



Town of Newmarket

Agenda

Council Workshop - Electronic

Date: Monday, April 26, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

In accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting is an opportunity for Council to have informal discussion regarding various matters.

At this time, the Municipal Offices remain closed to the public. This meeting will be streamed live at newmarket.ca/meetings.

2. Additions & Corrections to the Agenda

3. Conflict of Interest Declarations

4. Items

4.1. Private Tree Protection By-law

Note: Meghan White, Senior Planner and Joerg Hettmann, Forestry Supervisor will be in attendance to provide a presentation on this matter.

1. That the presentation provided by the Senior Planner and Forestry Supervisor regarding the Private Tree Protection By-law be received.

5. Adjournment



Newmarket

Council Workshop Private Tree Protection By-law

Agenda



Background



Proposed Approach



Next Steps



Discussion

Value of Newmarket's Trees

Function

Estimated Value

Replacement Value

364 Million

Store 35,345t of carbon

\$2.74 million

Remove 40t of air pollution

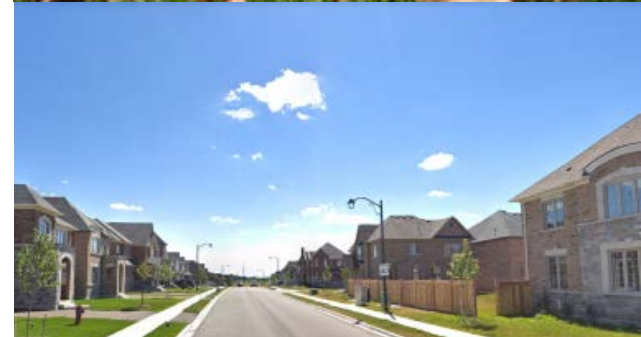
\$321,564 / year

Reduce residential energy use

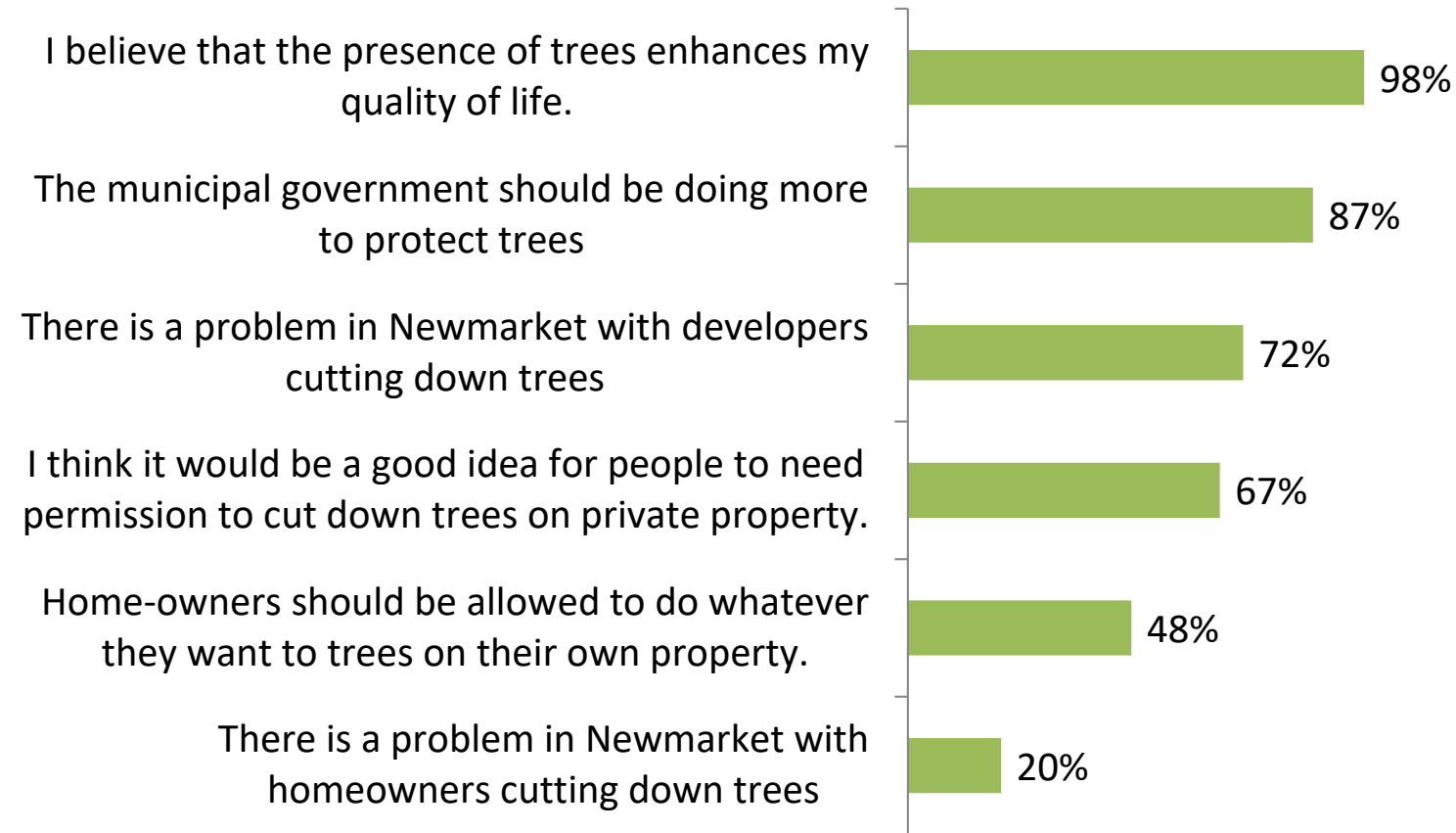
\$3,345,533 / year

Manage stormwater runoff

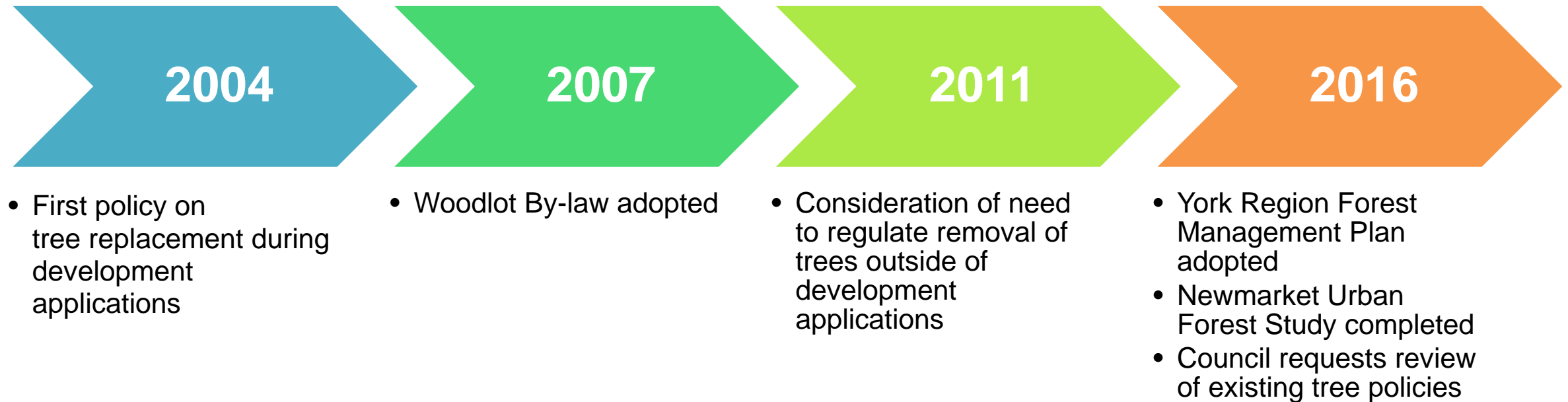
\$499,950 / year



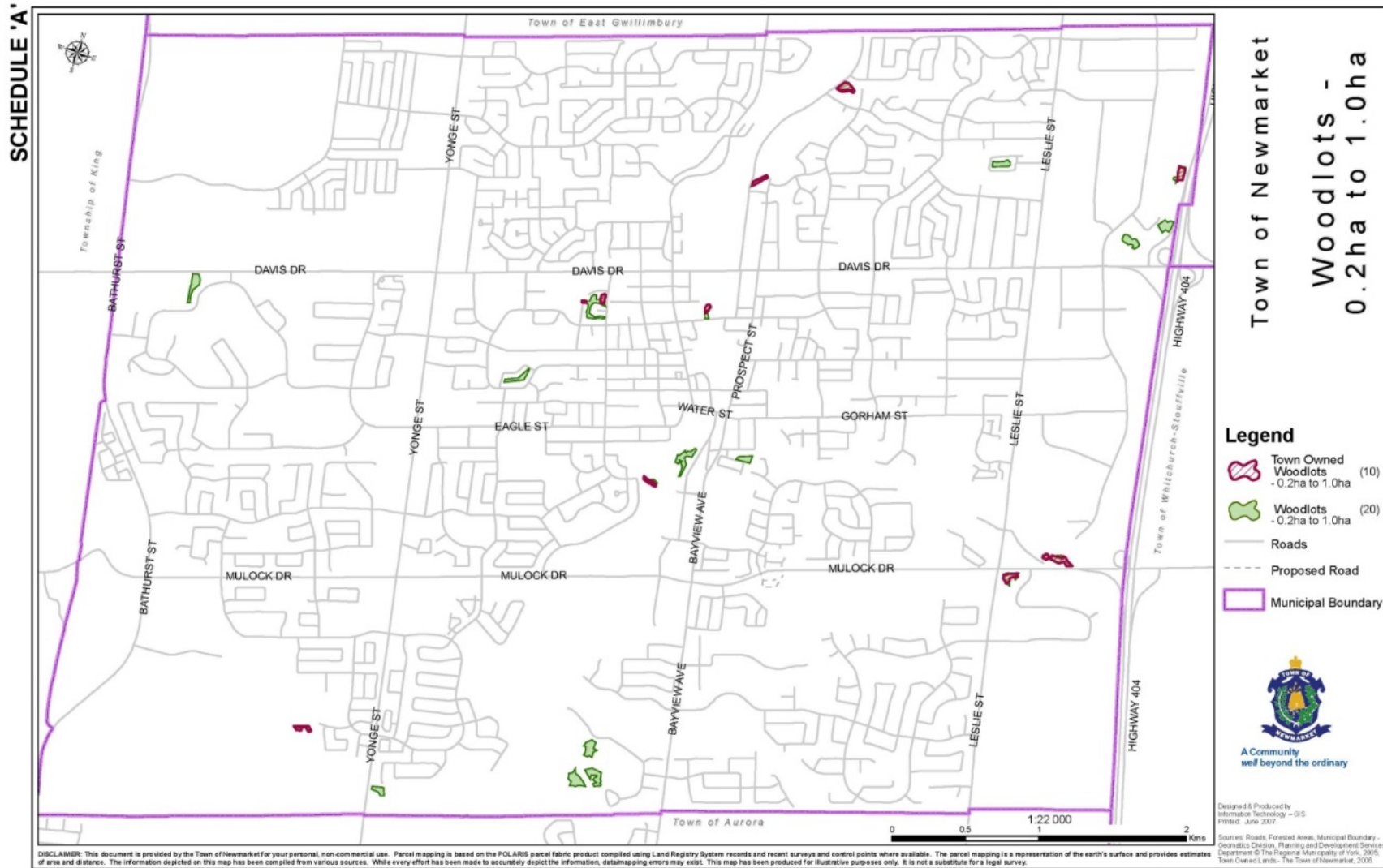
Consultation and Public Input



Background



Present Day



Background



Consultation and Public Input

- Randomly-selected phone survey (Fall 2018)
- HeyNewmarket online consultation
- Reports and information on Town website


Protection of Trees on Private Property

Trees are a valuable asset to us as individuals but also to the whole community at large. As Newmarket grows it is important to help keep as many trees as possible. We would especially like to keep mature trees since they provide the most benefits and have the most value. Please join this discussion on the value of mature trees and how a tree on your property contributes benefits to all of Newmarket. Feel free to share your opinions on the value of trees in Newmarket and how trees can best serve the Newmarket community.

We want to know: What is the best way to protect trees on private property?

Get involved by:

- telling us your stories,
- putting a pin on the map,
- completing the survey, and
- sharing your ideas about how to protect trees!



[TELL YOUR TREE ...](#) [WHERE SHOULD ...](#) [SURVEY](#) [YOUR IDEAS FOR ...](#)


Tell your story

Please share with the community your tree story.

How has a tree impacted your life? Good or bad.

Who's Listening?

Meghan White
Planner
Town of Newmarket
Email mwhite@newmarket.ca



Quick Poll

You need to be signed in to take this quick poll.

[Sign In](#) [Register](#)

Should trees be protected on private property?

☐ Yes


☐ No

[View Results](#)

[Submit](#)

Related projects

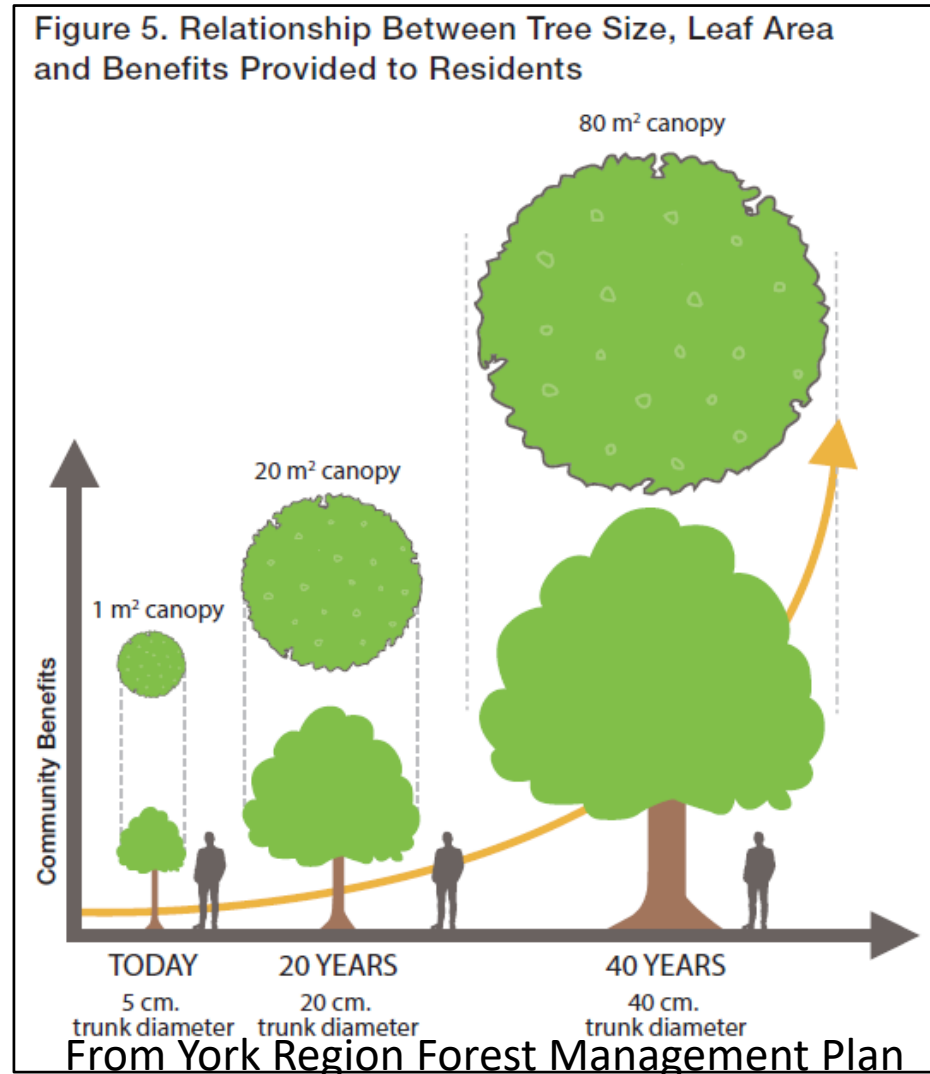
Live Projects

 iWonder: reSTORYing Nature

Key Dates

Canopy Targets

- Region's Target to increase Newmarket canopy cover from 25% to 35%
- Existing Newmarket canopy cover is approximately 24%



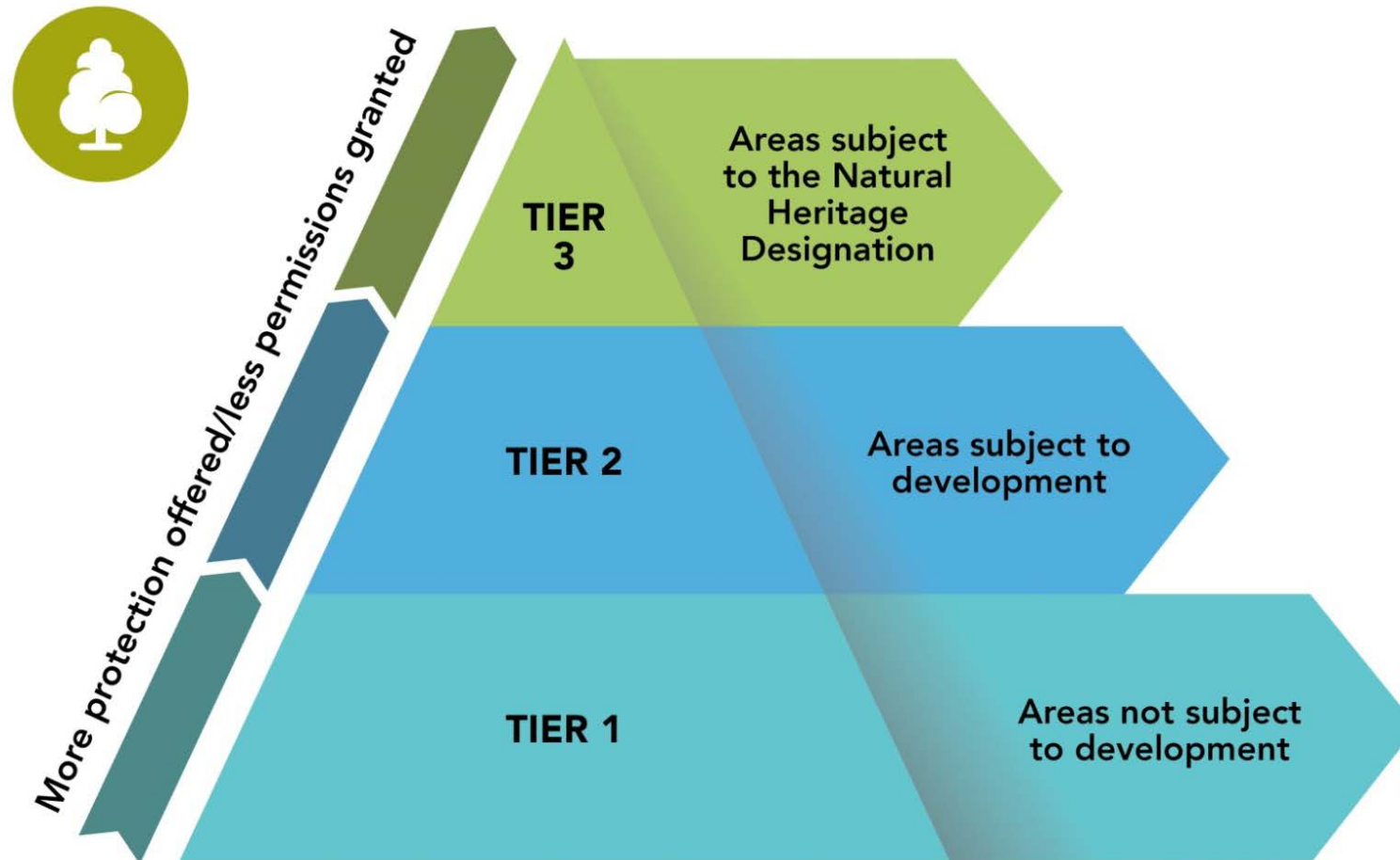
Council Strategic Priority



Environmental Stewardship

Leading proactive planning and action related to climate change and other environmental initiatives

3-Tiered Approach



Tier 1: Areas not subject to a development application

- Allow residents to remove trees on private property provided replanting or compensation is provided
- Respect private property rights by allowing tree removal
- Ensure commitment to environmental sustainability by requiring replanting or compensation



Philosophy of the By-law

Vision Statements

- Customer Service Focused
- Help residents preserve their trees
- Trees have value that needs to be preserved, and captured
- Compensation rates help residents reconsider removing trees but allow them to do it, if it's necessary
- Fines are punitive (it's better to follow the permit process than to skip it and get fined)



Proposed By-law

Trees 20cm dbh or greater cannot be removed.

Exceptions:

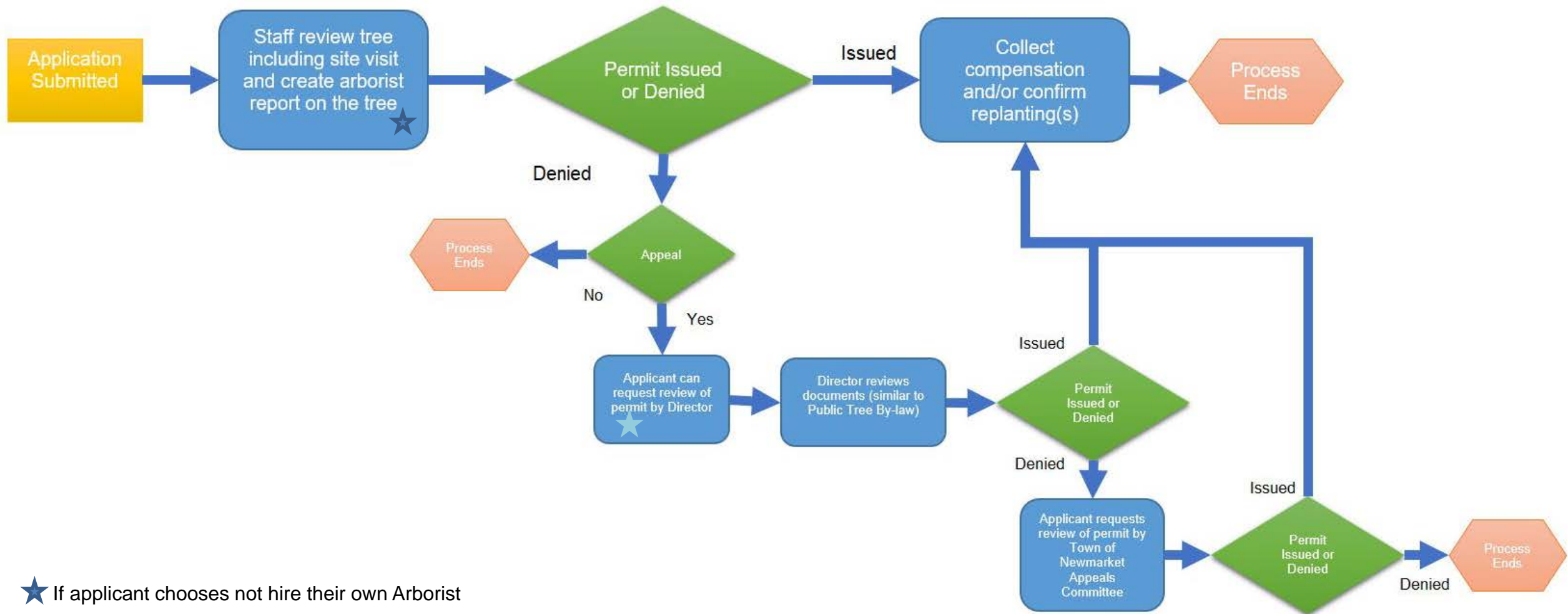
- Tree is dead, dying, or hazardous
 - Damage to property
- For a building permit or pool
 - Nuisance trees

Compensation

Compensation is cash-in-lieu or replanting, calculated by Aggregate Inch Method

- Dead or hazardous tree: no compensation
- Removal required under Property Standards By-law: no compensation
- Building Permit or Pool Permit: 100% compensation
- Nuisance Trees: 200% compensation

Permit Process



★ If applicant chooses not hire their own Arborist

★ Director of Public Works Services

Role of the Staff Arborist

- Take in and process application
 - Site visit, create arborist report on tree (if applicant has not hired their own Arborist)
- Work with applicants to preserve tree(s), if possible
- Ensure protected trees are protected – confirm measures are in place before construction starts
- Ensure protected trees are still healthy
- Ensure compensation plantings are planted
- Act as expert witness in compliance issues
- Investigate with By-laws compliance issues (i.e. tree removed without permit)



Municipal Role

Enhanced Customer Service

- Town staff does work of Arborist
- Minimal work by applicant, all done by Town Staff
- Highest application cost, lower overall cost
- Well beyond the ordinary customer service

Reviewing Only

- Applicant hires own Arborist
- Town staff review arborist report
- Lower application cost

External Consultant

- Applicant hires own Arborist
- Town utilizes consulting arborist to review permits
- Highest cost to applicant

Cost to Applicants

- Administration of permit (fixed fee)
- Arborist report work by external arborist or internal staff
- Review of permit by internal staff or external consultant
- Compensation costs
- Replanting costs

Costs

Costs to Applicant	Enhanced Customer Service	Reviewing Only	External Consultant
Permit Cost	\$1,043.68	\$397.59	\$99.40
Arborist Report	Included in Permit Cost	\$1,000.00	\$1,000.00
Compensation	Does not change	Does not change	Does not change
Replanting Costs	Does not change	Does not change	Does not change
Cost of Review	Included in Permit Cost	Included in Permit Cost	\$856.00
TOTAL	\$1,043.68	\$1,397.59	\$1,955.40

Behind the numbers:

- Costs shown are examples for discussion and comparison purposes
- Estimate number of permits reviewed in a year – 186
- Permit Cost assumes full cost recovery of processing and reviewing permit
- Compensation and replanting costs application specific
- Generally other municipalities charge an application fee plus per tree amount & only provide review services
- External Arborist Report approximately \$450 to \$1500 depending on complexity

Enforcement

Fines for removing a tree without permission to be large enough to ensure participation in program

Fines for damaging a tree & damaging a neighbour's tree; including root systems

Can issue an Order to stop work (i.e. damaging tree)

AMPS will be used

By-law and Forestry work together for enforcement

Appeals heard by the Appeals Committee

Implementation

Education and Awareness Campaign

- Homeowners: social media, mail outs, newspaper coverage
- Industry: Lunch & Learn, webpage, video

Phased-In Approach

- New staff on contract
- Use consultant for a year
- Review of fees charged
- Review of customer service offered
- Could phase in application fee over two years



Next Steps

- Draft by-law to public
- Report to Committee of the Whole – Q3
- By-law Adoption – Q3
- Education & Awareness Campaign, after By-law adoption



Recap



Background



Proposed Approach



Next Steps



Questions/Discussion