



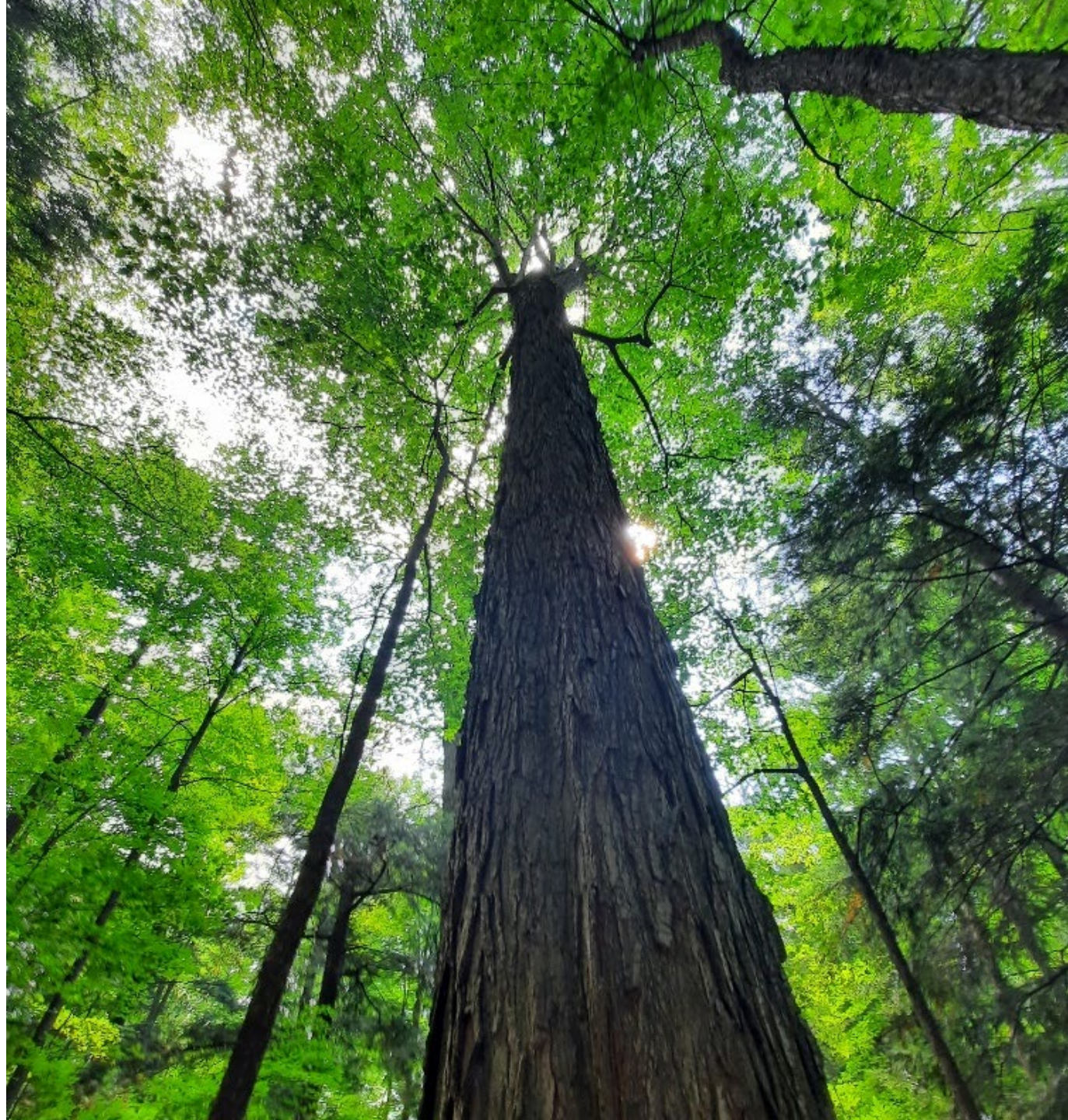
Public Open House

Draft Tree Protection By-law

January 24th, 2024

February 8th, 2024

February 28th, 2024



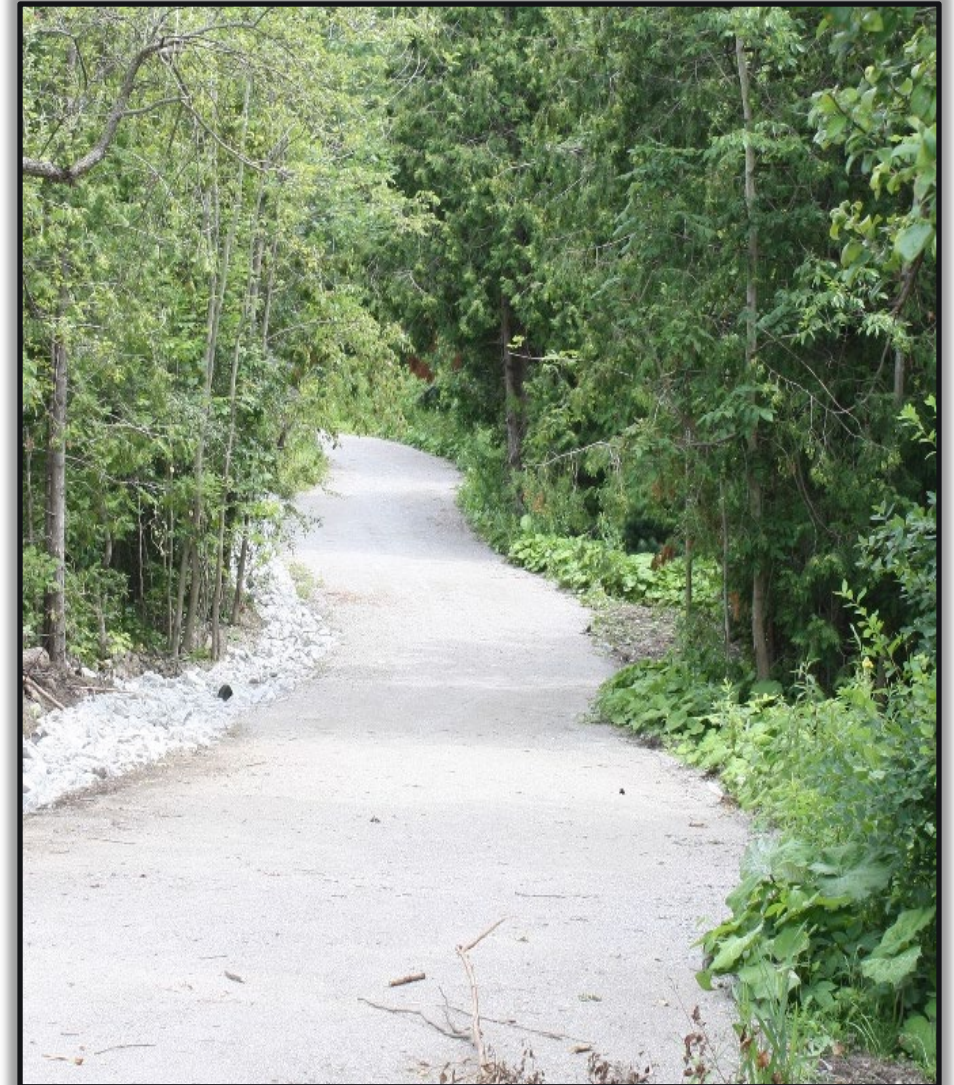
Land Acknowledgement

The Town of East Gwillimbury recognizes and acknowledges the lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our closest First Nation community and recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands, and we join them in these responsibilities.



Public Open House Areas of Focus

- **Background Information**
- **Existing Legislation**
- **YR Municipal Comparators with Private Tree Bylaws**
- **By-law Overview**
 - Where the By-law applies
 - Exemptions
 - Exemption permits
 - Applying for a Permit
 - Tree canopy offsetting
- **Next Steps**
- **Feedback**



Background

May 1st, 2018

Council Meeting

- Council identifies gaps in Town's ability to protect tree canopy cover on private properties
- The social, ecological, aesthetic and financial value of trees was noted as critical to maintain
- A motion was received that Town staff prepare a report to Council presenting options for a Tree Protection by-law

May 2018 to October 2021

Information Collection

- Staff collects information from various municipalities on their private tree by-laws
- Reviewed best practices and innovative approaches

October 13th, 2021

Special Meeting of Council

- Parks staff presented preliminary information regarding:
 - Tree preservation
 - Property standards
 - Tree assessment methods
 - Best practices within YR municipalities
 - Introduction of tree by-law terminology

2022 & 2023

Draft By-law Development

- Initial draft by-law provided to EG Environmental Advisory Committee (EAC), for review and feedback
- Staff updated draft based on feedback received and presented back to EAC on Dec. 6, 2022, for a second and final review
- Nov. 7, 2023, Council Meeting - staff presented the Draft By-law and a motion was received to proceed with public consultation in 2024.

Private Property Tree By-law

Existing Environment

York Region Canopy and Woodland Cover Study

- Completed in 2016 and 2020 (5 yrs.)
- *Intended to help plan and manage forests effectively. The forest studies are a monitoring project that informs adaptive management practices and tracks progress toward shared objectives.*
- **EG Draft Tree Protection By-law will help support the York Region Goals of maintaining existing canopy cover:**
 - Woodland Cover - recommended range of 31% – 33%
 - Canopy Cover – recommended range of 39% – 44%



What Tree Preservation Legislation Already Exists?

Authorities Having Jurisdiction

Provincial Legislation

- Endangered Species Act - Protection of endangered species (Butternut)
- Oak Ridges Moraine (ORM) Policy – Protection of lands within the ORM
- Greenbelt Act, 2005 and the Greenbelt Plan, 2017

York Region By-law

- Forest Conservation By-law No. 2013-68

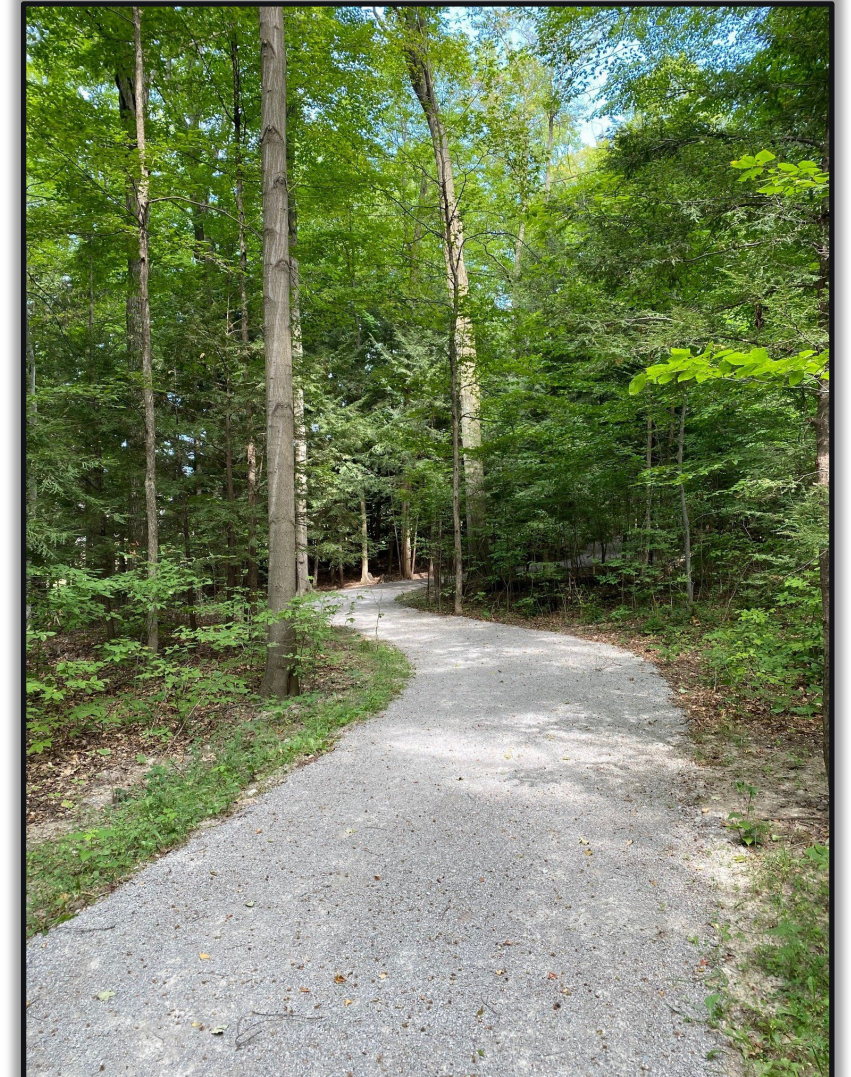
Lake Simcoe Region Conservation Authority

- Disturbance within Regulation Limit requires a permit
- Submission of documents required for a permit:
 - Natural Heritage Studies, Environmental Assessment, Trail Impact Studies, Edge Management Plans, Arborist Reports and compensation planting plans
- Ecological Offsetting – Includes planting and monetary compensation



What other York Region Municipalities have a Private Property Tree By-law?

Municipality	Private Property Tree By-law
East Gwillimbury	Under Public Consultation
Georgina	No
King	No
Stouffville	No
Aurora	Yes
Markham	Yes
Newmarket	Yes
Richmond Hill	Yes
Vaughan	Yes



Does this By-law Apply to Me?

If you own private property of a size equal to or greater than 0.2 hectares (0.5 acres) within the geographic limits of the Town, the by-law will apply.

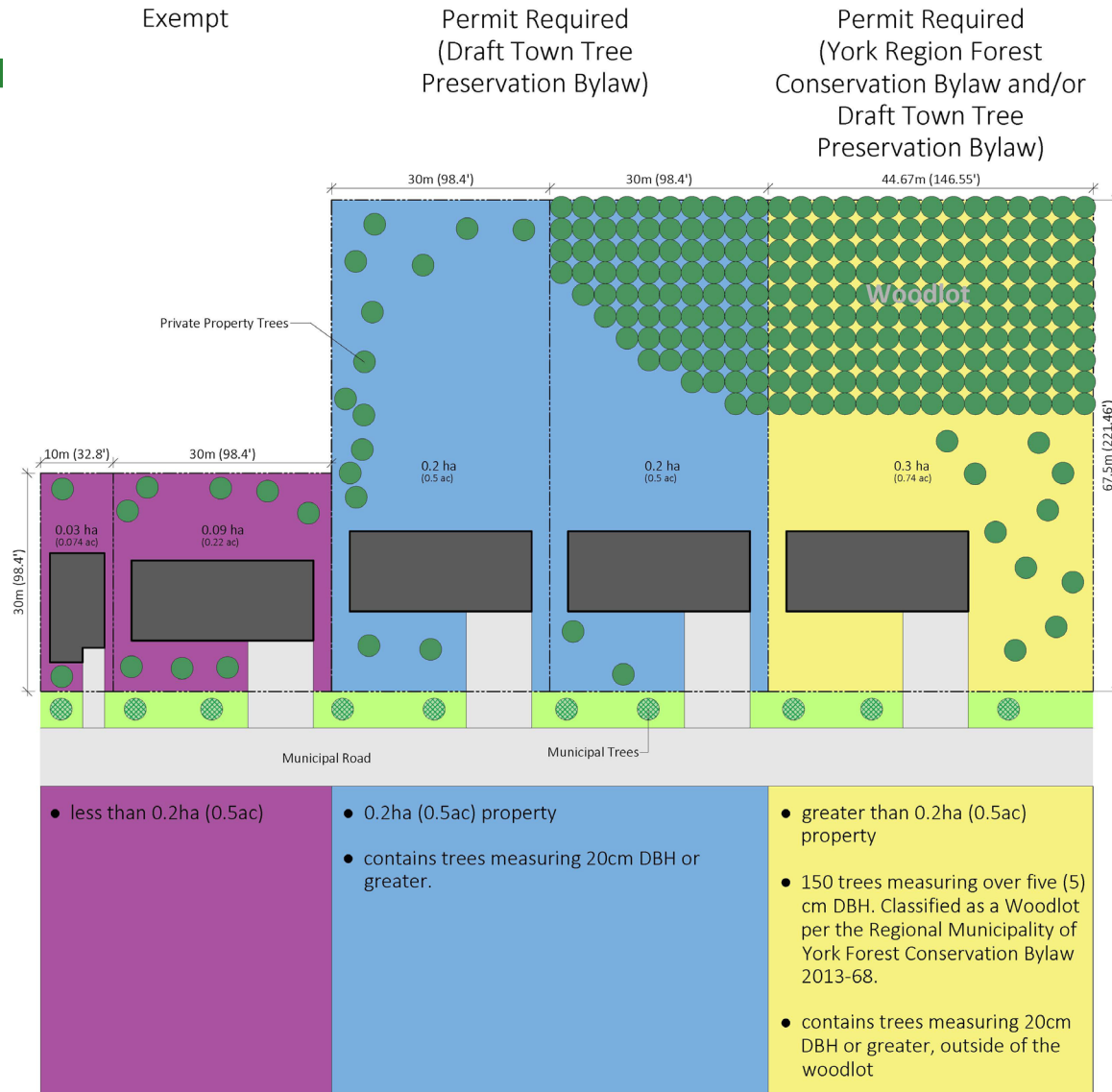
However, the by-law does not apply to property areas designated as Woodlands with an area of 1.0 ha or greater, or any Woodlot with an area of 0.2 ha up to 1.0 ha, as defined by and under jurisdiction of the Region of York's Forest Conservation By-law 2013-68.

>0.2 ha (0.5 acres) Analysis	Hectares	% of EG Land Area
Total Area of EG	24,761	100%
Area of ALL Properties <0.2ha (by-law does not apply)	2,168	9%
Area of ALL Properties >0.2ha	22,593	91%
Area of Public Properties >0.2ha (by-law does not apply)	967	4%
Area of Private Properties >0.2ha	21,626	87%
Area of Private Properties >0.2ha with "Forest" (covered by existing YR by-law)	6,872	28%
Area of Private Properties >0.2ha (covered by the proposed EG draft by-law)	14,753	59%

Does this By-law Apply to Me? (continu

If you own private property of a size equal to or greater than 0.2 hectares (0.5 acres) within the geographic limits of the Town, the by-law will apply.

However, the by-law does not apply to property areas designated as Woodlands with an area of 1.0 ha or greater, or any Woodlot with an area of 0.2 ha up to 1.0 ha, as defined by and under jurisdiction of the Region of York's Forest Conservation By-law 2013-68.



Are there Exemptions to the By-law?

Yes! A full list of exemptions that do not require a permit are under Section 5 – Exemptions.

Where a tree to be injured or destroyed may be exempt under section 5.0, the Owner shall obtain the prior written confirmation from the Town's Designated Official that the tree is exempt. There shall be no requirement for a permit and no permit fee payable for such confirmation.

The following highlights some of the most common exemptions:

- The pruning or maintenance of any tree carried out in accordance with Good Arboricultural Practice
- Complying with requirements of a provincially approved Forest Management Plan as part of the Managed Forest Tax Incentive Program (MFTIP).
- The Injury or Destruction of a Tree(s) that are causing, or are likely to cause, structural damage of load-bearing walls or other structures as determined by a Qualified Person;
- The Injury or Destruction of a Tree(s) that are protected under the Endangered Species Act, 2007, S.O. 2007, c. 6, for which the landowner has obtained approval from the Ontario Ministry of Natural Resources and Forestry to remove the Tree(s);

Exemptions continued

- The Injury or destruction of, or where specifically noted in the following clauses, the maintenance of any tree that:
 - I. is a Dead, Dying or Diseased Tree;
 - II. is a Hazard Tree;
 - III. is an invasive species tree. Town staff shall assist property owners with identifying invasive species.
 - IV. is a tree with a diameter of less than 20cm;
 - V. is required because of Emergency Work;
 - VI. is required under an Order under any Property Standards By-law of the Town;
 - VII. requires the Pruning, Maintenance or removal of branches or limbs, where they interfere with existing utility conductors, buildings or structures;
 - VI. is a tree in a nursery or cultivated orchard.

Some activities will require an official ‘Exemption Permit’

Section 6 – Exemption Permit

- The following activities may be considered for an exemption permit:
 - (a)** The Injury or Destruction of a Tree(s) in accordance with Normal Farm Practice conducted by an Agricultural Operation for its own agricultural purposes;
 - (b)** the Injury or Destruction of Tree(s) for the Owner’s Personal Use, provided that no more than ten (10) Cords of wood are to be removed within a consecutive period of twelve (12) months;
- When granting an ‘Exemption Permit’, the Administrator may include terms or conditions, including but not limited to a qualified arborist report, replacement plantings and/or cash in lieu to support Tree Canopy Offsetting.

What is involved in a Permit Application?

Section 8 - Permit

- An Owner who intends to injure or destroy a tree, where a standard permit to do so is required, shall submit a standard permit application to the Town's Designated Official in the form provided by the Town and the prescribed permit fee set out in the Town;
- Not-for-profit organizations or individual(s) facing financial hardship as deemed by the Town's Designated Official may be eligible for a waiver of the fee;
- A report by a Qualified Person (i.e. arborist) in support of a permit application may be required as a condition of approval, but is not required as part of the initial permit application;
- Where any part of a Tree is located on an adjacent property, a permit application shall include the written permission of the adjacent property owner;
- A permit application may be submitted in person, electronically through the Town's website, or by mail at least thirty (30) days prior to the planned Injury or Destruction of any Tree

Will I be required to replace trees I remove from my property?

There may be conditions placed on a permit that will require landowners to complete Tree Canopy Offsetting. This may consist of replanting trees elsewhere on your property and/or cash-in-lieu payment, if locations are limited. The money collected will be used for replacement tree plantings on public property.

The Town currently uses the practice of Total Aggregate DBH (Diameter at Breast Height) replacement to calculate Tree Canopy Offsetting for all tree removals, including new growth and development within the Town.

For Example:

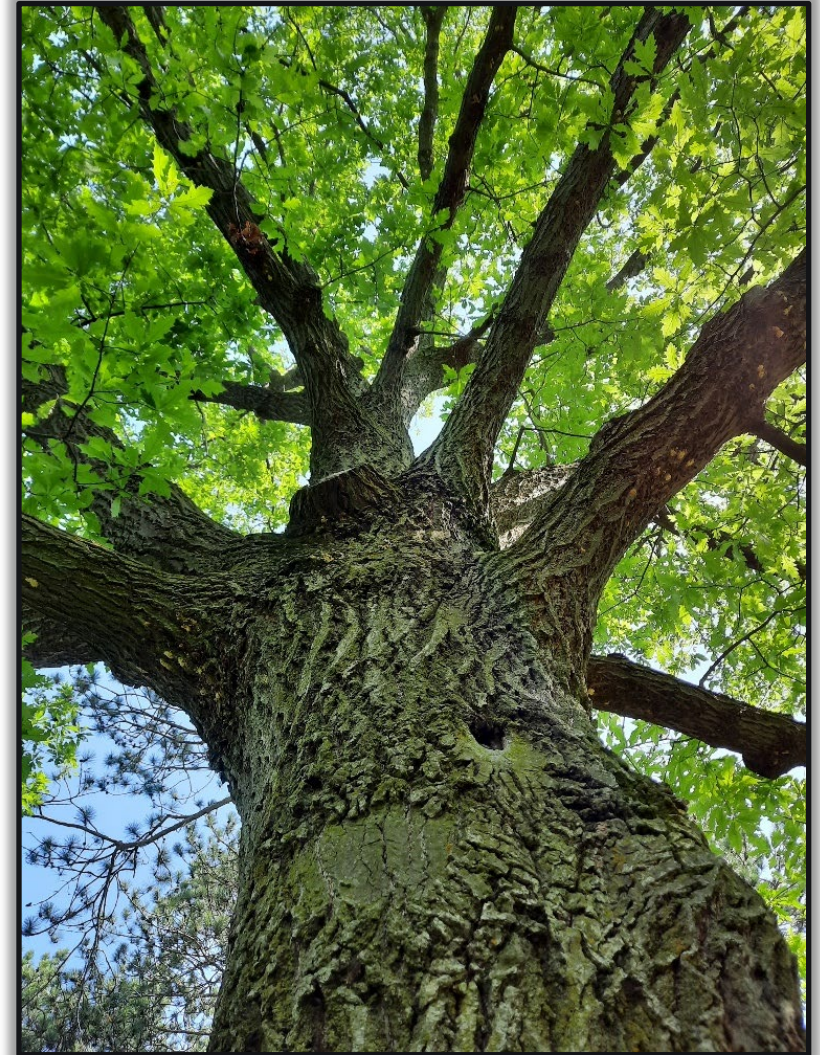
- Removal of 60cm DBH Tree = Replacement of 10 Trees @ 60mm Caliper
- Removal of 60cm DBH Tree = Cost of 10 Trees @ \$520.00* ea. (\$5,200.00)

*2024 pricing, subject to change



Next Steps

- Complete three public open houses to receive resident feedback on the Draft Tree Protection By-law
 - January 24, 2024 – Holland Landing Community Centre, 5-8pm
 - February 8, 2024 – Mount Albert Community Centre, 5-8pm
 - February 24, 2024 – Civic Centre, 5-8pm
- Assess public feedback and provide a report back to Council in Spring/Summer of 2024 with recommended updates.
- Pending a recommendation from Council, staff will proceed with updating the Draft Tree Protection by-law.
- Present the updated Draft Tree Protection by-law to Council for their final endorsement in Fall of 2024.



Comments and Feedback Received

- Requirement for review of exemptions by a Town Designated Official
- Quantity of healthy trees to be exempt
- Requirements for Arborist Report
- Timelines for Approval
- Permit Fees

How do I provide comments?

Residents may share their feedback by visiting the registration table and filling out a feedback form or by scanning the QR code below and emailing comments to the project team parks@eastgwillimbury.ca

