follows:

Schedule 6, section 8

(9) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system.

5. That Schedule 7, Section 7(1)(j) of the Public Vehicle Licensing By-law 420-04, as amended, be repealed and replaced as follows:

Schedule 7, section 7

(1)(j) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system.

6. That Schedule 8, Section 41(1)(i) of the Public Vehicle Licensing By-law 420-04, as amended, be repealed and replaced as follows:

Schedule 8, section 41

(1)(i) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system.

(PVAC-0012-2012)

PVAC-0013-2012

That the Corporate Report from the Commissioner, Transportation and Works Department, dated November 2, 2012 and titled "iPhone/Android Cellular Telephone Application "Hailo" for Taxicabs" be received for information.

(PVAC-0013-2012)

PVAC-0014-2012

That the Public Vehicle Advisory Committee (PVAC) form an Accessible Taxi Review Sub-Committee.

(PVAC-0014-2012)

PVAC-0015-2012

That the e-mail dated October 18, 2012 from Stephanie Smith, Legislative Coordinator with respect to the proposed 2013 Public Vehicle Advisory Committee meeting dates be approved.

(PVAC-0015-2012)

PVAC-0016-2012

That the action list from the meeting held on September 11, 2012 be received for information.

(PVAC-0016-2012)

PVAC-0017-2012

That the following information items be received for information:

- (a) E-mail dated November 4, 2012 from Mark Sexsmith and Ron Baumer with respect to 100% Accessible Taxi's.
- (b) E-mail dated September 30, 2012 from Peter Pellier with respect to Accessible Taxi Review.
- (c) E-mail dated October 18, 2012 from Peter D. Pellier with respect to Accessible Taxi Service.
- (d) Letter from AJ Champion with respect to Accessible Taxis in Mississauga.
- (e) E-mail dated October 31, 2012 from Shirley Champion regarding Accessible Taxis in Mississauga.
- (f) E-mail dated October 30, 2012 from Todd Ellis regarding Accessible Taxis in Mississauga.

- (g) E-mail dated October 30, 2012 from Glenn Barnes regarding Accessible Taxis in Mississauga.
- (h) E-mail dated October 30, 2012 from Marian Bethel regarding Wheelchair Accessible Service.
- (i) E-mail dated October 30, 2012 from Roy Brack regarding Accessible Taxis in Mississauga
- (j) E-mail dated October 30, 2012 from Ed Aquila regarding Accessible Taxis in Mississauga.
- (k) Fax dated October 30, 2012 from Melanie Taddeo regarding Accessible Taxis in Mississauga.
- (l) Fax dated October 30, 2012 from Shihab Sakib regarding Accessible Taxis in Mississauga.
- (m) Fax dated October 30, 2012 from Michael at CLC regarding Accessible Taxis in Mississauga.
- (n) Fax dated October 30, 2012 from Karen Beebe regarding Accessible Taxis in Mississauga.
- (o) E-mail dated September 26, 2012 from Mark Sexmith with respect to Insurance Documentation Filing
- (p) E-mail dated October 4, 2012 from Karam S. Punian with respect to Tariff Decals on Airport Taxicab Windows.
- (q) E-mail dated October 24, 2012 from Al Cormier with respect to Future Mobility Requirements.
(PVAC-0017-2012)

PVAC-0018-2012

That staff report back with respect to Change to Insurance Requirements to the February 2013 Public Vehicle Advisory Committee meeting for further consideration and that the current method of filing insurance documentation be left as status quo prior to the letter being sent out on October 1, 2012.

(PVAC-0018-2012)