

**P463 Municipal Tree By-law Update
Comment Response Matrix (2020-2022)**

Comments Received By:	Date Received:	Comment/Concern/Question Summary	Response	Action Taken
COUNCIL AND COMMITTEE COMMENTS				
Agricultural Advisory Committee	13/01/2022 (Joint Committee Meeting); September 16, 2021, AAC Meeting	<ol style="list-style-type: none"> Does the Town have legal authority to impose such a By-law? Should only apply to Settlement Area. The maximum threshold of 0.5ha should be removed; +/- 30cm trees on smaller properties should be included. Penalties should be split into two categories: individual resident vs. corporate penalty. Mapping: aerial photos to show trees in Settlement Area. What is the process to amend this By-law in the future? Would there be a public process? Definition of “agriculture” should match the Official Plan. 	<ol style="list-style-type: none"> Authority is explicitly permitted under the <i>Municipal Act, 2001</i>, per Section 270 and Section 135. Lower-tier municipalities may prohibit or regulate destruction of trees that are not so designated under a by-law of an upper tier. Upper-tier may prohibit or regulate on a ‘woodlands’ basis, where lower-tier may regulate ‘certain trees’ By Resolution (7/09/2021) Council directed that any future revised By-law shall apply to Settlement Area only. By Resolution (7/09/2021) Council directed a minimum property size of 0.5ha shall be included. Applicable penalty at discretion of Court in which the conviction is entered. Noted. A public process would be required prior to enactment of any future changes to the scope of the By-law. Noted. 	<ol style="list-style-type: none"> None required. None required. None required. None required at this time. Mapping to be included in Staff Report. None required. Definition of “agricultural activity” to be modified to be more inline with Official Plan definition.
Sustainability Advisory Committee	13/01/2022 (Joint Committee Meeting); October 13,	<ol style="list-style-type: none"> Need administrative documents attached – one document for permit including exemptions, fees, application fee, etc. 	<ol style="list-style-type: none"> Draft application form was included as Attachment 4 of PDS.19.141; applicable fees to be determined by Council. Tree Inventory/Protection Plans prepared by qualified professionals 	<ol style="list-style-type: none"> None required. None required. Exemption to be modified to match Exemption 3.1(k) to require Director

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	2021, SAC Meeting	<ol style="list-style-type: none"> 2. Section 2.3: A Tree Inventory Plan needs to be completed prior to a development application as preface to a Tree Protection Plan. 3. Remove exemption for invasive species. 4. Need a statement “no-clear cutting” as it has not been addressed. 5. Focus more effort on incentives to maintain trees as green infrastructure in developments. 6. What guarantees are there that this would not extend into the Rural area? 7. Concerns with applying regulations to private properties. 8. How much time will be provided for public review? 9. How many properties will actually be captured by the By-law? 0.5ha should be removed to include all properties. Reconsider to reduce to 0.25ha. 10. Finances – what is cost to implement, administer and enforce? 11. Remove reference to “Settlement Area” – title it “By-law Application Area” or something similar. 12. Section 2.3 supersedes Section 4(a)(b) 13. Broaden application for permit – dead, hazardous, etc., still needs a permit – consider reduced fee. 14. Conservation Authority approval should be required prior to issuance of a permit. 	<p>typically required as part of standard development review process. <i>Municipal Act</i> exempts tree removal as part of Planning Act approval (Section 3.2(e)(f)).</p> <ol style="list-style-type: none"> 3. Noted. 4. Clear-cutting addressed through permit requirements for removal of 5 or more trees (Section 2.1(c)). 5. Incentive policies and green infrastructure to be considered through comprehensive tree strategy. Proposed by-law is for regulation of injuring/destruction of trees only. 6. Council approval and public process required to extend scope into rural area. 7. <i>Municipal Act, 2001</i>, provides authority to the Municipality to enact a By-law for the injuring/destruction of trees (see previous response above). 8. A formal second Public Meeting will be suggested to Council prior to presenting a final By-law to Council for consideration. 9. 72.5% of the urban Settlement Area meet the criteria of 0.5ha and above (2,120ha out of a total of 2,924ha). It is noted that this is a gross calculation and includes properties otherwise subject to Tree Preservation Plans, 	<p>confirmation, but not a formal permit.</p> <ol style="list-style-type: none"> 4. None required. 5. None required. 6. None required. 7. None required. 8. Spoken to as part of this Staff Report. 9. None required. 10. Fees associated with the implementation of the By-law to be determined by Council. 11. None required. 12. Additional clarity to be included in Section 2.3. 13. None required. 14. None required. 15. None required. 16. None required. 17. None required. 18. None required. 19. None required. 20. None required. 21. None required. 22. None required.
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			<p>typically required as part of standard development applications. The By-law cannot change development review process, but it can protect against tree cutting prior to development application.</p> <p>18. See response per point 3 above.</p> <p>19. Based on “best practices” clear-cutting does not require definition for the municipal by-law, as by-law applies to individual trees as opposed to large woodlands which would otherwise be subject to County Forest Management By-law.</p> <p>20. Fees to be determined by Council.</p> <p>21. By Resolution (7/09/2021) Council directed a minimum property size of 0.5ha shall be included.</p> <p>22. Director approval not required, at the advice of Town’s legal counsel.</p>	
PUBLIC COMMENTS (verbal from January 13, 2022, Joint Committee Meeting)				
Gerbe Botden	13/01/2022	<ol style="list-style-type: none"> Supports agricultural uses being exempt. Due process to not extend authority of By-law to rural area without public process. Dead, hazardous, diseased trees should not require an arborist report for residents. 	<ol style="list-style-type: none"> Noted. Noted. Arborist report/ permit is not being proposed as required for removal of dead, hazardous, or diseased trees. 	<ol style="list-style-type: none"> None required. None required. None required.
Brian Gilroy	13/01/2022	<ol style="list-style-type: none"> Supports agricultural uses are exempt. 	<ol style="list-style-type: none"> Noted. 	<ol style="list-style-type: none"> None required.
AGENCY COMMENTS				

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<p>NVCA</p>	<p>1/04/2021</p>	<ol style="list-style-type: none"> 1. Will NVCA fulfill any role in administration of the By-law? 2. Should an additional exemption clause be considered for the removal of dead and/or hazardous trees at the landowner's discretion? 3. The By-law proposes an exemption for tree cutting for personal firewood, to a limit of 20 face cords per calendar year. How would this be measured and/or enforced? 4. How will the by-law impact discretionary tree removals as prescribed under a Managed Forest Plan approved by the province? 5. Has the Town considered provisions for tree removals in exchange for compensatory plantings and/or cash-in-lieu payments to the municipality? 	<ol style="list-style-type: none"> 1. To be determined. 2. Up to 4 trees may be removed without permit is proposed. Exemption also included for removal of dead, diseased, or hazard trees. 3. Owners' obligation to demonstrate their action is within limit of exemption. 4. Does not apply to Forest Management Plans (per Section 3 of draft By-law). 5. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. None required. 4. None required. 5. Compensation has been included in Section 10 of draft By-law.
<p>GSCA</p>	<p>17/11/2019</p>	<ol style="list-style-type: none"> 1. Section 2(d)(i): why are permits not to be issued in 'escarpment', 'wetlands', and 'ANSI' areas? If done properly, removing a few trees should not have a large impact on overall health. 2. Section 3(b): "activities undertaken by a Conservation Authority" – What does this encompass? 3. Section 3(m): what is timeframe for removal of 4 or less trees? Does point ii) mean all trees less than 15cm DBH can be removed? 4. Section 4: does Director has final say on all permits? 5. Section 6(3) – is there a way to attach suitable replacement species or a minimum size requirement? 	<ol style="list-style-type: none"> 1. Noted. 2. Exemption per the <i>Municipal Act</i>. Refers to any tree removal conducted by the Conservation Authority. 3. Timeline is one calendar year. All trees less than 15cm may be removed without limit/permit. 4. Noted. 5. Noted. 	<ol style="list-style-type: none"> 1. Clarity added to Section 2 of the draft By-law. 2. None required. 3. None required. 4. Council appeal process included in Section 11 of the draft By-law. 5. Replacement subject to International Society of Arboriculture Trunk Formula Method (Part 10.1).

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PUBLIC COMMENTS (written)				
Arthur Shellnut	11/5/2021	<ol style="list-style-type: none"> Property owners should be left to manage their trees as their situation requires. 	<ol style="list-style-type: none"> Noted. 	<ol style="list-style-type: none"> None required.
Barbara Blackstock	11/5/2021	<ol style="list-style-type: none"> By-law should focus on clear-cutting on large areas of land. Penalties should be greater than \$20,000. Should not impact lands subject to Forest Management Program. 	<ol style="list-style-type: none"> See Part 2 of Draft By-law. Noted. Noted. 	<ol style="list-style-type: none"> Scope of By-law clarified and would apply to larger properties within Settlement Area. Financial penalties increased and additional compensation measures included in Sections 9 and 10 of the draft By-law. Exemption included under 3.1(o) of the draft By-law.
Blue Mountain Rate Payers Association	13/01/2022	<ol style="list-style-type: none"> Term "Settlement Area" is confusing as it is associated with Thornbury/Clarksburg. Should be referred to as "Tree By-law Area". Term "replacement" should be included in the title of the By-law – "<i>A By-law to prohibit destruction, and to regulate the destruction and replacement, of certain trees</i>". By-law does not apply to approved developments. Efforts should be made to include 'sunset clause' on existing plans. Section 2.3 should be removed, and a permit only be granted following draft plan approval. Replacement standards should address tree size/replacement ratio. Should also apply to developments not requiring site plan approval. "May" should be changed to "shall" in Section 6.3. 	<ol style="list-style-type: none"> "Settlement Area" is consistent with the Official Plan and Council direction and provides clear delineation between urban uses and rural uses. <i>Municipal Act</i> limits authority of a By-law under Section 135 to the destruction and injuring only. Noted. Intent of 2.3 is to permit select tree removal in cases where needed to complete technical studies etc. By-law applies to all tree cutting outside of activities included under Exemptions. Replacement policy included in Section 10.1 of draft By-law. Noted. 	<ol style="list-style-type: none"> None required. Replacement may be included as a condition of a permit, where deemed appropriate by the Director, and as penalty for non-compliance. None required. None required. None required. None required. None required.

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Blue Mountain Resorts	18/11/2019	1. By-law should include exemption for lands subject to the NEC Development Control permit process.	1. Noted.	1. Exemption included under Part 3.1(d) of draft By-law.
Brenda Smith	11/05/2021	1. By-law is not necessary – not enough mismanagement to warrant a by-law.	1. Noted.	1. None required.
Climate Action Now Network	10/01/2022	1. Preservation should be included in the Title. 2. Removal of one healthy mature tree should require 100 new trees to be planted. 3. Stricter penalties should be included. 4. Does the By-law apply to public and private lands?	1. Noted. 2. Replacement subject to International Society of Arboriculture Trunk Formula Method (Part 10.1). 3. Noted. 4. Yes – See Section 2.1 of draft By-law.	1. By-law title revised. 2. None required. 3. Penalties increased under Section 9.1 of draft By-law. 4. None required.
Catherine Howell	22/03/2021	1. TBM has a responsibility to maintain character of Thornbury and surrounding area by developing by-laws to protect tree canopy.	1. Noted.	1. None required.
Rudy Chiarandini	11/02/2022 09/09/2021	1. Wholesale destruction of tree and the environment needs to be stopped. 2. Developers should be required to hire an arborist and evaluate each proposed lot to determine trees that can be protected/maintained. 3. Minimum size should be 10cm, as opposed to 15cm.	1. Noted. 2. Tree Inventory and Protection Plan prepared by qualified professionals is typically required through development review process. 3. Best practices include exemptions generally ranging from 15cm-20cm. 15cm provides minimum best practice.	1. None required. 2. None required. 3. None required.
Christina Eaton	22/03/2021	1. Trees need to be protected and preserved. 2. Form large part of neighbourhood character. 3. Development should be directed to areas where trees do not have to be removed.	1. Noted. 2. Noted. 3. Noted.	1. None required. 2. None required. 3. None required.
Christina Zettler	11/05/2021	1. Enforcement of selling of lumber for firewood – is there regular inspection of forest? Is the person required to replant? Permit for lumber business is free, could an annual fee be applied and used for reforestation programs?	1. Commercial harvesting is subject to the County of Grey Forest Management By-law. 2. Incentive policies and green infrastructure to be considered through comprehensive tree strategy. Proposed	1. None required. 2. None required.

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		2. Education and incentives for tree preservation would be welcome. Tax breaks for sizable trees would encourage private planting. Annual budget allocation should be dedicated for planting/preservation on public property should be a priority.	by-law is for regulation of injuring/destruction of trees only.	
Denise Ouellette	21/11/2019 14/01/2022	1. "Face Cord" should not be used, per Measurement Canada. "Cord" should be used, which is approximately 128 cubic feet. 2. Face Cord should not be referenced in the Draft By-law in order to avoid confusion.	1. Noted. 2. Noted.	1. "Stacked Cubic Metre" used, per recommendation of Measurement Canada. 2. Reference to "Face Cord" removed.
Duncan McKinlay	14/01/2022	1. By-law is a rational tool in long term establishment of sustainable urban canopy. 2. Agricultural definition should be better aligned with Agricultural Uses in the Official Plan or Provincial Policy Statement. 3. Settlement Area is the right choice. 4. Agricultural exemptions make sense. 5. Tree planting as an interim agricultural use in future development lands – should not morph into 'significant woodlands' with development restrictions, will discourage tree planting.	1. Noted. 2. Noted. 3. Noted. 4. Noted. 5. Woodland mapping completed at County level. Agricultural use included as exemption in draft By-law.	1. None required. 2. Modified definition of "agricultural activity" to be more inline with Official Plan definition. 3. None required. 4. None required. 5. None required.
Elizabeth Marshall	10/03/2020	1. By-law is unconstitutional and beyond legislative authority of the Municipalities.	1. Authority is explicitly permitted under the Municipal Act, 2001, per Section 270 and Section 135. Lower-tier municipalities may prohibit or regulate destruction of trees that are not so designated under a by-law of an upper tier. Upper-tier may prohibit or regulate on a 'woodlands' basis, where lower-tier may regulate 'certain trees'.	1. None required.

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Eniko Herceg	10/05/2021	1. Unopened Right of Way should be included in the Tree By-law.	1. By-law applies to all municipally owned lands (Section 2.1(a)).	1. None required.
Fred Young	29/03/2020	1. Fully endorse inclusion of trees on private property be regulated and subject to a permit from the Town. 2. Concern with clear cutting associated with development projects – tree inventory should be required before construction and replacement plantings provided.	1. Noted. 2. Tree Inventory/Protection Plans prepared by qualified professionals typically required as part of standard development review process. <i>Municipal Act</i> exempts tree removal as part of <i>Planning Act</i> approval (Section 3.2(e)(f)).	1. None required. 2. None required.
Greg Ardiel	25/11/2019	1. Outrageous and irresponsible for the Town to determine best practices for farms and rural properties for tree removal. 2. Oppose amendments.	1. Draft By-law does not apply to agricultural properties. 2. Noted.	1. None required. 2. None required.
Harbour West Residents Group		1. Town has not fulfilled <i>Municipal Act</i> requirement to have an official policy to preserve and maintain tree canopy by March 1, 2019. 2. By-law does not contribute to <i>Municipal Act</i> requirements – need policies to protect and enhance tree canopy.	1. Current Official Plan policy D8.2 satisfies requirement for tree canopy policies. Additional policies might be developed in preparation of Sustainability Plan. 2. Noted.	1. None required. 2. None required.
Jan Pratt	3/04/2021	1. Not in support of new by-law that adds more hoops for people to jump through. 2. Interested in planting trees and involvement in future park and streetscape development.	1. Noted. 2. Noted.	1. None required. 2. None required.
Jill Kitchen	17/05/2019	1. Language should be specific regarding application and lot sizes.	1. Noted.	1. Clearer language included in Section 2 of draft By-law.
June Porter	24/03/2021 14/05/2021	1. How has the declaration of a Climate Emergency impacted the proposed changes? Why has the economic value of trees in stormwater management not been included?	1. Draft By-law would be an implementation tool – contribution to stormwater, carbon sequestering, etc.,	1. None required. 2. Reference to PDS removed – allows designation of

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		<ol style="list-style-type: none"> 2. Why is the designated authority the Director of Planning and Development? 3. How does the update progress the Town in fulfilling requirements of the <i>Municipal Act</i> regarding tree protection/enhancement policies? 	<p>more appropriate in other policy documents.</p> <ol style="list-style-type: none"> 2. Carried forward from existing By-law. 3. Furthers effort for tree protection per Section D8.2(b) of the Official Plan 	<p>appropriate Director at Council's discretion.</p> <ol style="list-style-type: none"> 3. None required.
Kari Tyler	23/03/2021 20/11/2019	<ol style="list-style-type: none"> 1. Grave concerns about proposed changes. 2. Over-stepping mandate put forth to restrict clear-cutting by developers and micro-manage private property. 3. Constituents do not want to be policies regarding trees nor be taxed for this unnecessary scheme. 4. County By-law is fair and respected. 5. Abuse of power is unfolding – the bylaw is legally ineffective by means of superior <i>Acts</i>. 6. There are existing measures to protect against logging and development activities. 7. Do not dare to dictate a limitation on firewood, or presume to direct a landowner how to manage their forest. 8. Concerned about cost of implementation. 	<ol style="list-style-type: none"> 1. Noted. 2. Noted. 3. Noted. 4. Noted. 5. Authority is explicitly permitted under the <i>Municipal Act</i>, 2001, per Section 270 and Section 135. Lower-tier municipalities may prohibit or regulate destruction of trees that are not so designated under a by-law of an upper tier. Upper-tier may prohibit or regulate on a 'woodlands' basis, where lower-tier may regulate 'certain trees'. 6. Noted. 7. Noted. 8. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. None required. 4. None required. 5. None required. 6. None required. 7. None required. 8. None required.
Linda Teed	11/05/2021	<ol style="list-style-type: none"> 1. Oppose the proposed By-law. 	<ol style="list-style-type: none"> 1. Noted. 	<ol style="list-style-type: none"> 1. None required.
Al and Keri Lockhart	11/05/2021	<ol style="list-style-type: none"> 1. By-law needs to be updated to stop developers from clear cutting trees. 2. Town and Planning Department could start by not clear-cutting unopened road allowances. Allowing neighbourhoods to be treed and full of life. 	<ol style="list-style-type: none"> 1. For clarity, By-law intended to prevent cutting prior to development application being received. <i>Municipal Act</i> exempts tree cutting as part of a <i>Planning Act</i> approval, where review has been completed. 2. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. None required.

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<p>Lorraine Sutton</p>	<p>12/01/2022 29/08/2021</p>	<ol style="list-style-type: none"> 1. Good forestry practices- definition has no explanation of source attached to it. Is it from 1962 or 2021? 2. Same issue with definition of ‘Woodlands’ and ‘Forest Management Plan’. 3. Section 2.3 should be removed. 4. Should not be administered by Director of Planning and Development Services. 5. Need to reduce the number of exemptions. Why does it not apply to Quarries? An explanation needs to be provided. 6. Penalties need to be increased. 7. Section 9.3: replacement/replanting of equivalent size within 3-months and maintenance period of 3-years. 8. It is not clear this applies to public and private lands. 9. Survey is based on individual reactions, not the common good. 10. By-law needs to demonstrate trees are important part of climate change mitigation. 11. Preservation has been dropped from By-law title – needs to be reinstated. 12. Has TBM signed on to the Nature Canada 2 billion Tree Planting Initiative to plant in all parks and public properties? 13. The out of date Rural/Urban divide is longer appropriate. What is Lora Bay? Rural, Urban, Exurban? Needs to be reviewed with clearer distinctions. 	<ol style="list-style-type: none"> 1. Definition maintained from existing By-law. Consistent with definitions in other municipal by-laws. 2. “Woodlands” definition consistent with <i>Municipal Act</i>. 3. Noted. 4. Noted. 5. Quarries are exempt per Section 135(12) of the <i>Municipal Act</i>. 6. Noted. 7. Replacement subject to International Society of Arboriculture Trunk Formula Method (Part 10.1). 8. Noted. 9. Noted. 10. Noted. 11. Noted. 12. Noted. 13. Lora Bay is within the Settlement Area of the Town per Official Plan designations. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. None required. 4. Reference to PDS removed – allows designation of appropriate Director at Council’s discretion. 5. None required. 6. Financial penalties increased and additional compensation measures included in Section 9 and 10 of draft By-law. 7. None required. 8. Clarity included in Section 2 of the draft By-law. 9. None required. 10. Reference to Climate Emergency included in draft By-law recitals. 11. “Preservation” included in Title of the draft By-law. 12. None required. 13. Mapping included in Schedule “A” outlining Settlement Areas.
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Matt Distefano	11/05/2021	<ol style="list-style-type: none"> 1. Reluctant to support anything that increases regulation over private property. 2. Is there consideration about scale? i.e. development versus an individual property owner on one acre of land who wants to remove 1-2 trees? 3. If this is going to present an unnecessary burden to the small single home landowner, then against it. 	<ol style="list-style-type: none"> 1. Noted. 2. Draft By-law applies to lands 0.5ha (1.2ac); exemption included for removal of individual trees (Section 3.1(f)(g)). 3. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. None required.
Tobias Effinger	19/08/2019	<ol style="list-style-type: none"> 1. Are any exemptions being considered for invasive species? 2. Are any considerations being considered for removal of native vs. non-native species? 3. What will the permit fee be? Application requirements? 4. "Certified Arborist" definition should also include certification from Provincial Ministry of Training, College, and Universities as well as ISA. 5. Canopy Enhancement policies should be considered. 	<ol style="list-style-type: none"> 1. Noted. 2. No exemption has been considered for removal of non-native species. 3. Fee to be determined by Council. 4. Noted. 5. Enhancement policies may be considered in development of Sustainability Plan. 	<ol style="list-style-type: none"> 1. Exemption included for invasive species (Section 3.1(l)) of the draft By-law. 2. None required. 3. Application requirements included in Section 4. 4. Definition modified. 5. None required.
Osler Bluff Ski Club	19/11/2019	<ol style="list-style-type: none"> 1. Request an additional exemption be included for the Osler lands. Lands are not under NEC Development Control but are subject to the County of Grey Forest Management By-law. 	<ol style="list-style-type: none"> 1. Draft By-law does not apply to lands subject to County Forest Management By-law (Section 3.1(c)). 	<ol style="list-style-type: none"> 1. None required.
Pamela Spence	13/05/2021	<ol style="list-style-type: none"> 1. A tree/canopy strategy should be created. 2. It should be called "Tree Protection By-law" and apply to sizable trees on all lands and lots over 0.2ha. 3. Protection should be communicated early on. 4. Permit exemptions should be clear and fair. 	<ol style="list-style-type: none"> 1. Enhancement policies may be considered in development of Sustainability Plan. 2. By Resolution (7/09/2021) Council directed a minimum property size of 0.5ha shall be included. 3. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. Draft By-law title revised to include "Preservation". 3. None required. 4. None required. 5. Clarity included in Section 2 – applies to "Settlement Area"

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		<ol style="list-style-type: none"> 5. There should be more zoning and official plan categories in Section 2(d). 6. Issuing permits should not be in purview of the Director of Planning. 7. TBM should create a green infrastructure department. 	<ol style="list-style-type: none"> 4. Noted. 5. Noted. 6. Noted. 	<p>with no reference to individual land use designations.</p> <ol style="list-style-type: none"> 6. Reference to PDS removed – allows designation of appropriate Director at Council’s discretion. 7. None required.
Paul Roberts	22/03/2021	<ol style="list-style-type: none"> 1. Section 2a of the draft By-law appears to imply that only a tree identified under a tree preservation plan is subject to protection. The property owner is not always aware if a preservation plan applies to their property. 2. Nothing in the By-law defines the size of a piece of land upon which a person can cut all or most trees without getting permission from the Town. 3. Section 2b says no person shall destroy a tree on land owned by the Town or County, but does not apply to activities of the Town or County. There should be a process for approving whether such a tree must be destroyed. 4. Consider a height vs. diameter approach. 5. New developments appear to be exempt under the present by-law. There should be an attempt to leave mature trees standing where possible based on house location. 	<ol style="list-style-type: none"> 1. Noted. 2. See Exemptions under Section 3. 3. Activities undertaken by a municipality are exempt, per Section 135(12) of the <i>Municipal Act</i>. 4. Best practices utilize “diameter” of the tree at a height of 1.37m, per the <i>Forestry Act</i>. 5. Draft By-law intended to prevent cutting prior to development application being received. <i>Municipal Act</i> exempts tree cutting as part of a <i>Planning Act</i> approval, where review has been completed. 	<ol style="list-style-type: none"> 1. Section 2 of draft By-law revised for additional clarity. Mapping to be developed identifying all Tree Preservation Plans. 2. None required. 3. None required. 4. None required. 5. None required.
Randy McLeod	13/01/2022 15/04/2021	<ol style="list-style-type: none"> 1. Page 1 should be revised to state a by-law to regulate trees within defined settlement areas. There must be consistency. 2. “Town’s urban forest” point b). Urban forest must be defined in the definitions section. 	<ol style="list-style-type: none"> 1. Draft By-law continues to apply to all municipally owned lands throughout the Town (not just Settlement Area), as well as properties subject to Tree Preservation Plan. 	<ol style="list-style-type: none"> 1. None required. 2. Urban Forest definition added to draft By-law. 3. Modified definition of “agricultural activity” to be

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		<ol style="list-style-type: none"> 3. Agricultural activity and farm operation must be consistent with definitions in the <i>Farming and Food Production Protection Act</i>. 4. 2.1c) settlement area, remove threshold of 0.5ha. All lands within settlement areas, as defined, regardless of size. 5. Penalties are declared in Section 9. When will a fee schedule and a sample application form be released? 	<ol style="list-style-type: none"> 2. Noted. 3. For consistency, definition per Official Plan has been used. 4. By Resolution (7/09/2021) Council directed a minimum property size of 0.5ha shall be included. 5. Applicable fees to be determined by Council; Draft application form to be included in future report. 	<p>more inline with Official Plan definition.</p> <ol style="list-style-type: none"> 4. None required. 5. None required.
Randy Tyler	17/03/2020	<ol style="list-style-type: none"> 1. Strongest wish as a constituent that the proposed amendments be voted against and not be brought forth to council again ever in the foreseeable future. 2. Town cannot afford the time and money spent on such absurdly unnecessary measures. 3. Priority should be given to developing cost saving initiatives that will help stabilize or lower municipal property taxes. 4. How dare staff come to council with a plan that has no actual idea or estimates of cost to implement amendments – why is council allowing staff to spend tax dollars on new ways to waste money and burden people in the municipality? 5. Grey County Forest management By-law functions already – stop trying to double dip. 6. If development is the concern, town does not need a blanket by-law on private property to fix it. 7. Target developers be ensuring that if you don't get approval first for clear cutting, it must be farmed for ten years minimum or replanted. 	<ol style="list-style-type: none"> 1. Noted. 2. Noted. 3. Noted. 4. Noted. 5. Noted. 6. Noted. 7. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. None required. 4. None required. 5. None required. 6. None required. 7. None required.

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Richard Lamperstorfer	10/02/2022 30/11/2019	1. Object to proposed tree preservation by-law for Thornbury proper.	1. Noted.	1. None required.
Robert Woodcock	13/03/2020	1. Effect of the proposed By-law would be minimal versus additional cost to landowners. 2. Would the Town become liable for any damages or harm that a tree may cause between the time the property owner loses legal control of the tree and its fate is finally decided? 3. Town should focus on planting on Municipally Owned lands.	1. 72.5% of the urban Settlement Area meet the criteria of 0.5ha and above (2,120ha out of a total of 2,924ha). It is noted that this is a gross calculation and includes properties otherwise subject to Tree Preservation Plans, other levels of government regulations, and municipal/government owned lands. 2. Noted. 3. Noted.	1. None required. 2. Director approval/review removed for hazardous or dangerous trees from draft By-law. 3. None required.
Roberta Eagles	12/05/2021	1. Own property currently subject to Forest Management Plan and cut firewood. 2. People raised in this area and plan to remain in this area do not need counsel or a group of people from other areas to tell us what we can do on our property.	1. Noted. 2. Draft By-law does not apply to lands subject to Forest Management Plan (Section 3.1(o)).	1. None required. 2. None required.
Sally Leppard	27/08/2021	1. Comments from Sustainability Committee need to be included in proposed By-law. 2. Best practices should be used to produce a new tree preservation by-law that reflects community priorities and respects and protects the beautiful area.	1. Noted. 2. Noted.	1. Comments from Town's Sustainability Committee have been considered and incorporated, as appropriate. 2. Best practices have been reviewed and incorporated into draft By-law.
Sara Simmons	25/11/2019 19/11/2019	1. By-law will affect all properties over 0.5ha in size. 2. Frustrated by the audacity and arrogance of Council and staff to presume authority to dictate and attempt to enforce this bill on private landowners.	1. Noted. 2. Noted. 3. Noted. 4. Authority is explicitly permitted under the <i>Municipal Act, 2001</i> , per Section	1. None required. 2. None required. 3. None required. 4. None required. 5. None required.

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		<ol style="list-style-type: none"> 3. Public Notice has not been accurate. 4. Municipalities are limited to by-laws that only affect their property or property that they have entered into an agreement with the owner, per <i>Forestry Act, Property and Civil Rights Act, and Municipal Act</i>. 5. Not in purview of Council to enact this by-law on private landowners. 6. Public deserves to be democratically consulted again and all landowners threatened to be affected by this By-law, given fair change to engage with staff and council on this matter. 	<p>270 and Section 135. Lower-tier municipalities may prohibit or regulate destruction of trees that are not so designated under a by-law of an upper tier. Upper-tier may prohibit or regulate on a 'woodlands' basis, where lower-tier may regulate 'certain trees'.</p> <ol style="list-style-type: none"> 5. See response to point 4 above. 6. Public engagement completed through spring and summer of 2021. A formal second Public Meeting will be suggested to Council prior to presenting a final By-law to Council for consideration. 	<ol style="list-style-type: none"> 6. None required.
Shelly Hobson	11/05/2021	<ol style="list-style-type: none"> 1. This is an infringement on our private property rights and privileges. 2. We comply with Forest Management Program and are allowed to make hiking trails, cut down deadfall, diseased and hazardous trees. 3. Seems like a monetary grab. 4. A separate by-law should be considered for agricultural landowners. 5. Was there notification of public awareness for the meeting of May 6, 2019? 	<ol style="list-style-type: none"> 1. Noted. 2. By-law does not apply to lands subject to Forest Management Plan (Section 3.1(o)). 3. Noted. 4. Proposed draft By-law does not apply to agricultural uses (Section 3.1(b)(i)). 5. Public Notice was provided in accordance with Corporate Policy POL.COR.07.03. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. None required. 4. None required. 5. None required.
Stephen Granger	23/04/2021	<ol style="list-style-type: none"> 1. Concerned with the strength and administration of enforcement to be able to maintain integrity of the revised documents intent. 2. A point covering "heritage features" further to include requiring a heritage report should designation be considered under the <i>Heritage Act</i>. 	<ol style="list-style-type: none"> 1. Noted. 2. Designated trees to be considered at sole discretion of Council. 3. Noted. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. Stop Work provision included in Section 8 of the draft By-law.

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		3. Penalties should not wait for conviction, as currently outlined under Part 6. Stop Work provisions should be incorporated to effect immediate action in the instance of non-compliance.		
Tina Grey	16/03/2020	1. The changes should apply to developers only, not to individual landowners.	1. Draft By-law may not apply to <i>Planning Act</i> approvals, per Section 135(12) of the <i>Municipal Act</i> . Intent is to regulate tree cutting prior to development applications and generally maintain existing tree canopy.	1. None required.
Tree Trust TBM	31/01/2022 5/05/2021	<ol style="list-style-type: none"> 1. Consider application to smaller property sizes and smaller trees than currently proposed in Section 2.1 – should apply to all properties within settlement area regardless of size. Single tree threshold should also be reduced from 30cm to 20cm, and 10cm for five or more trees. 2. Meaningful provision addressing the number and viability of replacement trees in the event of removals (S.6.3) – a schedule should be included for suitable species, sizes, and number to accompany each single and multiple tree removal permit. 3. Meaningful fines for non-compliance. 4. Clarify language and specific criteria related to permit issuance at the Directors discretion (Section 5.3) – Section 2.3 and 5.3 are confusing and appears to be a potential loophole. 5. Strengthen conditions for issuance of permit (Section 5.1 and 2.2) – preservation of older trees 	<ol style="list-style-type: none"> 1. By Resolution (7/09/2021) Council directed a minimum property size of 0.5ha. Best Practices use current proposed threshold. 2. Replacements are subject to International Society of Arboriculture Trunk Formula Method, per Section 10 of proposed By-law. 3. Noted. 4. Noted. 5. All permits subject to arborist report as deemed necessary by Director. 6. Definition based on “best practices”. 	<ol style="list-style-type: none"> 1. None required. 2. None required. 3. Penalties increased in the draft By-law. 4. Additional clarity included in Section 5.4 and Section 2.3 in the draft By-law. 5. None required. 6. None required.

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		<p>in good condition should be added to narrow conditions listed in Section 5.1.</p> <p>6. Expand the definition of a tree (Section 1) – does not address multi-stem forms and thereby could overlook protection of mature, highly valuable multi-stemmed trees (i.e., native birch trees).</p>		
Victoria Yeh	12/04/2021	<p>1. Permits to remove healthy trees should come with a requirement to replant.</p> <p>2. Needs to be guidelines and regulations to prevent unnecessary clearcutting of land when new subdivisions are being built.</p>	<p>1. Condition of permit may include replanting (Section 6) of the draft By-law.</p> <p>2. Tree Inventory/Protection Plans prepared by qualified professionals typically required as part of standard development review process. <i>Municipal Act</i> exempts tree removal as part of <i>Planning Act</i> approval (Section 3.2(e)(f)).</p>	<p>1. None required.</p> <p>2. None required.</p>