



TREE PROTECTION ADVISORY COMMITTEE

Tuesday, January 12, 2021 at 7:00pm
via Zoom

MINUTES

Present:

C. Grey, Community Co-Chair
B. Whitmarsh, Council Co-Chair
P. Arnason, Council Co-Chair (Alternate)
K. Richter, Councillor
E. Woodward, Councillor

C. Bishop, J. Evanochko, M. Muller, A. Neufeld, H. Sakurai, and T. Smith

Staff:

J. Chu, Manager, Community and Policy Planning
E. Fong, Superintendent, Trees, Trails, Horticulture, and Natural Areas
A. Jensen, Planner, Community and Policy Planning
K. Stepto, Recording Secretary

A. APPROVAL AND RECEIPT OF AGENDA ITEMS

1. Tree Protection Advisory Committee – January 12, 2021

Moved by J. Evanochko,
Seconded by J. Turner,
That the Tree Protection Advisory Committee approve the agenda and receive
the agenda items of the January 12, 2021 meeting.
CARRIED

B. ADOPTION OF MINUTES

1. Tree Protection Advisory Committee – December 8, 2020

Moved by A. Neufeld,
Seconded by T. Smith,
That the Tree Protection Advisory Committee adopt the minutes of the
December 8, 2020 meeting, as amended.
CARRIED

C. DELEGATIONS AND PRESENTATIONS

D. REPORTS

E. **CORRESPONDENCE**

F. **WORK PROGRAM**

1. **Detailed Review of Tree Protection Bylaw (continued)**

The committee continued with their review of the Tree Protection Bylaw. The following items were discussed and commented on:

Section 3 - Application of Standards

- Why does this section not include private property? What is the rationale for how it is written?
- Staff followed the same format as the Richmond Tree Protection Bylaw, and this was also a Council direction. This section may apply to public rights-of-way as well.
- Public rights-of-way needs to be clarified and defined better.
- When the Township needs to remove a tree, this bylaw does not apply. The Township should want to protect as many trees as possible.
- Does the Highway and Traffic Bylaw protect trees on rights-of way? Section 3.a should be retained in the Tree Protection Bylaw until rights-of way are addressed properly in the Highway and Traffic Bylaw.
- Would like to see the Tree Protection Bylaw applied to golf courses as well. All of the golf courses in the Township are in the ALR. Municipalities are subject to the rules and regulations of the Agricultural Land Commission (ALC).
- If a site is already part of a development application, the Tree Protection Bylaw does not apply. The site falls under the Subdivision and Development Bylaw. Should these two bylaws be amalgamated?
- It is really not the mandate of the task force to review several different bylaws, but they could make a recommendation to Council to ask for the bylaws to be reviewed.
- Would like to get a sense of the enforcement statistics of the Highway and Traffic Bylaw. How many trees are being taken down? Is there enough tree protection in these other bylaws?
- Should development sites receive the same protection as lands under the Tree Protection Bylaw?
- Public trees are protected with a \$500 fine under two different bylaws, the Highway and Traffic Bylaw and the Public Spaces Bylaw.

Action: Staff to summarise the four bylaws that pertain to trees, and report back to the Committee.

Sections 5 and 6 – Restrictions and Exemptions

- The language issues were already addressed in our initial review.
- Should 30cm dbh be reduced to 20cm dbh, with a possible exemption for Cottonwood and Alders?
- A 20cm threshold will increase the number of applications coming into the department.

F. WORK PROGRAM

- Staff noted that lowering the dbh could cause an increase in the workload. It is challenging to keep with the current bylaw as it is now.
- Exemptions for Cottonwood and Alders make things more complicated.
- If there are two new employees, would that be enough staff to manage the 20cm dbh threshold?
- Reviewing and documenting 20cm dbh should not be a big impact on staff and will help expand the tree canopy.
- This topic needs to be reviewed further.

Section 9 - Replacement Trees

- Questions were raised regarding the fee in lieu of replacement trees and what other municipalities are doing in this regard.
- \$600 is a good place to start. Richmond charges \$750 which includes watering.
- Should there be uniformity with other municipalities?
- The ratio of replacement trees is not consistent between municipalities.
- It would be good to review the cost of planting and maintaining a tree; i.e. watering, staff time, etc. We may need to increase the fee.
- The bylaw should state that the cost could go up each year.

Action: Staff to provide the cost of planting and maintaining a tree, and report back to the Committee.

- Should section 9.3 be removed?
- Hazardous trees that must be removed should not require replacement trees. The removal costs can be significant and requiring a replacement tree is an additional burden for the owner.
- Staff can make the decision if a tree needs to be replaced.
- Areas missing from the bylaw:
 - establish a requirement to replace with a native tree,
 - exempt a fee for removing a hazard tree,
 - require a professional to determine if a tree is hazardous,
 - re-visit cash in-lieu payment,
 - limit the number of trees that can be removed, and
 - include a strong justification for why the tree is being removed.
- There should be a formula for the number of trees to be replaced. With native trees, resiliency should be considered first.
- Should the public have input on the removal of a significant tree?
- Item 6.2 regarding the 24 month period needs to be revisited. Staff have suggested that item 6.2 be removed in their report to Council.
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Section 13 – Tree Cutting and Removal

- Section 13.1.e – why don't the hours coincide with the Noise Bylaw? The hours should be in line with the construction hours. 7:30am makes sense from a business perspective, although this is more of an issue in the higher density areas where noise may disturb people on shift work etc. Following the construction hours may be a good thing to try.

F. WORK PROGRAM

Section 6 – Exemptions

- Should Section 6.2 regarding the 24 month period be removed? 5.1 affects 6.2 – staff primarily use 5.1 as their basis when an application is received. If we are going to interpret with more flexibility, then 6.2 does not need to be in the bylaw. Other municipalities have a lot more specifics on what can and cannot be cut. This needs to be revisited. Staff need to have clearer guidelines. If there are only a few rejected applications each year, what has been the benefit of the Tree Protection Bylaw? Remove 6.2.
- Do we want a permissive bylaw or one that is more restrictive?
- Until there are more detailed guidelines, item 6.2 should not be removed.
- How will changing the bylaw to be more restrictive affect staff? Maybe outside arborist reports should be used to help staff. Should 6.2 be changed to 36 months?
- Requirement for replacement trees required for any given time a permit is approved.
- 6.2 needs to be discussed further.
- Vancouver and Richmond had similar clauses which they removed because it was affecting the tree canopy.
- Clear direction from Council is needed for staff on how to implement the bylaw.
- There are different interpretations of “private property”. Residents only have tenure rights.

G. COUNCIL REFERRALS

H. OTHER BUSINESS AND ITEMS FOR INFORMATION

I. NEXT MEETING

Date: February 16, 2021

Location: via Zoom

Time: 7:00 pm

J. TERMINATE

Moved by A. Neufeld,
Seconded by J. Evanochko,
That the meeting terminate at 8:57pm.
CARRIED

CERTIFIED CORRECT:

Community Representative Co-Chair

Council Representative Co-Chair