



Newmarket

Special Committee of the Whole Private Tree Protection By-law

Presented by: Meghan White, Joerg Hettmann, Devon Morton and Flynn Scott

Agenda



Background



Proposed By-law &
Changes since the
Workshop



Enforcement



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

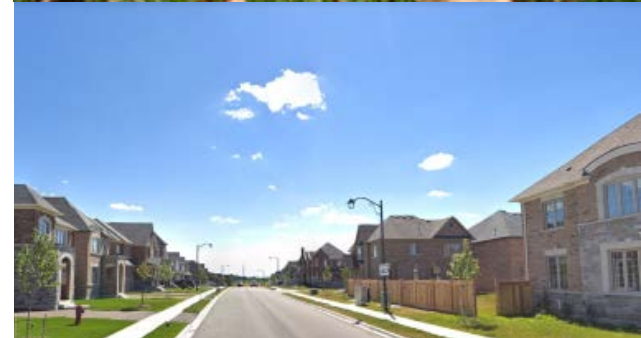
\$321,564 / year

Reduce residential energy use

\$3,345,533 / year

Manage stormwater runoff

\$499,950 / year



Council Strategic Priority

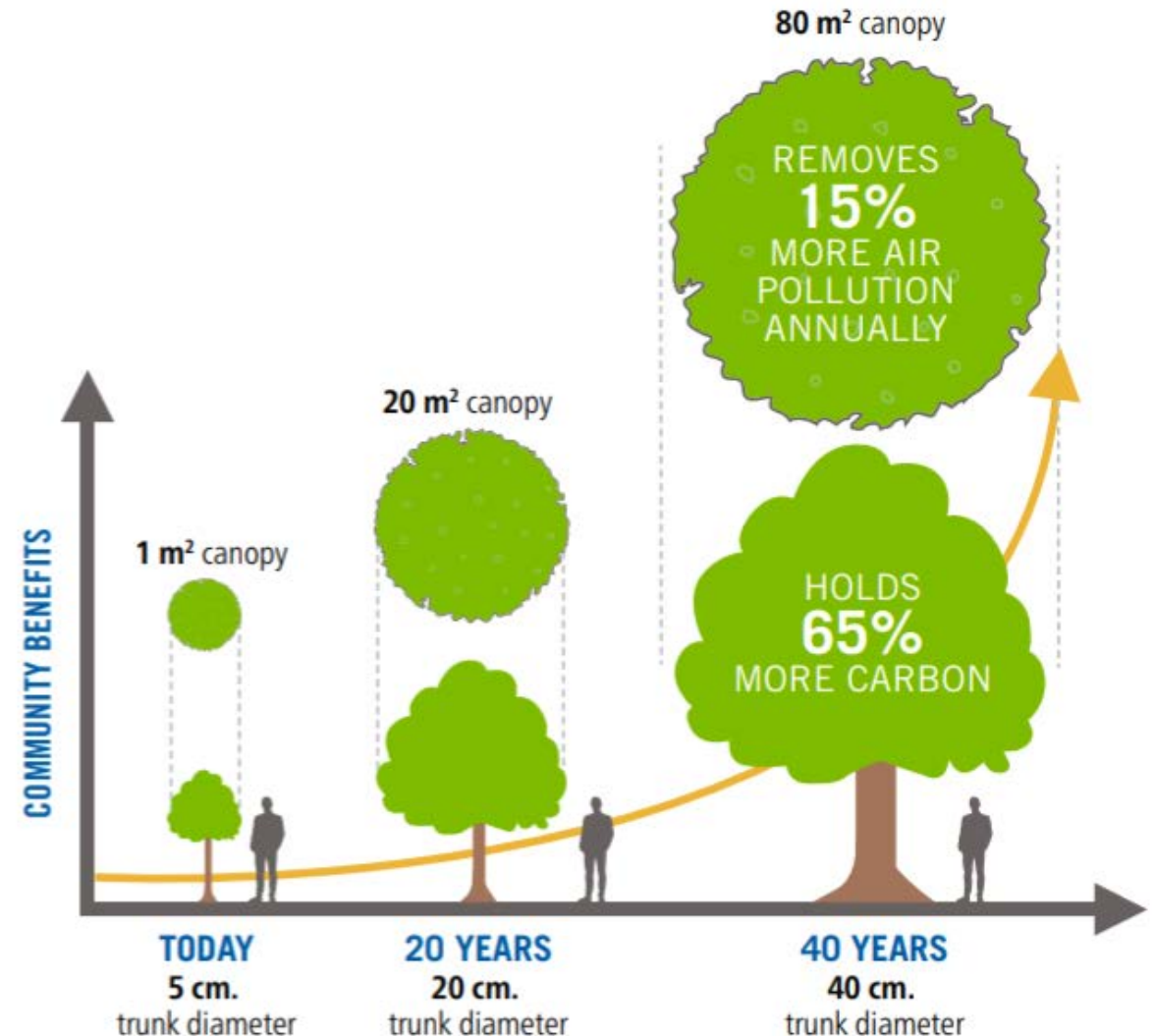


Environmental Stewardship

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

Canopy Targets

- Region's Target to increase Newmarket canopy cover from 25% to 35%
- Existing Newmarket canopy cover is approximately 28%



From York Region State of the Forest Report, 2021

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

Application Fees

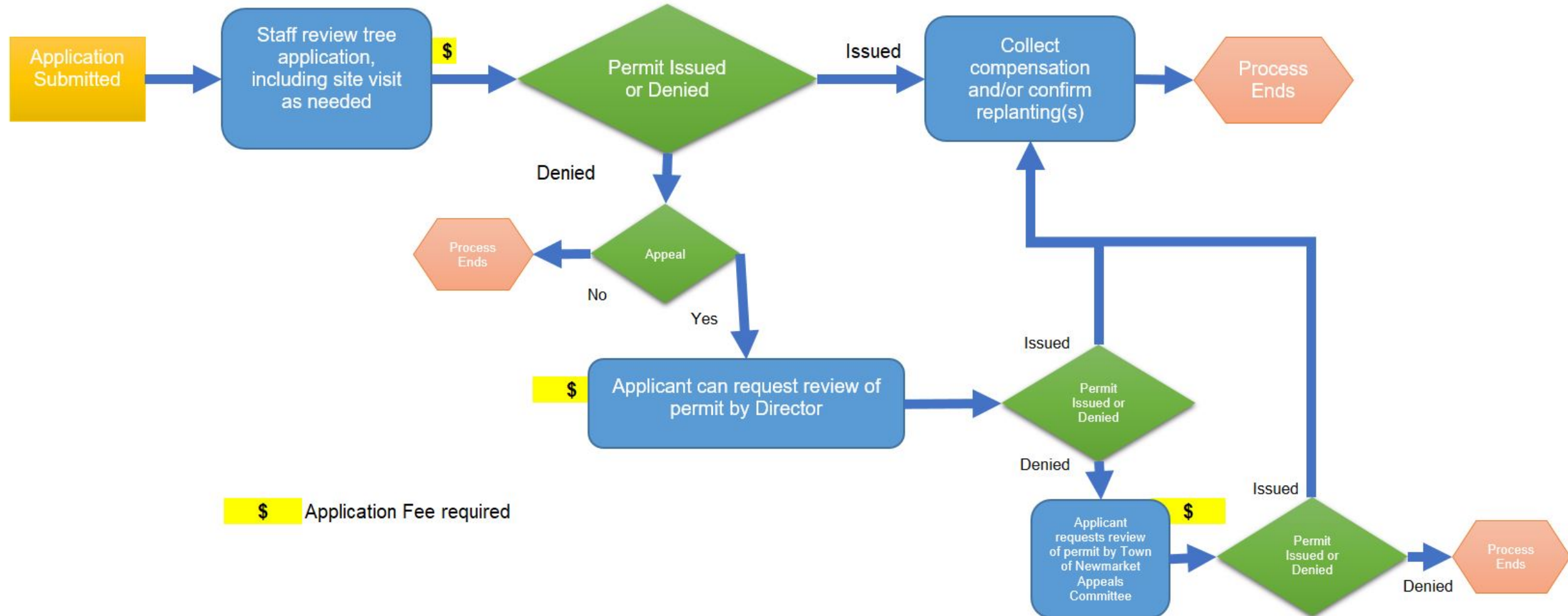
Proposed fees are:

- Administration fee \$300
 - Review fee \$100/tree
- Appeal to Director for review \$50
- Appeal to Appeals Committee \$650

Municipal Scan

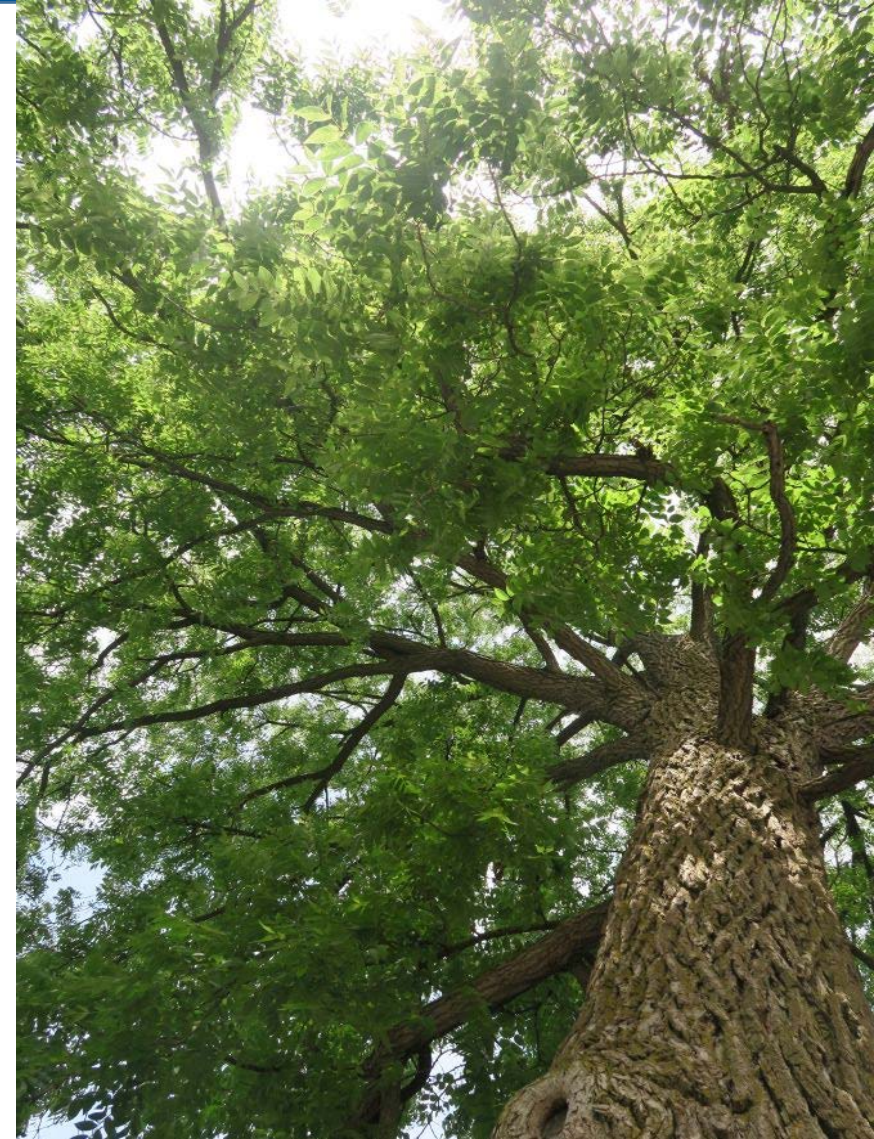
Municipality	Permit Fee – Administration	Permit Fee – per tree	Compensation (payment in lieu)
Aurora	1 to 2 trees – no fee 3 trees \$214	Increases by \$107 for each additional tree over 3	Determined on a case by case basis
Markham	\$200	\$100	\$300
Richmond Hill	\$160	\$56	\$547
Vaughan	\$68	\$135	\$550
Peterborough	\$50 with licensed provider \$150 without licensed provider	None	\$550
Oakville	\$50	\$350	\$300
Burlington	\$400	None	\$400
Guelph	\$68	None	\$500
Toronto	\$126.25		\$583

Proposed Process



Role of the Staff Arborist

- Take in and process applications
- Work with applicants to preserve tree(s), if possible
- Confirm measures are in place before construction starts
- Following construction, ensure compensation plantings are planted and still healthy
- Investigate with By-laws compliance issues (i.e. tree removed without permit)



What has changed?

Since the Workshop in 2021

- No longer an option for the staff arborist to complete the arborist report for the applicant; all applications will need a supporting Arborist report that will be reviewed by the staff arborist
- Removed the term Socially Significant Tree
 - Definition problematic
 - Needs to be a separate by-law
 - Significant support from survey respondents

Enforcement



Compliance Approaches

- ◆ Education
- ◆ Voluntary Compliance
- ◆ Enforcement Action
- ◆ Follow up

Compliance Approach

Education

- Communication strategy for residents
- Town arborist working with residents throughout process
 - How to proactively obtain a permit
 - How to reactively obtain a permit
 - How to comply with conditions of a permit



Compliance Approach



Voluntary Compliance

- Violation confirmed
- Resident works directly with Town staff to resolve
 - Resident obtained permit but contravenes conditions
 - i.e. permit for 1 tree but 2+ removed
 - i.e. tree removed without remedial action (tree re-planting)
 - Tree removed without a permit
 - i.e. resident unaware and now educated on next steps

Compliance Approach

Enforcement Action

- Violation confirmed
- Voluntary compliance efforts are exhausted
- Property Standards Officers will send a notice to comply
 - Timelines established to resolve
 - Collaboratively working with residents to educate, wherever possible
- Enforcement action via AMPS By-law
 - Unresolved violations will be enforced via AMPS By-law, in accordance with the fine amounts established by Council



Compliance Approach

Follow up

- Town arborist will monitor active permits for ongoing compliance
- Town arborist will oversee permit issuance and adherence to conditions of permit
- Property Standards Officers will support Town arborist
- Regulatory Services will monitor in-field for proactive opportunities



Consultation and Public Input

- Randomly-selected phone survey (Fall 2018)
- HeyNewmarket online consultation
- iWonder event in 2019
- Reports and information on Town website
- HeyNewmarket survey on draft By-law


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!



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

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.

Implementation

Education and Awareness Campaign

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

Delay between Approval and Implementation

- To create the background materials (application form, website, etc.)
- Start creating the Guidelines

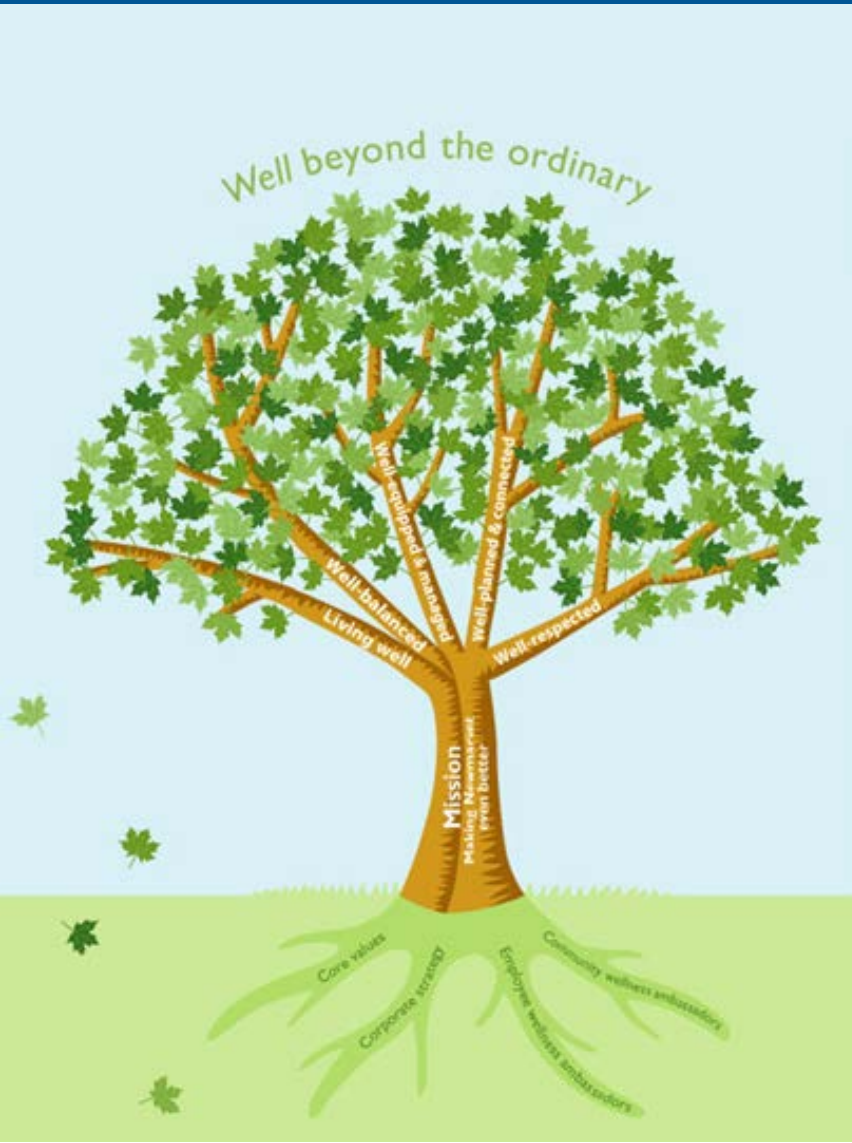


Next Steps

- By-law Adoption
- Education & Awareness Campaign, after By-law adoption
- Start taking applications end of March 2022
- Creation of Socially Significant Tree By-law and further review of existing tree policies and by-laws



Recap



Background

How did we get here

Why are we here



Proposed By-law

Highlights of By-law

Municipal Scan

Enforcement



Next Steps

Questions/Discussion