

Private Tree Protection

Ted Horton, Planner
June 17, 2019



Agenda



Background



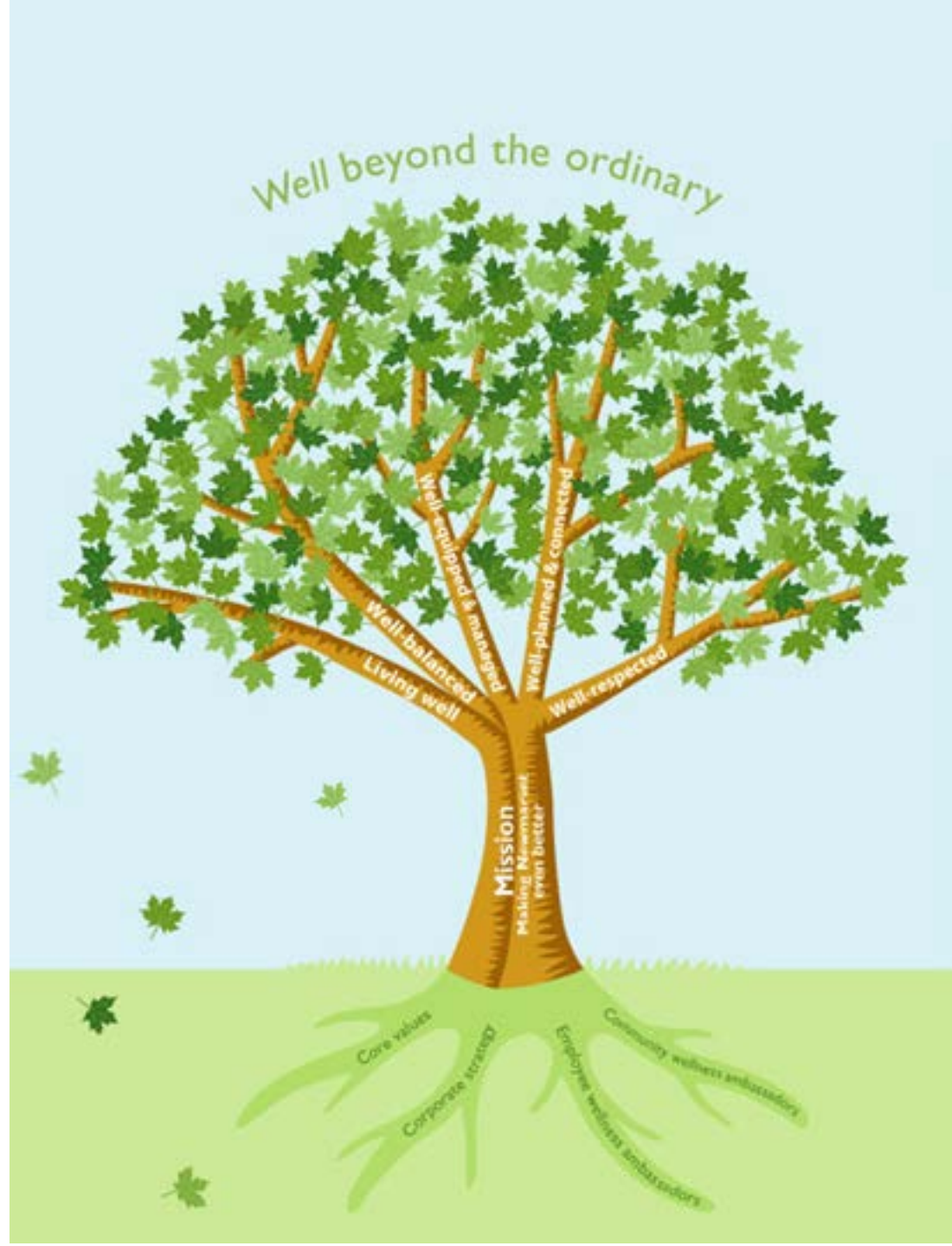
Consultation



Proposed approach



Next steps



Background



2004

First policy on tree replacement during development applications

2007

Woodlot By-law adopted

2011

Consideration of need for regulation of removal of trees outside of development applications

2016

York Region Forest Management Plan adopted

Newmarket Urban Forest Study completed

Council requests review of existing tree policies



Background



Phase 1: Public Tree Protection By-law

Phase 2: Tree Policy updated

Phase 3: Private tree protection

Strategic Priorities (summarized)

Environmental Stewardship

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

- ❖ *Low Impact Design (LID) Leadership*
- ❖ *Alternative Energy (solar, battery)*
- ❖ *Community Energy Plan*
- ❖ *Partnerships/Collaboration*
- ❖ *Implement Tree Related Policy Frameworks*



Value of Newmarket's Trees



- 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



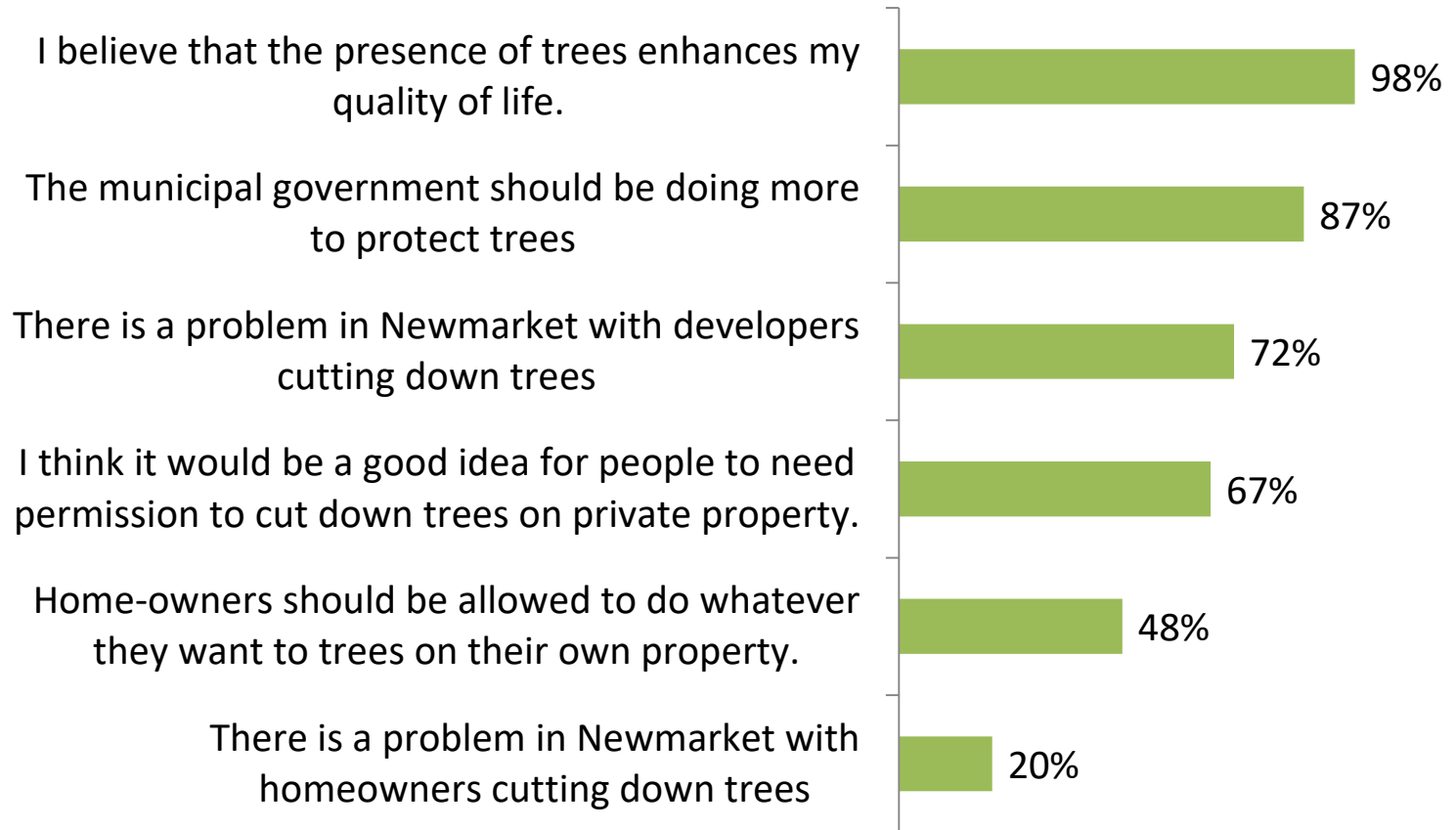
Consultation & Public Input



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

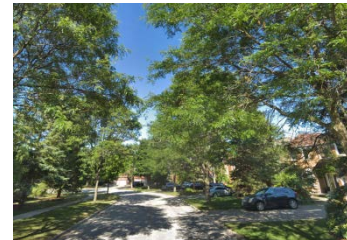


Consultation & Public Input



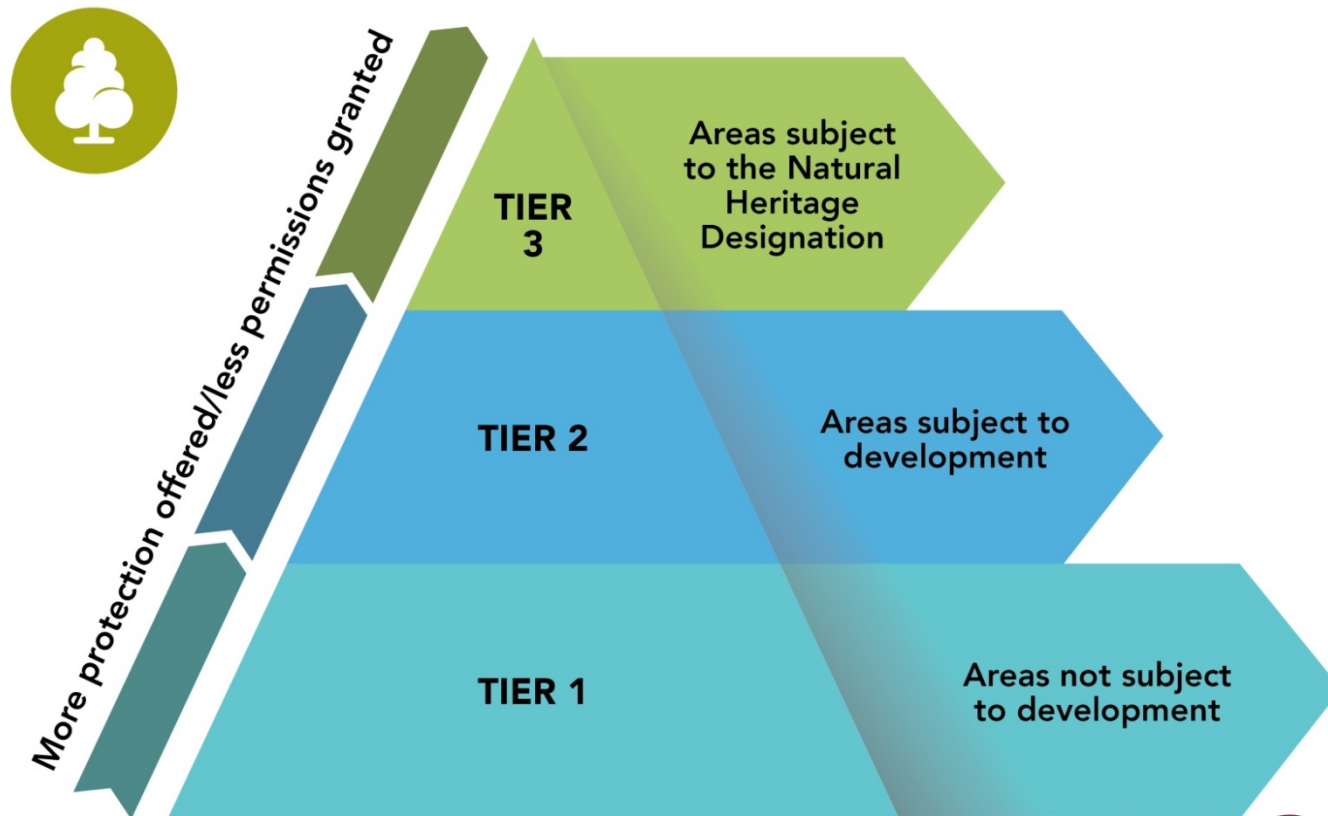
Present Day

- Town goals of expanding and protecting Newmarket's tree canopy
- Policy direction reinforces need for a healthy urban canopy
- Increasing public awareness of the importance of trees as natural green infrastructure
- Current approach requires improvement



3-Tiered Approach

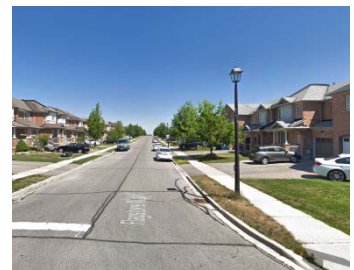
3-TIERED APPROACH



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



Tier 1: Areas not subject to a development application

Option 1:

- Less administration required
- Less discretion / more tree removal
- Application fee and compensation (\$ or replanting)

Option 2:

- More administration required
- More discretion / less tree removal and more education
- Application fee and compensation (\$ or replanting)



Tier 2: Areas subject to a development application



Current policy:

- Encourage tree preservation where possible
- Where not possible, compensation is taken
- No ability to leverage fines or penalties against developers who do not follow the policy or remove trees prior to filing the development application to avoid paying compensation

Implementing a by-law:

- Would set out fines and penalties to enable staff to properly enforce the Tree Policy



Tier 3: Areas subject to Natural Heritage Designation

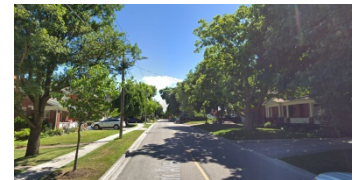


- Aim to protect these areas from development and encourage reforestation
- Protect vulnerable ecological areas, watercourses, and woodlots



Implementing a by-law:

- Would prohibit tree removal in areas subject to the Natural Heritage Designation unless approved with studies during the development process
- Would then require demonstration of necessity of removals
- Would set fines and penalties to enable proper enforcement



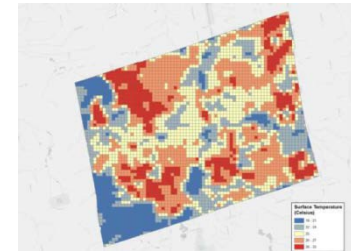
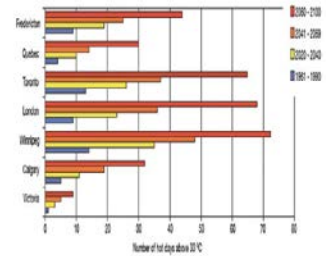
Implementation

- By-law
- Education and awareness
- Balancing ecological protection and respecting private property rights
- Contributes toward Council's Strategic Priority of Environmental Stewardship through tree protection

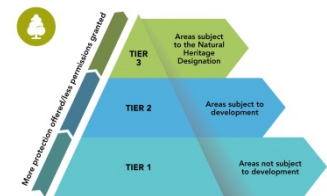


Next Steps

- Report recommendations
- Feedback from Committee
- Ongoing consultation



3-TIERED APPROACH



Recap



Background



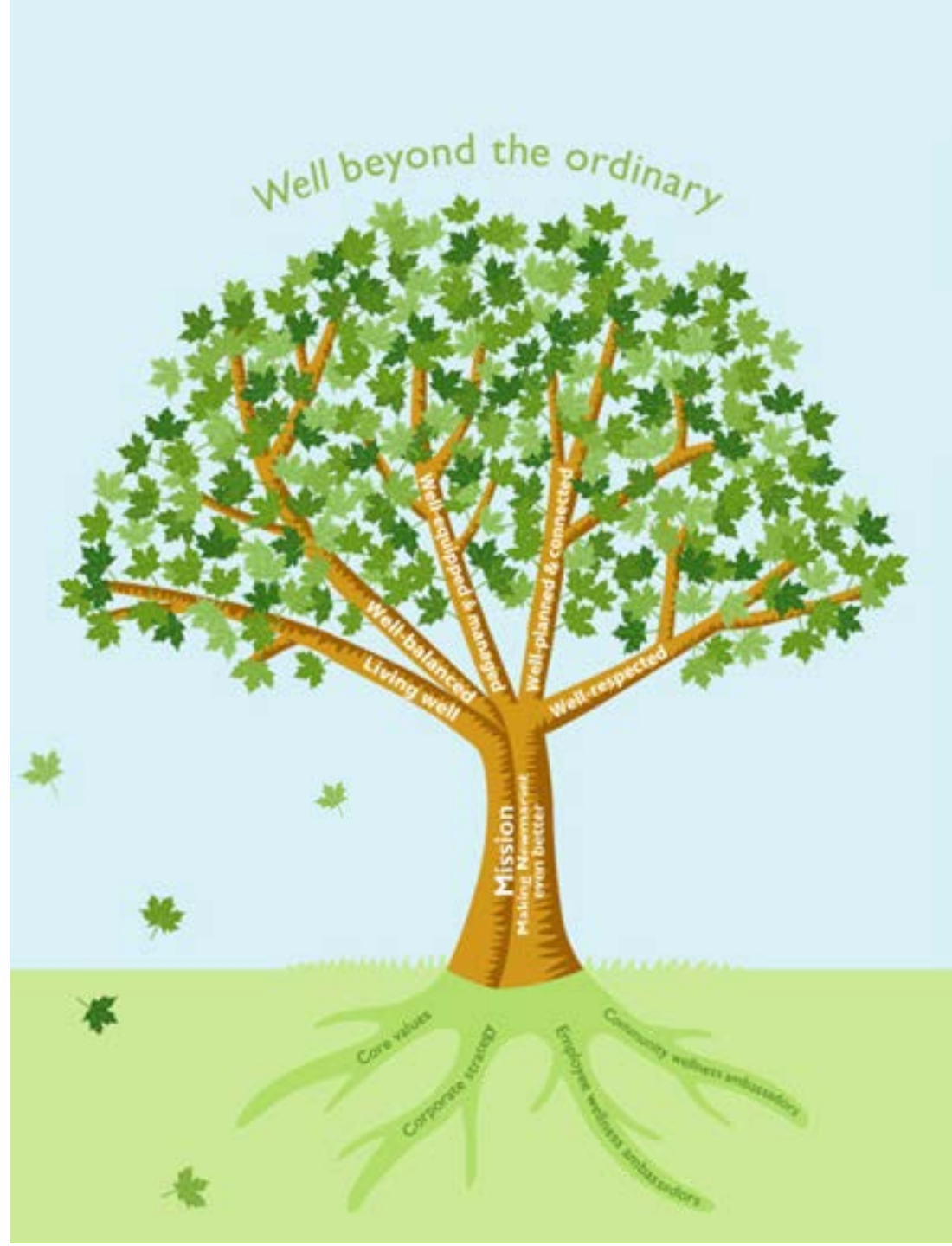
Consultation



Proposed approach



Next steps





Newmarket

Discussion

modern
green
forward-thinking
inclusive
community
progressive
creative
urban
smart
innovative

