



## **STAFF REPORT**

**S.R. No. 67-2022**

**PREPARED BY:** Joanne Haley- GM Planning, Building and Enforcement

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** May 16, 2022

**SUBJECT:** Tree Canopy and Natural Vegetation Policy – Third Reading

### **BACKGROUND:**

1. On March 30<sup>th</sup>, 2017, Royal Assent was given to Bill 68. This Bill introduced a series of reforms to the *Municipal Act, 2001*, S.O. 2001 c. 25 which required new policies to be in effect by March 1, 2019.
2. Section 270(1) (7) of the *Municipal Act, 2001*, S.O. 2001 c. 25 requires municipalities to adopt and maintain policies with respect to the manner in which a municipality will protect and enhance the tree canopy and natural vegetation.
3. Administration prepared a draft Tree Canopy and Natural Vegetation Policy for Council's consideration and approval. On March 18, 2019, Council completed the first reading of the attached by-law, being a by-law to adopt the proposed policy.
4. On April 3, 2019, an Agricultural Advisory Committee meeting was held to review the draft Tree Canopy and Natural Vegetation Policy. The minutes from the meeting are attached to this staff report.
5. On September 9, 2019, a public meeting was held whereby Administration presented the draft policy to the public and obtained feedback. There were 83 people in attendance at this meeting, 13 members of the public presented, and 23 written comments were received. The comments received ranged from; being supportive of the policy, requests to strengthen the policy, requests to relax the policy and requests not to have a policy. The written public comments are attached to this staff report.
6. On November 22, 2019, a special meeting of Council was held to review the comments received regarding the draft tree canopy policy and to seek direction from Council. Council opted to review the public comments and to provide Administration feedback.
7. On April 18, 2022, Council completed a second reading of the by-law and agreed to review the policy and to provide Administration comments.

## **ANALYSIS:**

8. Administration has reviewed and considered all of the public comments including agency comments, the Agricultural Advisory Committee Comments as well as Council's comments.
9. A majority of Council requested a flexible and an enforceable policy to be developed while making a concerted effort to protect the tree canopy and to enhance tree cover and natural vegetation throughout the Township.
10. Some of the comments received by Council that were considered but were not included in the final draft policy are as follows. Administration encourages Council to review these comments to determine if they wish to include them in the final draft:
  - Develop a Township Natural Asset Management Plan including a database of tree canopy and natural vegetation assets on Township, RRCA and SDG owned land within South Glengarry, including parks, unopened road allowances etc. Engage citizens in the development of the database and in the monitoring of these areas, like the SNC's Forest Stewards under the guidance of a contracted forestry expert. [This was not included in the final policy due to the cost, time and expertise required to develop and implement this type of plan. It is recommended that this request be discussed and debated by Council before it is included in the final draft.](#)
  - If tree removal is requested by a resident on Township open and/or unopened road allowances, approval should be granted in writing and the tree removal should be completed by an approved Township contractor. [This was not included in this policy as this approval should be granted through By-law 33-14 - Use of Unopened Road Allowances or an amending by-law. Any tree removal on an opened public road allowance currently requires the approval of the General Manager of Infrastructure Services.](#)
  - When land becomes available through tax arrears, the Township should consider acquiring the forested land to either maintain or to donate to the Raisin Region Conservation Authority or the United Counties of SDG. [This was not included in the policy as when land becomes available, the property must be researched carefully to determine the value, the outstanding taxes, if there are any liens registered against the property etc.](#)
  - Undertake tree surveys on public land including open and unopened road allowances upon a request of an abutting property owner, the costs should be shared by the

owner. This was not included in the policy due to the likelihood of an abutting property owner not willing to share in the costs of a tree survey on public owned lands.

- Remove #1 of the draft policy. This was not removed but the wording was improved.
- Support tree planting and buffers along municipal drains. This was not included in the policy due to a discussion with our Drainage Superintendent. Many Engineer's reports for municipal drains do not permit any tree planting within 10 meters or more of the municipal drain for maintenance purposes. If this occurs, the Drainage Superintendent will often ask for the trees to be removed or will inform the owner that the trees will be removed by the Township.
- Do not tax forested land that is greater than 5 acres in area. This was not included in the policy as this needs to be researched further to understand impact to Township budget, if it can be legally implemented and the cost to monitor
- Remove Priority Action Items #9 and #11. This was not removed from the policy as Administration can see the benefits of developing a commemorative tree program to guide our residents when these requests are filed. We may also have a developer that is willing to replace natural vegetation as part of their development.

11. Many comments provided by Council and the public were included in the final draft of the policy; this resulted in the following changes/additions:

- Defining Development - the definition of development was taken from the Provincial Policy Statement 2020
- Adding to the Benefits section of the policy
- Improving the wording of several of the priority actions to be clearer with the goal to protect and enhance tree cover
- Limit tree removal to unhealthy or hazardous trees
- Added RRCA to Priority Action Item #5
- Explore the creation and implementation of other tax incentive programs to encourage the protection of existing forested properties and to encourage the creation of forested properties
- Support property owners in their efforts to implement best management practices including naturalized buffer strips adjacent to watercourses and the protection of riparian zones
- Change the review of the policy to be less than 5 years so it can be reviewed during each term of Council.

12. Council can adopt the attached policy and by-law as presented or Council may request Administration to amend the attached policy which would result in deferring this staff report and conducting third and final reading at a later date.

**IMPACT ON 2022 BUDGET:**

13. There is no impact to the budget to create the policy. There will be costs to implement the policy if the policy is approved.

**ALIGNMENT WITH STRATEGIC PLAN:**

Goal 4: Improve quality of life in our community.

**RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 67-2022 be received and By-law 18-2019, being a by-law to establish a Tree Canopy and Natural Vegetation policy be read a third and final time, passed, signed and sealed in open council this 16<sup>th</sup> day of May 2022.

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**Recommended to Council for  
Consideration by:  
CAO – TIM MILLS**