



## Gordon Woods Homeowners' Association

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MISSISSAUGA ONTARIO

July 11, 2013

Mayor Hazel McCallion & Councillors  
City of Mississauga  
300 City Centre Drive  
Mississauga, ON L5B 3C1

### Re: Majestic Heritage Trees Fall Victim to Heedless Property Owner

Dear Madame Mayor & Council,

It is with shock and dismay that the Gordon Woods Homeowners Association (GWHA) writes to you regarding the cutting and removal of two healthy, 150 year old oak trees on the morning of June 26, 2013 at 2167 Gordon Drive, a property presently before City Planning under a development rezoning application (OZ 12-002 W7).

On April 2, 2013 the GWHA spoke before the Building and Planning Committee in opposition to this development proposal. Our primary concern was and is the substantial change in density proposed, requiring the removal of 65+ mature trees on a property that is in the heart of a neighborhood designated as residential woodland. When combined with the illegal clear-cutting of mature healthy trees on this property by the previous owner in 2011, a total of at least 90 trees would be lost.

On March 1, 2013 the amended Private Tree Protection By-law 0254-2012 came into effect. "The City of Mississauga is establishing a sustainable tree canopy through the implementation of new guidelines for tree removal on private property. The Private Tree Protection By-law (0254-2012) will protect and enhance Mississauga's existing tree cover while respecting a landowner's right to make changes to the landscape of their property in an **environmentally responsible manner**."<sup>1</sup>

The new By-law has failed in this instance. Although a permit is now required to remove 3 or more trees per year with a diameter greater than 6", the by-law does not address majestic, healthy "heritage" trees such as the two that were deliberately destroyed by the property owner. The city's Tree Bylaw inspector reported that the two trees removed were healthy, over 150 years old, over 100 cm in diameter, and the two largest trees on the property. The fact that the (new!) tree by-law allows for cutting of two trees on private property per year, without a permit, without differentiating whether they are small saplings or massive heritage oaks like these, is a travesty.

We recall that during the General Council meeting on November 21, 2012, Madame Mayor McCallion instructed City Staff to go back and look at the single large tree within the By-law and how the heritage tree could be protected. To date, it appears that City Staff have done nothing with that instruction as large trees continue to disappear under the "legality" of the (new) By-law.

The (new) By-law also fails to effectively address properties under site plan, rezoning or development application review. Unless trees are dead, dying or hazardous, a moratorium should be placed on the trees on the property while under application. To help ensure that property owners/developers play by the rules, policies regarding fines and enforcement must form part of this By-law. The property owner/developer in this case was clearly aware of the city's and the neighbourhood's concern with tree loss, knew that his development was not approved, and yet proceeded to destroy the two most valuable trees on the property. This seems to be a clear indication of the property owner's contempt for the planning process and blatant disregard/disrespect for the Gordon Woods neighbourhood, its rare qualities, infinite benefits and its citizens. Without proper by-laws and enforcement, the lure of maximizing financial gain will always trump environmental considerations in the eyes of a developer. Without sustainable, enforceable laws and by-laws to ensure adherence to the proper planning process, how does the city expect to control development? Indeed, given that all of the required examination of the property, including the potential aboriginal cultural significance has not been completed, how does one know that the "heritage trees" were not of cultural significance?

How is a tree bylaw that allows removal of huge, majestic, healthy trees without a permit consistent with the Urban Forest preservation and expansion strategies that the city is actively promoting? The 'One Million Tree' program and the 'Natural Heritage and Urban Forest Strategy' (NHUFS), both building on existing urban forest preservation and upholding official plans, appear to be a bit of a joke without effective protection of what already exists. The Green Pillar for Change in the Strategic Plan identifies the need to conserve, enhance and connect natural environments in the City of Mississauga. Why worry about planting new, small trees when the existing mature, healthy urban woodlands can be cut down at will? The NHUFS claims that more than half of the city's tree canopy cover is located in residential areas. If that's so, isn't that where the City should be focusing its efforts?

This is a travesty that cannot be undone. The consequences are far-reaching and long lasting. The wildlife and natural habitat that contributes to the woodland's ecosystem will continue to erode and be displaced or destroyed. The City needs to step up to ensure that this property owner/developer and others like him cannot continue to cut trees until there is nothing left but a 50-storey condo proposal. It's time to walk the talk.

We encourage the City to immediately address "heritage" trees that exist in the area, especially in Residential Forests and to ensure that we have a By-law that protects these diminishing City treasures.

Respectfully,



Sharon Giraud, President  
Don Stewart, Vice President  
Andy Tafler, Vice President  
On behalf of  
Gordon Woods Homeowners' Association

<sup>1</sup> [http://www.mississauga.ca/portal/residents/urbanforestry?paf\\_gear\\_id=9700018&itemId=300012](http://www.mississauga.ca/portal/residents/urbanforestry?paf_gear_id=9700018&itemId=300012)

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