Private Tree Protection

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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

2017
Phase 1: Public Tree Protection By-law

2018
Phase 2: Tree Policy updated

2019
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
There is a problem in Newmarket with homeowners cutting down trees. Homeowners should be allowed to do whatever they want to trees on their own property. I think it would be a good idea for people to need permission to cut down trees on private property. There is a problem in Newmarket with developers cutting down trees. I believe that the presence of trees enhances my quality of life. The municipal government should be doing more to protect trees. Homeowners should be allowed to do whatever they want to trees on their own property. There is a problem in Newmarket with homeowners cutting down trees.

- I believe that the presence of trees enhances my quality of life: 98%
- The municipal government should be doing more to protect trees: 87%
- There is a problem in Newmarket with developers cutting down trees: 72%
- I think it would be a good idea for people to need permission to cut down trees on private property: 67%
- Homeowners should be allowed to do whatever they want to trees on their own property: 48%
- There is a problem in Newmarket with homeowners cutting down trees: 20%
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

TIER 3
Areas subject to the Natural Heritage Designation

TIER 2
Areas subject to development

TIER 1
Areas not subject to development

More protection offered/less permissions granted
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
Recap

- Background
- Consultation
- Proposed approach
- Next steps
Discussion