

City of Mississauga
Additional Agenda



General Committee

Date

November 4, 2015

Time

9:00 AM

Location

Council Chamber

2nd Floor

300 City Centre Drive

INFORMATION ITEMS

- A. Letters dated October 16, 17, 26, 27 & 28, 2015 from residents Liz Primeau, Austin McNamee, Maribeth Graham, Martina Murray, Richard Drygas, Jeanne McRight, Wayne Cardinalli the Credit Reserve Association and the Cloverleaf Garden Club with respect to the City's Encroachment By-law 0057-2004 and Deputation A.

CLOSED SESSION

(Pursuant to Subsection 239 (2) of the *Municipal Act, 2001*)

- B. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Street Sweepings (verbal update)

Contact

Sacha Smith, Legislative Coordinator, Legislative Services

905-615-3200 ext. 4516

Email sacha.smith@mississauga.ca

Friday, October 16, 2015

Carmela Radice, Legislative Coordinator
Office of the City Clerk, City of Mississauga

General Committee

NOV 04 2015

Dear Ms Radice, Chair and Members of the General Committee, Mississauga City Council:

We are a group of three Mineola Gardens Ward One residents, advocating that changes be made to the current Encroachment By-Law 0057-2004 to allow for gardens in street boulevards and road allowances. All three of our beautiful boulevard gardens received removal notices on September 3, 2015, because of a neighbour's complaint.

Our group of residents are presenting this deputation to the General Committee to explain our ideas and make our request:

- a slideshow presentation by Jeanne McRight
- statements read by Liz Primeau
- statement read by Manuela Neto
- statement read by Austin McNamee
- supplemented by handouts to General Committee members

Our research:

Boulevard plantings in many Canadian municipalities are either excepted from encroachment by-laws or placed in a different regulatory category altogether. Some excellent examples are Barrie, Calgary, Cobourg, Guelph, Edmonton, Halifax, Montreal, Oakville, St. Catherines, Toronto, Vancouver, Victoria, and Winnipeg.

In these cities, aspiring boulevard gardeners may apply to replace grass with other plant material through a streamlined, affordable permit process. Some do not require permits at all. Toronto, Oakville, Guelph, St. Catherines and Vancouver have informative websites dedicated to eco-friendly boulevard plant selection, design and maintenance. Boulevard gardens are described as beautifying city streetscapes, fostering positive community connections, and supporting ecologically beneficial initiatives.

"Street gardens lead to more than beautiful streets. Ultimately, street gardens benefit the entire city. Whether you are a volunteer tending to gardens on the City's traffic circles, or you are planting gardens on the boulevard next to your property, you are helping to personalize your neighbourhood, and foster a sense of community pride and ownership."

- The City of Vancouver

"The boulevard (the green space between the road and your property line or sidewalk) can be the perfect spot for a garden. Boulevard gardens beautify our roadsides and well-chosen, non-invasive plants that are designed to retain moisture can reduce water usage and therefore the need to use mowers and fertilizers. Introducing native and diverse plant species can also improve the health of our ecosystem."

- The City of Oakville

This is a much more supportive approach than the City of Mississauga's encroachment policy, where residential boulevard gardens are included amongst prohibited encroachments in Mississauga's By-Law 0057-2004:

DEFINITIONS

2. In this by-law, "encroachment" means any type of vegetation, man-made object or item of personal property of a person which exists wholly upon, or extends from a person's premises onto, public lands and shall include any aerial, surface or subsurface encroachments;

(i) "aerial encroachment" means an encroachment that is located at least .304 meters (12 inches) above the surface of public lands;

(ii) "surface encroachment" means an encroachment that is located anywhere between the following: the surface of public lands to a height less than .304 metres (12 inches) and beneath the surface of public lands to a depth of not more than 2.54 centimetres (1 inch).

ENCROACHMENTS PROHIBITED

3. (1) No person shall erect, place or maintain, or cause to be erected, placed or maintained, an encroachment of any kind on public lands, or on any right-of-way or easement in favour of the City, except where permitted to do so in accordance with this by-law.

The by-law is enforced when someone complains, and then the resident must remove the plants and restore the area to "original" condition within 30 days. Another recourse is to apply for an encroachment permit, which if accepted can cost over \$2000 (\$565+ application, \$353 approval, \$1000 - \$3000 required documents). The cost is prohibitive for most homeowners.

Thousands of gardeners in Mississauga have thriving, beautifully designed, well-maintained gardens on the road allowance and boulevards. These types of gardens beautify the city's streetscapes, benefit the environment, and enhance the community's quality of life. They deserve the city's active support.

Mississauga's Strategic Plan proposes taking action in implementing its Living Green mandate:

"...the City should also pay special attention to natural ecological functions on its properties by reviewing land around municipal buildings and maintaining plantings so they can thrive. These efforts would effectively demonstrate how even small gardens can contribute to the natural environment, by allowing increased habitat for birds and butterflies, etc. These gardens should also act as demonstration projects for the community to learn about native species and how to effectively grow them in their own gardens."

- City of Mississauga, Living Green Master Plan, p. 23.

The success of Mississauga's Living Green Master Plan, Sustainable Neighbourhood Retrofit Action Plan, Streetscape Mississauga, Communities in Bloom and a myriad of other positive city-wide environmental initiatives have created a rapidly expanding public interest in choosing garden alternatives rather than grass on residential boulevard strips.

Certainly, the time has come for Mississauga to follow other green-minded Canadian cities in welcoming the presence of its beautiful neighborhood boulevard gardens,

responsibly planted and maintained by thousands of dedicated residential gardeners throughout the city.

Sincerely,

Ward One - Mineola Gardens boulevard garden advocates:
Wayne Cardinalli and Jeanne McRight

Austin McNamee and Maribeth Graham

Richard Drygas and Martina Murray

Letters of support:

The Credit Reserve Association:
Mary Furlin, Director, Credit Reserve Association

The Cloverleaf Garden Club of Mississauga:
Anne Clark-Stewart, President, Cloverleaf Garden Club of Mississauga,
OHA Design and Horticultural Judge, Member OHA Honour Roll,
Horticultural Judge (Royal Botanical Garden), Floral Design Judge (Garden Clubs of
Ontario), Rose Judge (Canadian Rose Society), Lily Judge (North American Lily
Society), student Judge Gesneriads (North American Gesneriad Society).

Patricia Griesser, Vice-President, Cloverleaf Garden Club of Mississauga

Manuela Neto, 2nd Vice-President, Cloverleaf Garden Club of Mississauga

The Applewood Garden Club:
MJ Kucerak, President, Applewood Garden Club

David Pavanel, Vice-President, Applewood Garden Club

Liz Primeau, current member and founding president, Applewood Garden Club
author of *Front Yard Gardens* (plus two other books) and the first editor of *Canadian Gardening* magazine

October 17, 2015

Re: Boulevard Gardens

To: Carmela Radice, Legislative Coordinator, Office of the City Clerk, City of Mississauga, and Members of the General Committee, Mississauga City Council

As a long time gardener I've learned the importance of biodiversity: a big word that simply describes a healthy, alive space with many kinds of plants, birds, butterflies, bees and other insects. The plants attract the bugs and birds, and together they maintain the balance of nature without big doses of pesticides and fertilizers applied by human hands. Isn't this what responsible, environmentally conscious people are aiming for?

I wrote about the importance of biodiversity in my 2003 book, *Front Yard Gardens: Growing More than Grass*, showing many gardens--full front yards and boulevard plantings--in different styles and making suggestions for plant choices.

My book sprang from my own experiences creating a front-yard garden and discovering the value of biodiversity, and it remains to this day a best seller. In my Mississauga neighbourhood, many similar gardens have sprung up, for the benefit of all of us. Discouraging nature-friendly gardens by enforcing a strict bylaw that makes it difficult to plant anything other than grass on City-owned property seems a backward step for Mississauga. I completely support Jeanne McRight's efforts to change this bylaw and make biodiverse--and much more attractive!--boulevard gardens completely legal.

Yours truly,

Liz Primeau

Mississauga

Mississauga Council Meeting, November 4, 2015

Re: Request to Amend Encroachment By-Law 0057-2004

Madam Mayor, Councillors, City Staff, Presenters and Supporters:

Our boulevard garden was started four years ago as our way of contributing to the beautification of our neighbourhood. What better way to celebrate living on a street called Mineola Gardens than by creating a cheerful display of perennials? The design of the garden ensures that there is a display of different colours from spring to fall. The boulevard was originally nothing but a patch of weeds. By carefully cultivating, adding compost to enrich the soil, and selecting plants and flowers with care, it has become a thriving and vibrant garden, with bees, hummingbirds and butterflies flitting among the blossoms. In many ways this garden has fostered a community connection. Families often stop with their children to express their admiration and take pictures with the garden as a backdrop. Passing motorists have stopped to chat and sometimes they ring the doorbell to thank us for the beautiful flowers. Even the weekend cycling clubs shout their appreciation as they pass by.

Too often Mississauga is portrayed as a dull suburban enclave, with rows of identical houses sporting large garages that make them look like monuments to the car. We know this is not so. Our desire has been to show that our home of 25 years is as lovely as the people with whom we share our daily lives. Gardens encourage walking, and chatting, and pausing to take in the air of a fresh spring morning or crisp fall afternoon. It is beyond us to understand why soulless sod would be preferential to something as vital and shared as the boulevard gardens of our neighbourhood. We know that our gift is appreciated by so many. It is part of our home, a source of pride and beauty, and a testament to our commitment as engaged and caring citizens of Mississauga. We would be desolate to lose it. Please save our garden.

Austin McNamee and Maribeth Graham

October 26, 2015

October 27, 2015

Re: Boulevard Gardens

To: Carmela Radice, Legislative Coordinator, Office of the City Clerk, City of Mississauga, and Members of the General Committee, Mississauga City Council:

Deciding to create a boulevard garden is not something we did on a whim. But the strip of city property between our sidewalk and the street had eventually turned into a parched strip of rock hard, weedy ground. Winter salt and dry summers took their toll. One spring day, about 10 years ago, we finally took shovels, cleared the remnants of grass and weeds, and added new topsoil onto the boulevard to make a flower garden. A flower garden takes a fraction of the water usage, as compared to a similar sized lawn; the amount of fertilizers and weed control products needed for lawn maintenance make gardens a far more environmental choice.

As we are adjacent to the Cooksville Creek watershed, we have had many conversations with the Credit Valley Conservation Authority regarding the planting of native species in the area and which plant types work best for the area. So for the boulevard garden we sought out many drought tolerant, native plants and flowers and have planted them for our own pleasure and that of the neighbourhood. Passersby often stop to admire the flowers and to pick the masses of wild strawberries that bloom every spring.

We have made many friends and had positive conversations with all manners of people who have commented on what a great addition the gardens of Mineola Gardens are to the neighbourhood. Over the years, notes and Christmas cards have come from complete strangers, thanking us for the 'wonderful garden' and how happy it makes them feel.

Frankly we love to come home to the different flowers that bloom each season, we are happy in the knowledge that we provide a habitat to a variety of animals and insects and that we have created conditions beneficial to the health and welfare of the environment and certainly to the happiness of the Mineola community.

Martina Murray
Richard Drygas



Credit Reserve Association

Preserving your neighbourhood since 1972

October 27, 2015

To: Carmela Radice, Legislative Coordinator, Office of the City Clerk, City of Mississauga, and Members of the General Committee, Mississauga City Council

Re: Boulevard Gardens

The Credit Reserve Association is the ratepayer association representing the Mineola Garden area.

We feel that the application of the city's Encroachment By-Law 0057-2004 to residential boulevard gardens should be reviewed. It appears that the current encroachment permit is a costly and time consuming process for both homeowners and the City. We believe there should be room for discretion by the City in exempting residential boulevard gardens from the Encroachment By-Law 0057-2004. Homeowners should not be penalized for beautifying their properties in a tasteful manner, provided that they are not creating safety or other issues for the City and the community.

Thank you very much for your attention.

Yours truly,

A handwritten signature in cursive script that reads "Mary Furlin".

Mary Furlin,
Director

Wednesday, October 28, 2015

Re: Boulevard Gardens

To: Carmela Radice, Legislative Coordinator, Office of the City Clerk, City of Mississauga, and Members of the General Committee, Mississauga City Council:

The day after our family's official lawn maintenance engineer - our daughter - moved out of the house we picked up a copy of Liz Primeau's book *Front Yard Gardens*. We were inspired by its beautiful garden images and especially her research on the massive environmental impact of North America's 24 million acres of cultivated lawns. Then our lawnmower broke and that settled it: we put our struggling lawn out of its misery. In stages, we created a woodland shade garden instead. It was only natural that the garden expanded to the boulevard strip.

Several neighbours shared my enthusiasm and established boulevard gardens of their own. Over the years we've shared plants and gardening tips. Together we're a proud team of "Mineola Gardeners".

We learned that drought-resistant, salt-tolerant hardy native perennials thrived in the harsh growing conditions of the boulevard. Planted to change with the seasons, the flowers and foliage attracted butterflies, bees and birds. Soon we found ourselves chatting with dog-walkers, stroller-pushers, groups of school kids, joggers (yes, they stopped for a breather) - neighborhood residents and visitors who chose to walk down our street because of the beautiful gardens. Why all the attention? Finally we figured it out: an accessible garden, seen up close, allows passersby to touch silky petals and wooly leaves, smell myriad fragrances, collect seeds, spot a ladybug or watch day-by-day a monarch cocoon.

In 2011 we received a CVC conservation award for our efforts helping to restore the neighborhood's native habitat, and in 2012 our garden was chosen to be on the Cloverleaf Garden Club's garden tour.

Pedestrians continually tell us how much they enjoy the garden. But Mineola Gardens also is a bus route and neighborhood thoroughfare. Commuters slow down on their way home from work, bus drivers - and passengers - wave. Strings of cyclists pull up in our driveway, haul out water bottles and enjoy a garden break. We regularly get appreciative notes in our mailbox.

We made the garden and tend it with care, but it is not ours: it belongs to our community.

We were saddened to receive the city's removal notice. Grass is so obviously inappropriate to our location. We know that in creating a mindful eco-friendly boulevard garden we are helping achieve the goals of Mississauga's Living Green Master Plan. More than anything though, it's sad to think of all the people who enjoy this garden and who will miss it very much when it is gone.

Jeanne McRight
Wayne Cardinalli



CLOVERLEAF GARDEN CLUB

of MISSISSAUGA

81 Lakeshore Rd., P.O. Box 45074, RPO Port Credit, Mississauga, ON
L5G 4S7

www.cloverleafgardenclub.org

Mississauga Council Meeting – November 4, 2015

Reference: Request to amend Encroachment By-Law 0057-2004

Madame Mayor, Councillors, members of City Staff and other presenters:

Today, many voices are being raised in support of four residents of the Mineola Gardens area of Mississauga's Ward 1, who are putting forward a request to amend the City's Encroachment By-Law 0057-2004.

As members of the Board of Directors of the Cloverleaf Garden Club of Mississauga, we have been actively involved with the City in many initiatives to improve the biodiversity of public lands and ensure our historical natural habitat is preserved. A few of those initiatives included the following:

- 1) Stewardship Committee for Brueckner Rhododendron Garden;
- 2) Executive Committee members of The Riverwood Conservancy, with two Volunteer Awards named after our members – Shirley Daniels and Philip Stuart;
- 3) Garden Committees for the Museums of Mississauga, at the Bradley Museum and the Benares Historic House;
- 4) Annual plant sales that promote planting native, perennial and non-invasive plants.
- 5) Annual garden tours that motivate residents to enhance their own gardens and help beautify their neighbourhoods.

One of the main goals of Cloverleaf includes the education of the public on environmental concerns, which is why we feel very strongly that our collective voices should be heard in support of this application.

Boulevard, curbside and ditch gardens exist across the City, mainly initiated by residents, however there are some on public thoroughfares that have been planted and maintained by the City, some of which are right outside the City Hall building. While many are designed to make use of every available space to garden, they also provide extra habitat for migratory insects and other pollinators, including the Monarch butterfly and the honeybee which are both at risk of extinction. Our rapidly expanding urban footprint has been instrumental in causing a significant loss of habitat, so initiatives such as the

Within the City's Strategic Plan, there is a specific initiative called the Living Green Master Plan. One section includes the Natural Heritage and Urban Forest Strategy. Two of the major guiding principles included are fully in sync with this deputation today.

“Principle 8.

Make Stewardship on Public and Private Lands Part of Daily Living.”

“Principle 10.

Protect, Enhance, Restore, and Improve Natural Connections.”

We ask that you guide your decision-making process with these principles in mind.

Evergreen, a GTA-based organization, sums up the issue beautifully on its website – www.evergreen.ca

“Greenspace is vital to the health of cities and citizens alike. It cleans our air and filters our rainwater, it provides shade cover and shelters our wildlife, and it creates space for urban communities to live, play and connect with nature.”

We trust that you will take all of our comments under consideration as you review this request to amend the city's Encroachment By-law.

Yours truly,

The Executive of the Cloverleaf Garden Club of Mississauga

President, Anne Clark-Stewart

Past-President, Edel Schmidt

Vice-President, Patricia Griesser

2nd Vice-President, Manuela Neto

Treasurer, JoAnn Drennan

Secretary, Alison Cianciolo

Director, Christine Fry

Director, Rita McPhail

Director, Ron Mitchell

Director, Christina Woodward

boulevard, curbside and ditch gardens do much to restore some of these vital environments by providing the necessary biodiversity.

Cont'd . . .



TOWN OF OAKVILLE
BOULEVARD GARDENING PERMIT

OWNER

Name:

Company Name (if applicable):

Address:

Phone No.:

Email Address:

LOCATION OF PROPERTY

Address:

TYPE OF BOULEVARD GARDEN (check appropriate boxes):

Plants

Bushes

Mulch/Wood Chips

LIST OF PLANT SPECIES TO BE USED:

Complete Attached Form

I have read the requirements of the Town of Oakville By-law 20009-072 and Procedures and shall fully comply with the rules and regulations contained there-in the attached Procedure.

Signature (Owner)

Date

FOR OFFICE USE ONLY:

Payment Received

Utility Clearance Certificate

Detailed Scalable Plan (2 copies)

Other Town Permits If Required

Plant List (2 copies)

Date of Issue

Town Signature

Approved by:

Road Corridor Permit Coordinator

Forestry Inspector¹

Permit Conditions:

1. Permit conditional upon compliance with Tree Protection Policy
2. Permit valid for six (6) months from date of issue.

Personal information on this form is collected under the authority of the *Municipal Act, 2001*, as amended for processing this permit and payment thereof. Questions about the collection of personal information should be directed to: Records and Freedom of Information Officer, Clerk's Department, 905-815-6053.

The Corporation of the Town of Oakville, Engineering & Construction Department
1225 Trafalgar Road, Oakville, ON L6H 0H3 phone (905) 845-6601 ext. 3302 / 3398 fax (905) 338-4159