



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of the Whole Meeting
Meeting Date: September 27, 2022
Report Number: PDS.22.113
Title: Information and Recommendation Report – Tree By-Law Update
Prepared by: Travis Sandberg, Intermediate Planner

A. Recommendations

THAT Council receive Staff Report PDS.22.113, entitled “Information and Recommendation Report – Tree By-Law Update”;

AND THAT Council endorse the By-law to regulate the destruction and injuring of trees in the Town of The Blue Mountains that are located on Town owned lands, within identified or approved Tree Preservation Plan areas, and on land parcels located within the Settlement Area of the Town which have a minimum area of 0.5ha, as outlined in the Draft By-law attached as Attachment 1 to Staff Report PDS.22.113;

AND THAT the By-law shall come into full force and effect twelve months from the date of passing for public education and establishment of appropriate administrative intake, including applicable permit fees, prior to implementation and enforcement;

AND THAT By-law 2010-68 shall be repealed, in its entirety, at such a time the By-law comes into full force and effect.

B. Overview

This report provides an overview of comments received at the public meeting regarding proposed revisions to Municipal Tree Preservation By-law 2010-68. A recommendation is also provided for Council consideration.

C. Background

Planning Staff began the process of reviewing By-law 2010-68 in 2019 with the overall goal to prevent premature tree cutting/removal on larger privately owned properties in advance of a development application. Since that time, staff have conducted an extensive review process that included public meetings and engagement delivered via a dedicated webpage and community survey. In May 2022, staff provided an update to Council on public consultation completed to-date, as well as completed consultation with the Town’s Agricultural Advisory

Committee and Sustainability Advisory Committee, per Staff Report PDS.22.064. By Resolution, Council directed Staff to proceed with an additional Public Meeting to obtain public comment/feedback on the proposed draft changes to Municipal Tree Preservation By-law 2010-68, as outlined in Attachment 2 of Staff Report PDS.22.064.

This report provides an overview of comments received at the Public Meeting, held on July 11, 2022. Comments received prior to the public meeting were outlined in preceding Staff Reports and were considered in the development of the current working draft By-law, as was subject to public comment at the Public Meeting. The attached by-law has been drafted with consideration to all public comments received and is in alignment with the stated goal of the project when launched in 2019.

D. Analysis

Comments received at the Public Meeting can be generally summarized into the following themes:

1. Castle Glen
2. Ecological Benefits of Trees
3. Technical Comments
4. Municipal Authority and Violation of Provincial/Federal Acts
5. Town Policy Support for a By-law
6. Potential to Stifle/Impact Development
7. Should be Aimed at Developers
8. Implementation and Monitoring of By-law Impacts

The working Draft By-law presented at the Public Meeting has been refined as a result of Staff's review of the public comments. A summary of all public agency and public comments received, and staff responses thereto, are provided in Attachment #2 to this report. All written comments in their entirety are included as Attachment #3.

E. Strategic Priorities

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

No adverse environmental impacts are anticipated as a result of the recommendations of this report.

G. Financial Impacts

No adverse financial impacts to the Municipality are anticipated as a result of the recommendations of this report. It is noted that costs associated with implementation and enforcement, as well as permit fees, are to be determined following enactment and prior to the By-law coming into full force and effect.

H. In Consultation With

The general public and public agencies through the public meeting process. Further consultation with Will Thomson, Director of Legal Services, was also completed in preparation of the final draft by-law.

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting which took place on July 11, 2022. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Travis Sandberg, planning@thebluemountains.ca

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J. Attached

1. Draft By-law
2. Comment Response Matrix
3. Comments Received

Respectfully submitted,

Travis Sandberg
Intermediate Planner

For more information, please contact:
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Report Approval Details

Document Title:	PDS.22.113 Information and Recommendation Report - Tree By-Law Update.docx
Attachments:	- compiled public comments.pdf - Comment Response Matrix (July 2022 PM).docx - TBM Tree By-law - FINAL DRAFT (September 2022).pdf
Final Approval Date:	Sep 15, 2022

This report and all of its attachments were approved and signed as outlined below:

Adam Smith - Sep 15, 2022 - 3:28 PM