

July 7, 2022

To: Town of the Blue Mountains Mayor, Council and Staff

Regarding: Proposed amendments to the current municipal Tree Preservation By-law law 2010-68.

On behalf of Treetrust TBM, I would like to commend any efforts by Council and Staff to help preserve the tree canopy in TBM. A Tree Preservation By-law can serve as an essential component within a broader basket of policies and tools aimed at preventing needless removal of trees. The current draft Tree Preservation By-law is a step in the right direction. For future, it is important to also note that significant trees within properties outside of Settlement Areas and on properties smaller than 0.5 hectare will not be protected under the current proposed By-law, nor are trees necessarily protected once a development approval has been granted. Finally, the removal of trees as a result of municipal operations remains an unaddressed area of concern for residents. After passage of this By-law, which I hope is very soon, I urge staff and council to next consider policies and processes regarding minimizing removal of trees in these unaddressed circumstances.

Notwithstanding that additional policies (beyond the scope of this By-law) need to be developed to preserve the tree canopy in TBM, Treetrust TBM is in support of moving forward with the current draft Tree Preservation By-law with some recommendations outlined below. I look forward to working with Staff as needed to flush out the specifics of these recommendations as input in the finalized version.

1. Appeals (Section 10). Section 10 allows appeals to council by the permit applicant. Conversely, the public should be informed and be able to appeal a permit that allows removal of a healthy, older, significant tree.
2. Strengthen conditions when permits will not be issued (Section 5.1). Older, significant trees in good condition should be added to the conditions in Section 5.1 as restrictive to issuance of a permit. An older, healthy tree sequesters carbon and offers unmatched natural system, community and aesthetic benefits and should constitute a criteria for preservation in of itself.
3. Clarify and list specific circumstances in which the Director has discretion to issue a permit (Section 2.3). This section, as currently written without a specific mention of valid circumstances (for example, removal required in order to complete technical studies), is much too broad and lacks transparency.
4. Deepen the qualifications required to support a recommendation for tree removal (Section 2.2). Not all certified arborists have expertise in preservation of older trees meaning that some trees that could or should be saved, won't be. Should an older, large tree be identified as eligible for removal, specialized expertise pertaining to assessment and preservation of older trees should be required.
5. Multi-stemmed trees (Section 1 and Section 2.1). The current definition of a tree does not address multi-stemmed trees which could leave highly valuable multi-stemmed trees (i.e., a birch tree) unprotected.

In closing, I thank staff and Council for their leadership in considering ways to preserve the beautiful and valuable natural heritage of the Town of the Blue Mountains. This By-law will play a part. I look forward to working with Staff and Council on additional policies and programs to protect, enhance and grow our tree canopy.

Betty Muise
Manager and Lead Volunteer, Treetrust TBM