



# Bluewater District School Board

P.O. Box 190, 351 1<sup>st</sup> Avenue North  
Chesley, Ontario N0G 1L0  
Telephone: (519) 363-2014 Fax: (519) 370-2909  
[www.bwdsb.on.ca](http://www.bwdsb.on.ca)

July 14, 2022

Travis Sandberg  
Intermediate Planner  
Town of The Blue Mountains  
32 Mill St, Box 310,  
Thornbury, ON N0H 2P0  
[planning@thebluemountains.ca](mailto:planning@thebluemountains.ca)

RE: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68  
Town of The Blue Mountains

Attention: Travis Sandberg,

Thank you for circulating notification of the Public Meeting with respect to proposed amendments to the Municipal Tree Preservation By-law 2010-68. Bluewater District School Board (BWDSB) has reviewed the draft copy of the proposed amendments to the Municipal Tree By-law 2010-68 Update. As mentioned in section 2.1 c of the By-law 2010-68, the proposed changes would apply to all properties that are 0.5ha or larger which are located within the Settlement Area boundary of the Town of The Blue Mountains which would encompass Beaver Valley Community School in Thornbury.

As stated under Project Background Information for By-law 2010-68 on the municipal webpage, "Council is now seeking further comments from the community regarding the direction and scope of tree protection policies in the Town. The project's community engagement will focus on whether or not the Town should take a more active role in the protection of a wider range of trees within the municipality, potentially including those located on privately owned properties. Input and comments received from the public will help to guide the scope and direction of any future policies and/or by-law updates regarding tree preservation in the Town." (<https://www.thebluemountains.ca/planning-building-construction/current-projects/strategic-projects-initiatives/municipal-tree-law>, 2022).

BWDSB is of the opinion that the proposed amendments to By-law 2010-68 would be onerous for the board with regards to the Beaver Valley Community School property and as such request to be exempt from the permit process so that flexibility can be provided when tree works are required to be undertaken in an expediated manner as is often the case. Given the limited timeframe that school boards have to complete site work during the summer months, the permit application and issuance process would add further constraints to the board. Planning staff request that school sites be added to the Exemptions listed under section 3.2 of the By-law.

BWDSB staff thank you for your consideration of these comments.

Sincerely,  
Shelley Crummer  
Business Analyst

c.c.: Rob Cummings, Superintendent of Business Services  
Dennis Dick, Manager of Plant Services  
John Bumstead, Assistant Manager of Plant Services

**From:** [planning@grey.ca](mailto:planning@grey.ca)  
**To:** [Planning General](#)  
**Subject:** County comments for TBM Municipal Tree Preservation By-law 2010-68  
**Date:** July 4, 2022 1:49:24 PM

## County comments for TBM Municipal Tree Preservation By-law 2010-68

Hi Town Staff,

Thank you for the opportunity to comment on this by-law. County staff have the following comments for consideration with respect to the Town's Tree By-law.

### Section 1 – Definitions

- The Town may wish to define the terms 'good arboriculture practices' (good forestry practices is defined), 'replacement trees', and 'Environmental Impact Study'. Some sample definitions have been provided below for reference purposes.
  - Replacement trees: means planting non-invasive native trees and plants through reforestation or afforestation to replace trees injured or destroyed. The areal extent of the replacement trees shall be at a ratio equal to at least two times the areal extent of the canopy of trees injured or destroyed. Replacement trees may include a mixture of native trees, plants, ground covers, savannahs and tallgrass prairies, and seed mixes. The minimum density of replacement trees must meet the number of trees per hectare required to meet the definition of a woodland or a woodlot.
  - Environmental Impact Study: means an analysis completed in accordance with the Official Plan and/or as per guidelines approved by the Town or by a qualified expert in ecology, forestry, hydrology and/or other specialties based on specific circumstances. The study shall include an assessment of potential hydrologic and ecological impacts, which is to include information such as: an inventory and evaluation of natural heritage features and areas, natural heritage systems, water resource systems and associated hydrologic functions on and adjacent to a project site; identification of environmental constraints including features, systems, linkages and vegetation protection zones; demonstration of conformity with applicable legislation and policies such as the County/Town Official Plans, Provincial Policy Statement, Niagara Escarpment Plan, and Endangered Species Act; identification of potential impacts; and recommended solutions to avoid, minimize and mitigate removal of natural heritage features and areas. An Environmental Implementation Plan is required to demonstrate how recommendations will be implemented.

- 'Professional Forester' definition – In reviewing other by-laws, many have switched to the "Qualified OPFA Member" definition: means a Registered Professional Forester, Associate Member or Temporary Member of the Ontario Professional Foresters Association under the Professional Foresters Act, certified to practice professional forestry, unless a suspension, term, condition, or limitation of certification applies which would restrict the Member from carrying out responsibilities under this By-Law.

## **Section 2**

- 2.1(a) and 3.2(a) – just wish to clarify that this would not inhibit the County's ability to maintain our lands/roads, as well as to harvest without our County Forests. County staff believe this to be the case, but please let us know if otherwise.

## **Section 3**

- Could section 3.1(c) be amended to include "or any successor thereto" onto the end of this clause?
- Clarification around when the Town vs. the County by-law would apply may be needed under 3.1(c). In the exemptions it exempts "any tree subject to the County of Grey Forest Management By-law". According to the County by-law, this would be any property that has trees part of a woodland 1 ha or more. As such, would this mean that any tree, even if on a property 0.5 ha or larger in a settlement area, would be under the County by-law if it was part of a woodland 1 ha or larger? The Town By-law applies to properties 0.5 ha or larger, vs. the County by-law applies based on woodland size. What if the property is under 0.5 ha but the trees on the property are part of a woodlot 1 ha or larger? Presumably in this case the Town By-law would not apply, but the County by-law would. County staff just wish to clarify so as to avoid any unnecessary overlap between the by-laws and so as to be able to clearly communicate to the public which by-law applies where.
- Should Section 3.1(e) also include Ontario Regulation 172/06 with respect to the Nottawasaga Valley Conservation Authority?

## **Section 4**

- Should section 4.1(e) be referencing section 4.1(c) instead of 5.1(c)?

## **Section 5**

- In subsections 5.4(a) and (b) the Town may wish to consider an exemption either here or in another section of the by-law which speaks to the pre-application process where limited tree clearing is required to conduct technical studies or background reports e.g. drilling for geotechnical work.

## **Section 6**

- Should section 6.1(e) be referencing section 6.3 instead of 7.3?
- In section 6.3(d), if the same species are not available for replacement trees, other options could be defined as suitable alternatives. For example, replacement trees may be non-invasive native trees or naturalized non-native trees and may include a mixture of nature trees, plants, ground covers, savannahs and tallgrass prairies, seed mixes etc.

The County's review of our own Forest Management By-law is on-going. County staff will share a draft with the Town of The Blue Mountains once

it is ready for review and comment.

Please do not hesitate to reach out should you have any questions with respect to the County's comments.

Thanks

Scott Taylor, MCIP, RPP

Planning & Development, Grey County, Owen Sound ON

# Tree Preservation

12 July 2022

Ms Corrina Giles, Clerk, Town of the Blue Mountains

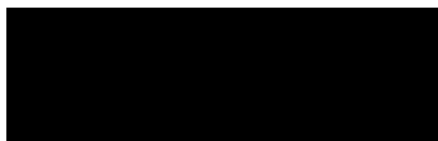
**Re: Open House, The Tree Preservation By-Law: "By-Law to prohibit and regulate the destruction or injuring of certain trees in The Town of The Blue Mountains"**

The Blue Mountains Watershed Trust Foundation's mission is to protect and enhance the Blue Mountains Watershed ecosystems through direct action, advocacy, and education. In this spirit we urgently request that the Town enact a Tree Preservation By-Law as soon as possible. Trees are arguably the most significant green element of watershed ecosystems. They are integral to the effective functioning of the watersheds where they grow, naturally. Trees sequester carbon (in their trunks and branches), produce oxygen (through photosynthesis), facilitate inter-species communications that hold entire underground ecosystems together, and clean all water absorbed by their roots and exhaled from leaves (through the process of evapotranspiration).

In the Town of the Blue Mountains, absorption of water by trees in their watershed ecosystems significantly reduces run-off and flooding, seasonally and intermittently, over lands between the Niagara Escarpment and Georgian Bay. Trees perform these miracles of sustainability at no extra cost to humans, when humans simply leave them to grow in place, over their lifetimes, and to die, and decay in place as nurse trees for new growth. Re-development, or over-development beyond the parameters described in the Town's Official Plan, that permits the harming of trees, or their destruction in lands designated "Open Spaces", "Wetlands" and "Hazard" areas in the Town must cease.

**As a result of our review of the intent and wording of the proposed By-Law to prohibit and regulate the destruction or injuring of certain trees in The Town of The Blue Mountains we strongly urge the Town to enact such legislation as soon as is possible, in the interest of preserving the trees, now.**

Respectfully,



Carl Michener, President  
Blue Mountain Watershed Trust Foundation

**From:** [Nicholas Clayton](#)  
**To:** [Planning General](#); [Town Clerk](#)  
**Cc:** [REDACTED]  
**Subject:** Tree By-Law & The Castle Glen Forest  
**Date:** July 6, 2022 7:54:52 PM

---

***”Tree By-Law was intended to prevent developers from clear-cutting lands”***, it would seem that the spirit and intent of this by-law should protect the Castle Glen Forest from being razed to make way for 1600 homes, a 300 room hotel, retail & up to 3 golf courses.

Councillor Matrosovs did go on to say that, in the case of the Castle Glen Forest, the by-law would defer to the Niagara Escarpment Commission.

We hope that this matter is addressed in the manner laid out in this meeting, providing a much-needed updating and overriding of the 2006 OMB decision that put this misguided and ecologically destructive development into the Official Plan in the first place.

Please include this letter as public comment in the upcoming public meeting on July 11, 2022.

Kind Regards,

Nick Clayton

--

[REDACTED]



**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Town Clerk](#); [Travis Sandberg](#); [Karen Long](#)  
**Subject:** FW: July 11 tree By-law public meeting at Council  
**Date:** July 7, 2022 10:08:44 AM  
**Attachments:** [Tree By-Law Letter.docx](#)  
[July 11 Public Meeting Re Proposed Changes to Municipal Tree Protection By-law.pdf](#)  
[Names of Attendees at Craigeith community Centre OP Review June 4 22.docx](#)  
[image001.png](#)  
[image003.png](#)

---

Good morning Howard,

I acknowledge receipt of your emailed correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 11 Public Meeting, and attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** howard cole [REDACTED] >  
**Sent:** Thursday, July 7, 2022 9:51 AM  
**To:** Kyra Dunlop <[kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca)>  
**Cc:** Bruce Harbinson <[REDACTED]>  
**Subject:** Fwd: July 11 tree By-law public meeting at Council

Hello,

I am a resident of Castle Glen and a member of the Escarpment Corridor Alliance. I am in strong support of Bruce's letter below to you.

For me the jewel of this part of the world is the mature forests. They must be protected at all costs for a number of reasons. Trees are the planets lungs and without them we and the majority of species on earth are doomed. You just have to watch David Attenborough documentaries on life on earth to appreciate this. Secondly the Township of Blue Mountains still has some of the finest forests

in Canada and they must be preserved. We would look foolish and neglectful as a township if we didn't do everything we can to protect these forests. I do not want our legacy to be neglect and destruction of them. I want to be remembered as a township that stood firmly against development in our forests. I do not buy the reasoning that Castle Glen's development plan was grandfathered several times and therefore should proceed. Circumstances have changed dramatically. With the rapidity of global heating our future is at stake. This was not a consideration in 2004 through 2006 when the official plan for this area was decided and adopted.

Please confirm that this letter of concern has reached the appropriate people.

Howard Cole

Begin forwarded message:

**From:** Bruce Harbinson <[REDACTED]>  
**Subject:** Fwd: July 11 tree By-law public meeting at Council  
**Date:** July 7, 2022 at 9:06:53 AM EDT  
**To:** howard cole <[REDACTED]>, John Pratt <[REDACTED]>,  
Derek Wilson <[REDACTED]>, Adriene Veninger  
[REDACTED] <[REDACTED]>, Mary Ruby [REDACTED] <[REDACTED]>, David  
Yanowski <[REDACTED]>

Good morning folks,

You were all at the recent TBM Official Plan meeting and voiced concern over excess development pressure. You may have heard that there is a proposed tree by-law that is part of the town's effort to mitigate climate change and preserve character and biodiversity. There is a public meeting on Monday and written submissions can be made to the town clerk up until the end of the day. I am attaching my submission and I plan to be there on Monday. For those in Castle Glen you will note the strategic importance of this by-law. Please feel free to submit my document with a few words of your own support or write your own comments if you so choose.

You can send any emails to: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca)

Many thanks,  
Bruce

P.S. Mary, can you please forward to Wood as I can't find his email.

\*\*\*Note\*\*\* Please update your contact information with my new personal email address: [REDACTED]



Bruce Harbinson  
Chair, TEC Canada

[REDACTED]

[REDACTED] forwarded message:

**From:** Pamela Spence [REDACTED]  
**Subject:** July 11 tree By-law public meeting at Council  
**Date:** June 29, 2022 at 1:50:52 PM EDT  
**Reply-To:** Pamela Spence <[REDACTED]>

Attached is the notice of the scheduled public meeting on the Tree By-law. This email is a reminder to attend or register to virtually attend and make your comments known. If you support this, your voice must be heard as loud as those against.

I also attach a list of names of folks who attended the Craigeith Official plan review and expressed interest in following up on the Tree By-law. this list was compiled taken from a photo of the names but the Twon would not share the email addresses.

if you know any of these folks and would share their email with me, I would appreciate it. If you would rather not put in their email but can reach them, please let them know or send them the notice of this upcoming meeting July 11.

Thank you for your assistance and interest.

Pamela Spence

[REDACTED]

**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Town Clerk](#); [Travis Sandberg](#); [Karen Long](#)  
**Subject:** RE: Town of Blue Mountains Tree Bylaw Comments  
**Date:** July 7, 2022 5:09:14 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Good afternoon James,

I acknowledge receipt of your emailed correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 11 Public Meeting, and attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** James Dobbin [REDACTED] >  
**Sent:** Thursday, July 7, 2022 5:05 PM  
**To:** Town Clerk <[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)>  
**Subject:** FW: Town of Blue Mountains Tree Bylaw Comments

Dear Krista,

I sent this message to Corrina and she is not available and since I think it might be time sensitive I am sending it to you to make sure you received it today on her behalf.

Many thanks

James Dobbin

---

**From:** jim [REDACTED] >

**Date:** Thursday, July 7, 2022 at 4:55 PM

**To:** "[cgiles@thebluemountains.ca](mailto:cgiles@thebluemountains.ca)" <[cgiles@thebluemountains.ca](mailto:cgiles@thebluemountains.ca)>

**Subject:** Town of Blue Mountains Tree Bylaw Comments

Dear Sir,

I fully agree with the points made in the attached letter written by Bruce Harbinson.

We all enjoy the immense benefits provided by the Niagara Escarpment, in fact a large proportion of us live, work and recreate here primarily because of the escarpment corridor and its strategic location bordering the western shores of Georgian Bay. Our successful tourism industry is largely due to the natural escarpment and the opportunities it provides. We must protect the natural escarpment corridor as a connected ecological corridor. That means maintaining and expanding the existing tree cover and connectivity.

The forest cover on the Castle Glen settlement area needs to be protected and preserved as an integral piece of the connected escarpment corridor.

We cannot allow further fragmentation. The health of the two important cold water fisheries that arise from the springs and lake at Castle Glen (Silver and Black Ash) rely on it. As local residents and business owners we rely on a green natural escarpment corridor as our most important natural asset.

Thank you for your consideration.

James Dobbin

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**James Dobbin | President & CEO**

[REDACTED]

- Founder, Dobbin International Inc
- Member, IUCN World Commission on Protected Areas (WCPA)
- Fellow, Canadian Society of Landscape Architects (CSLA)
- Member, Ontario Association of Landscape Architects (OALA)

- Member, American Society of Landscape Architects (ASLA)
- Committee Member, for the Aspiring Georgian Bay Geopark, Ontario
- Advisor, Escarpment Corridor Alliance, Collingwood, Ontario

**Dobbin International Inc | Strategic Spatial Development Planning | Land-Coast-Ocean**

PO Box 26607 | Richmond, Virginia 23261 | USA | [www.dobbin.org](http://www.dobbin.org)

PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then deleting it from your system.

Submission for Comment on “By-law to prohibit and regulate the destruction or injuring of certain trees in The Town of The Blue Mountains,” by:

**Elizabeth F. Marshall,**

*President All Rights Research Ltd.,*

*Non-Partisan Advocate*

*Director of Research Ontario Landowners Association*

*Author – “Property Rights 101: An Introduction”*

*Chairperson – Canadian Justice Review Board*

*Legal Research – Queen’s Counsel, Lawyers, Law Offices, etc.,*

*Legislative Researcher – MPs, MPPs, Municipal Councilors.*

1. An introduction as to who I am. I am a legal, legislative and historical researcher, as well as an author, but I am not a lawyer and do not give any legal advice. I am the President of All Rights Research Ltd., and do Legal/Legislative/Constitutional Research for various Law Offices, as well as for MPs, MPPs, Municipal Councils, and Municipal Officials. Based on the many reports and articles I have done, respecting various pieces of Legislation and Legislative Instruments, I have been cited and acknowledged in Parliament (House of Commons) and Queen’s Park, on a number of occasions. I have also published a book, in its second edition, on property rights with reference to the many Canadian Constitutional documents. As an avid writer, I have authored various articles for the Landowner Magazine, etc. In conjunction with the aforementioned I am the Director of Research for Ontario Landowners Association. In May of 2012 I was elected to the Board of Directors of the Canadian Justice Review Board, and in May of 2016 I was promoted to the position of Secretary. In October of 2020 I was elected as Chairperson of the Canadian Justice Review Board. Over the past decade and a half, I have been invited as a guest on a number of talk radio programs and as a speaker at various functions, including at the University of Guelph, on more than one occasion.

2. I have been asked by a number of residents to make comment on the draft “By-law to prohibit and regulate the destruction or injuring of certain trees in The Town of The Blue Mountains,” presented for public comment/input

3. Having read a number of versions of this By-law, since it was presented in 2019, I find that this and the second last version to, as expressed in the many documents sent

to Council, be still in violation of a number of Acts, including but not limited to: The Municipal Act, Constitution (British North America Act, 1867 [BNA]), the Forestry Act, the Conservation Land Act, the Public Lands Act, etc., as noted in the various documents/emails sent to the Mayor, Deputy Mayor and various Council members, as well as various staff members.

4. And again this version brings in the Council's 2019 Resolution of a "Climate Emergency." This is either making a mockery of climate change, violating the Emergencies Act, or is, it would seem, the Council and/or Staff attempting to mislead the residents of this community.

5. When one sees the map, with the boundaries of where the restrictions are to be implemented, one could only conclude that the statement regarding the "climate" is a mockery, shouldn't they, as the area included is quite small? If, as the By-law states, in the paragraph pertaining to the "climate emergency," "trees have been identified as an important element in mitigating the impacts of a changing climate," then one should expect that this By-law should encompass the entire community, shouldn't one?

6. If, on the other hand, this By-law is to stop development and/or housing, as expressed in a number of newspaper articles, would this not be the Council and Staff doing indirectly what it (they) cannot effect, lawfully, directly?

7. If this By-law is for the purported protection of the environment, then surely, it must be extended to the entire municipality and not merely a few privately owned properties, shouldn't it? Or is that what Council and Staff are attempting to do, create a By-law to open the door to for an amendment to this By-law, in the near future, to encompass everyone's private property? That is what happened in Haldimand County, and not even farmers are exempt.

8. Then there are those who are promoting this By-law to the detriment of their fellow human beings. They, who already have their homes on land that had previously been



cleared to build their homes, will chastise the many who merely want somewhere to live. Somehow, they feel they are the only ones entitled to having a home and in their “hypocrisy” they seem affronted that others want what they have – somewhere to live and raise their families. If there are some who want to save the trees, want to stop development, want to stop others from owning a home, they need to purchase the land. Despite some person’s opinions, something that is unlawful will remain unlawful, no matter how loud they might yell.

9. As noted in the media, for years Ontario has been suffering from a housing shortage. This is driven by supply and demand and it has been found that the middle-class is falling farther and farther behind, merely in a bid to survive. This has been brought on by a few who say they are wanting to, purportedly, save the environment, and yet only if it does not interfere with what they want to do – such as having a home. Aesthetics, scenery, age of foliage, etc., on the whim of a few are not grounds for a By-law to control privately owned land including private trees, and those whims are not grounds for the few to stop someone else from building a home. As expressed in *Ontario v. Rowntree Beach Assn.*, 1994, Conclusion, Section [123] “*The Queen in right of Ontario*” having “*no right, title or interest in and to the lands described...* ”<sup>1</sup> and if the Queen has no “right, title or interest” one should question as to where a municipality could expect to have more authority than the Crown, shouldn’t one?

10. As for the delegation of authority to the “Director,” it would seem under By-law 2021-61 that has already been done. The question is – who can have faith in a Council that would delegate to Staff authority which hasn’t even been created yet? With said authority already being delegated could it be there is something that seems to be very presumptuous taking place, and perhaps Council and/or Staff should take a step back, as that action may place the entire issue on a completely different level, couldn’t it?

11. The other issue with this delegation of authority is, why isn’t the Director of Planning named as the “Director” in said By-law, considering the Director of Planning is to have

---

<sup>1</sup> Ontario (Attorney General) v. Rowntree Beach Assn., 1994, Conclusion, Section [123]

this discretionary authority under By-law 2021-61 and POL.COR.07.04, “Delegation by Council of Powers and Duties Policy”? Under the aforementioned By-law and Policy documents, it is the Director of Planning who is to have control over this egregious action by the municipality, as expressed in those documents.

12. In conclusion it would seem this By-law is in violation of The Municipal Act, The Constitution (British North America Act, 1867 [BNA]), the Forestry Act, the Conservation Land Act, the Public Lands Act, the Emergencies Act, etc.

This By-law could be considered an affront to the residents of this community and should have been stopped, by Council, after the first attempt at passing it.

This By-law, on the face of it, could be considered as mocking climate change and the environment or it would encompass the entire community and not merely a few small select areas.

Is this By-law merely a precursor to the same abuses as have taken place in other municipalities, to the detriment of their residents?

It also seems that this is Council and Staff attempting to do indirectly what it cannot do lawfully directly, making the law an illusion.

As expressed in “*Regina and The Queen Insurance Co., Held by Superior Court, Montreal, Torrance, J., affirmed by Queen’s Bench, Montreal, and confirmed by the Jud. Com. Of the Privy Council ...*” – Angers -

*“It is an evasion of the Act from which the Local Legislature derives its power. The Local Legislature cannot, no more than private individuals, act as it were in fraud of the law, that is, do by indirect means what it cannot effect directly...”<sup>2</sup>*

Thank you for your time.

---

<sup>2</sup> Constitution of Canada. The B.N.A. Act, 1867; Its Interpretation, etc., p. 209

**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Travis Sandberg](#); [Karen Long](#); [Town Clerk](#)  
**Subject:** RE: Tree By law letter  
**Date:** July 7, 2022 8:44:45 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Good morning Bruce,

I acknowledge receipt of your emailed correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 11 Public Meeting, and attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** Cecilia Spihlmann <[REDACTED]>  
**Sent:** Thursday, July 7, 2022 7:35:58 AM  
**To:** Corrina Giles <[cgiles@thebluemountains.ca](mailto:cgiles@thebluemountains.ca)>  
**Subject:** Tree By law letter

Date: July 6, 2022

From: Bruce Harbinson

To: The Blue Mountains, Mayor, Council and Staff

**Re: Proposed Tree By-Law**

Dear Mayor, Council and Staff,

My name is Bruce Harbinson and I am a resident of the Blue Mountains and President of the Escarpment Corridor Alliance (the ECA) ([www.myescarpment.ca](http://www.myescarpment.ca)), a not-for-profit organization with a mission to keep our unique and highly sensitive

escarpment green and free from inappropriate development.

The ECA is strongly in favour of the tree by-law and this support is echoed by thousands of our supporters. The Official Plan review and resident surveys also point to overwhelming support for strong environmental leadership within our wonderful community including the maintenance of community character which staff indicated includes our natural heritage. Our supporters and residents of the Blue Mountains clearly understand the economic, conservation and lifestyle value that our UNESCO World Biosphere designated landscape brings. Trees, our forests and dense canopies, provide critical habitat, mitigate the impact of climate change and sustain our tourism and recreation economy.

**Our support for this proposed by-law is, however, predicated on one clarification or amendment.** The majority of 'teeth' in this by-law take effect in designated Settlement Areas. Schedule A, as referenced on the TBM website does not list Castle Glen as a settlement area while the 'Blue Print' Official Plan Review document (Vision, Strategic Directions & Land Use Concept Background Paper clearly refers to Castle Glen as a settlement area (pgs 14-18).

**Using the town's own data** (May 2022 The Blue Print - Growth Allocations & Fiscal Impact Report) **Castle Glen will have the second most dwelling units constructed (719) between now and 2046 in the town.** This is second only to the 868 units in the **combined** Craigeleith, Swiss Meadows and Blue Mountain Village. [Note: the 719 units at Castle Glen dramatically underestimates what is likely to get built ahead of 2046 should development proceed. Infrastructure costs will punish the return on investment for any developer building out at lower levels than the 1900 units in the Official Plan.]

Moreover, even allowing for this level of development, **Castle Glen will still have the second most remaining capacity for additional dwellings with another 1,124 possible units.** Again this is second only to the combined towns of Clarksburg and Thornbury with 1,304.

So, why must Castle Glen be considered a Settlement Area?

The Province of Ontario recognizes Settlement Areas as built up areas where development is concentrated. While Castle Glen is currently zoned as an 'escarpment recreational' Settlement Area the town's own data, as shown above, substantiate that, in the eyes of planners, it is right at soon to be among the largest of town Settlement Areas. **It makes no sense to wait until Castle Glen is built– tear all the trees down to build the houses and then apply the Tree By Law when it is too late to protect any trees!!**

Town Council has clearly heard the message around resident's environmental

concerns and our demand for action around climate change mitigation strategies. Better protection, expansion and improved management of the world's forests are considered by many experts as among the most promising nature-based solutions. Michael Coe, a program director at the Woodwell Climate Research Center and co-author of a recent study on the impact of trees and tree cover on temperature and climate change, said: "Without the forest cover we have now, the planet would be hotter and the weather more extreme. Forests provide us defense against the worst-case global warming scenarios."

Tree protection in Castle Glen is especially important as the property is home to the headwaters of Silver and Black Ash Creek. Loss of tree canopy will impact the cold water fisheries in these two valuable waterways. Additionally, loss of trees combined with land alteration and hardscaping for development on sensitive Karst (porous limestone) topography will have profound consequences not just for the immediate area but also disrupt critical, contiguous forests and natural ecological corridors. The forests of Castle Glen are the critical elbow piece in the connected ecological corridor running from Pretty River Valley north to Georgian Peaks and east over through Kolapore and Duncan to the Beaver Valley.

Does the Town of Blue Mountains really want to set the precedent as being the **first municipality along the entire length of the UNESCO Biosphere designated Niagara Escarpment allow for urban development draping over the brow onto the highly protected slopes – and potentially lose the designation?** This is surely not achieving a balance between protection and development in an internationally significant natural ecological corridor. It will make for good media coverage/exposure!

Please ensure that the forests of Castle Glen receive the protection of this by-law as well as the other Settlement Areas of The Blue Mountains.

Yours respectfully,

Bruce Harbinson  
President, Escarpment Corridor Alliance

[REDACTED]

Sent from my iPhone

To: Council of the Town of The Blue Mountains and Staff

From: Pamela Spence, 209691 Highway 26, Town of the Blue Mountains

RE: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68 – Public Meeting

Date: July 19, 2022

I am providing you with a written version of the presentation I made at the July 11, 2022 Public Meeting to Council and a few further comments arising from comments made during the Public Meeting.

I am Pamela Spence a former member of the Sustainability Advisory Committee, The Economic Development Advisory Committee and an involved citizen of the Town of the Blue Mountains. I am here and writing to speak for the trees of our community.

The Town has declared a climate emergency. Tree preservation and planting is a known solution to help address the climate crisis. More learned folks than I have published multiple books on the subject, namely, Richard Powers – Overstory, Peter Wohlleben – Hidden Life of Trees, Suzanne Simard (Canadian) – Mother Tree and my personal favourite Diana Beresford Kroeger – To Speak for the Trees. With a doctorate in Science Ms. Kroeger, who lives outside Ottawa, has researched the hidden powers of trees and confirms in literature and film that, if we preserve what we have and each person plants 2 trees a year for 3 years (6 trees total), we would have the climate crisis under control. Ms. Kroeger's request is an easy step and starts with safeguarding the trees that we already have.

Research has proven that trees are very valuable because they

- improve our air and water quality
- prevent soil erosion and flooding
- offer shade to control temperatures and conserve energy
- attract and provide habitat for wildlife, birds and pollinators
- improve health and wellness by their very presence and may have medicinal properties
- make our communities more beautiful which in turn sustains our tourism and recreation economy

Councillor Hope described The Blue Mountains as a “nature-based community” and Town policies reinforce that “branding” as she likes to say and speak to strong environmental, social/culture and economic leadership.

The 2016 Official Plan D.8.2 speaks to tree protection, enhancement and expansion and green canopy studies. Even more up to date, the citizens have responded in the Official Plan Review survey, on page 4, that they highly desire the preservation of GREEN, NATURE and ENVIRONMENT.

The ICSP – Blue Mountains Future Story - Big Move on page 10 is to “Create Climate Solutions” to reduce greenhouse gases and ensure the health of all living things. Protecting and preserving trees goes a long way to addressing this solution.



In the Economic Strategy of TBM, page 10, the 3<sup>rd</sup> goal - **Environmental Resiliency** is “To protect and preserve the natural environment for future generations through sustainable development and businesses practice”. Implementing a tree protection by-law is a sustainable business practice.

**I support the changes to the proposed draft of the Tree By-law, including a name change to the Tree Preservation By-law, and I urge staff and Council to adopt this policy.**

Thank you to the staff of the Sustainability and Planning Departments for diligently doing the research, speaking with various Town citizens, and reviewing existing legislation and best practices of communities like Halton, Ottawa, London, Vancouver, Waterloo etc. This latest draft is very acceptable.

I would prefer TBM’s by-law cover all trees and areas and I agree with Mr. Uram’s suggestion that the by-law be applicable to ½ acre lots to include infill lots. However, while that is my preference, given the change this represents, this draft is a good start and should be adopted if it is more palatable to citizens.

There have been concerns voiced that the proposed by-law does not have legal standing. Director Thomson’s staff report addressed those concerns and identified which legislation empowers this by-law. Should there be additional clauses that others believe challenge the Director’s conclusions, then perhaps additional consideration should be given to ensure the by-laws strength. However, numerous municipalities have by-laws in place currently (as revealed in the best practices research) which would have been challenged had they not had legal standing. So the ability to create the by-law must have legal standing and be enforceable.

There were concerns that developers should be the target and not folks. Well this targets lands over half a hectare which are larger landholdings and potential development sites. Anything over a hectare has the County policies to contend with as well. Furthermore this by-law gives Town staff the tool to back their position when reviewing Tree Protection Plans required as part of a subdivision approval process. Without legislation promoting tree protection, there are no teeth to prevent clear cutting on a development application.

There were concerns that agricultural lands and woodlands with existing plans would be negatively affected. Defining exemption boundaries removes this concern as this by-law applies only to serviced or settlement areas currently identified as the more “urban” strip along the shoreline including Thornbury and Clarksburg and not the interior agricultural or rural properties. Because of its location on the escarpment and the large single “new town” holding, I concur that the Castle Glen area must be included in this tree protection by-law. Should there still be concern over the boundaries of the application, perhaps less confusion would be created if the by-law applied to relevant or equivalent TBM Official Plan Land Use designations instead. This also permits an easier update should development land use designations change in the OP review.

Please note - This by-law is not intended to stop people being able to cut trees or change their landscape. I see it as a tool to educate folks about the importance of trees and if large trees are being removed consideration should be given to a replacement plan to keep TBM green.

I would add that there are steps needed to implement this by-law that need to be addressed. Prior to implementation, this by-law should have a year of grace for public information on purpose, implementation process and education on trees and their benefits. In the year timeframe, TBM should

promote tree conservation in complementary programs to raise awareness and encourage land owners to be good stewards of our trees.

Within the grace period and prior to the implementation of this by-law, the permit application should be created that is educational, informative and has a native species tree or replanting list accompanying it. It should also have some direction/preferences on what to do with tree cutting residue.

I believe fees to adhere to the by-law should not be punitive, preferably minimal for a few years, however, penalties should be strict, enforced well and costly. And, learning from STA's, if an infraction occurs then there should be cross departmental communication and consequences.

With respect to comments made by others, I agree that the "director" responsible with application and approval process should not be in the Planning Department. I believe there is sufficient justification to hire an educated tree specialist to manage the Tomahawk nursery (and maybe the heritage orchard the Mayor wants), assist with trail management, direct the promised tree canopy study, review incoming developers' Tree Preservation Plans, direct the imminent green asset/natural asset study and manage the tree protection by-law.

I support adding wording to define and protect border trees (joint decision on removal) and heritage trees. Trees of significant age, purpose (erosion protection) or species should be majorly protected.

I also like the word smithing suggested to change "may" to "shall" or "must" where appropriate. I also do not support tree compensation in the event an applicant does not want to comply.

I will close by saying I walk the Georgian Trail daily. I have seen the destruction of the Emerald Bore on the Ash trees. I have seen the loss of canopy when, in 2020, the Town decided to cut the diseased trees along the trail. I am delighted to report that the trunks that were left now have 10-15 foot trees regrowing from most if not all of those stumps. In a few more years we will have a better canopy for the trail.

Trees are resilient. Our Town is built on resiliency from our early settlers who used trees for their roads and homes to modern day pioneers who have researched the significant contribution trees make to our society. **Please move this by-law forward to protect to protect and enhance TBM's tree canopy** and natural vegetation and create an education program reinforcing the benefit of trees so that TBM may have a positive effect on the climate crisis.

Thank you

Pamela Spence

[REDACTED]



**From:** Kyra Dunlop  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Travis Sandberg; Karen Long  
**Subject:** FW: my feedback proposed TBM tree protection bylaw  
**Date:** July 13 2022 10:10:59 AM  
**Attachments:** [image.jpg](#)  
[image001.png](#)  
[image001.png](#)

Good morning Richard

I acknowledge receipt of your ema led correspondence as it relates to the July 11 Public Meeting: Proposed Amendment to Tree By-law 2010-68 and note that you have copied Council and staff to your email for information and consideration. Your comments will be included in the followup staff report regarding this matter.



**Kyra Dunlop**  
Deputy Clerk  
Town of The Blue Mountains 32 Mill Street P.O. Box 310 Thornbury ON N0H 2P0  
Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723  
Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

**From:** richard lamperstorfer [REDACTED]  
**Sent:** Wednesday, July 13, 2022 9:46 AM  
**To:** Kyra Dunlop <[kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca)>; Travis Sandberg <[sandberg@thebluemountains.ca](mailto:sandberg@thebluemountains.ca)>  
**Cc:** council <[council@thebluemountains.ca](mailto:council@thebluemountains.ca)>; SMT <[SeniorManagementTeam@thebluemountains.ca](mailto:SeniorManagementTeam@thebluemountains.ca)>; Natalya Garrod <[ngarrod@thebluemountains.ca](mailto:ngarrod@thebluemountains.ca)>; Town Clerk <[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)>; Scott Taylor <[Scott.Taylor@grey.ca](mailto:Scott.Taylor@grey.ca)>  
**Subject:** my feedback proposed TBM tree protection bylaw

[www.collingwoodtoday.ca/the-blue-mountains-and-grey-highlands/public-opinion-split-for-tbm-tree-bylaw-5573431](http://www.collingwoodtoday.ca/the-blue-mountains-and-grey-highlands/public-opinion-split-for-tbm-tree-bylaw-5573431)

Council  
Originally I supported the proposed bylaw, yet after listening to farmer John Ardiel, others, I changed my mind.

reference: Arguable is that me being tied to this tree in The Beach started Toronto's Tree Bylaw. Honestly I did this reluctantly, selfishly, out of peer pressure, as I was fully aware the neighbour property was zoned Commercial and that it would affect our property value. [https://books.google.ca/books?id=ffRBtghLp8C&pg=PA128&log=PA128&dq=richard\\_lamperstorfer\\_heidi\\_reed\\_russell&source=bl&ots=dy3e7AZCqT&sig=ACTU3U353bqC7houzA8o0ayvol\\_1wld8w&hl=en&sa=X&ved=2ahUKEwjyqyflx3AbXXBM0KHjrrALD0GAF6AgCTAMby=consPage&q=richard%20lamperstorfer%20heid%20reed%20russell&f=false](https://books.google.ca/books?id=ffRBtghLp8C&pg=PA128&log=PA128&dq=richard_lamperstorfer_heidi_reed_russell&source=bl&ots=dy3e7AZCqT&sig=ACTU3U353bqC7houzA8o0ayvol_1wld8w&hl=en&sa=X&ved=2ahUKEwjyqyflx3AbXXBM0KHjrrALD0GAF6AgCTAMby=consPage&q=richard%20lamperstorfer%20heid%20reed%20russell&f=false)

note: During the meeting Council lor Uram referred to my old apple trees as "weeds" under Bylaw Services, which frankly I was unaware of, accept attempting to remove ALL.

The proposed bylaw when overlapped with my several 5 year old Slade 00 units(residential development) drawings on my 13 acres West Thornbury, initiates me to remove ALL the undersize diameter trees(outside the Grey-Sauble controlled zone) which in a few years of growth would be protected likely then to be used as NIMBY tool/leverage for distance separation.

So, reluctantly, I have changed my mind. I DO NOT support the tree bylaw! As far as link 'collingwood today' it's a shame reporter's don't capture more of a Councillor quote, as I believe Council lor Uram's quote/comment is too easy to misinterpret, without the full context/comments he made.

Thank you,  
Richard Lamperstorfer

Attachment: The Beach Toronto historic photo my residence & storefront 1980's where I started the first Beach BIA from Eliza Dolittle Flowers Ltd. our family shop at 1975A Queen at Waverley. note: a 3 storey school is now on the garage footprint fronting Waverley. highest and best use something TBM should strive for imo.

**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Town Clerk](#); [Travis Sandberg](#); [Karen Long](#)  
**Subject:** RE: Tree Bylaw letter submission  
**Date:** July 7, 2022 4:54:24 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Good afternoon Jane,

I acknowledge receipt of your emailed correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 11 Public Meeting, and attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** Jane Pratt [REDACTED] >  
**Sent:** Thursday, July 7, 2022 2:57 PM  
**To:** Kyra Dunlop <[kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca)>  
**Subject:** Tree Bylaw letter submission

Date: July 7, 2022

From: Jane & John Pratt

To: The Blue Mountains, Mayor, Council and Staff

Re: Proposed Tree By-Law

Dear Mayor, Council and Staff,

Our names are John and Jane Pratt and we are full time residents of the Castle Glen neighbourhood in The Blue Mountains.

We are strongly in favour of the tree by-law and this support is echoed by our neighbours and friends, both in Castle Glen and in the Blue Mountain area. We completed the residents

survey and have read the report on the results of that survey, along with attending meetings about the Official Plan review. Both point to overwhelming support for strong environmental leadership within our wonderful community including the maintenance of community character which staff indicated includes our natural heritage. We clearly understand the economic, conservation and lifestyle value that our UNESCO World Biosphere designated landscape brings. Trees, our forests and dense canopies, provide critical habitat, mitigate the impact of climate change and sustain our tourism and recreation economy.

Our support for this proposed by-law is, however, predicated on one clarification or amendment. The majority of 'teeth' in this by-law take effect in designated Settlement Areas.

Schedule A, as referenced on the TBM website does not list Castle Glen as a settlement area while the 'Blue Print' Official Plan Review document (Vision, Strategic Directions & Land Use Concept Background Paper clearly refers to Castle Glen as a settlement area (pgs 14-18)

Using the town's own data (May 2022 The Blue Print - Growth Allocations & Fiscal Impact Report) Castle Glen will have the second most dwelling units constructed (719) between now and 2046 in the town. This is second only to the 868 units in the combined Craighleith, Swiss Meadows and Blue Mountain Village. [Note: the 719 units at Castle Glen dramatically underestimates what is likely to get built ahead of 2046 should development proceed. Infrastructure costs will punish the return on investment for any developer building out at lower levels than the 1900 units in the Official Plan.] Moreover, even allowing for this level of development, Castle Glen will still have the second most remaining capacity for additional dwellings with another 1,124 possible units. Again, this is second only to the combined towns of Clarksburg and Thornbury with 1,304.

So, why must Castle Glen be considered a Settlement Area?

The Province of Ontario recognizes Settlement Areas as built-up areas where development is concentrated. While Castle Glen is currently zoned as an 'escarpment recreational' Settlement Area, the town's own data, substantiate that, in the eyes of planners, it is soon to be among the largest of town Settlement Areas. It makes no sense to wait until more houses are built in Castle Glen— tear all the trees down to build the houses and then apply the Tree By Law when it is too late to protect any trees!!

Town Council has clearly heard the message around resident's environmental concerns and the demand for action around climate change mitigation strategies. Better protection, expansion and improved management of the world's forests are considered by many experts as among the most promising nature-based solutions. Tree protection in Castle Glen is especially important as the property is home to the headwaters of Silver and Black Ash Creek. Loss of



tree canopy will impact the cold water fisheries in these two valuable waterways. Additionally, loss of trees combined with land alteration and hardscaping for development on sensitive Karst (porous limestone) topography will have profound consequences not just for the immediate area but also disrupt critical, contiguous forests and natural ecological corridors. The forests of Castle Glen are the critical elbow piece in the connected ecological corridor running from Pretty River Valley north to Georgian Peaks and east over through Kolapore and Duncan to the Beaver Valley.

Does the Town of Blue Mountains really want to set the precedent of being the first municipality along the entire length of the UNESCO Biosphere designated Niagara Escarpment to allow for urban development draping over the brow onto the highly protected slopes – and potentially lose the designation? This is surely not achieving a balance between protection and development in an internationally significant natural ecological corridor

Please ensure that the forests of Castle Glen receive the protection of this by-law as well as the other Settlement Areas of The Blue Mountains.

Yours respectfully,  
John & Jane Pratt

[REDACTED]

[REDACTED]

**From:** [Website Committee](#)  
**To:** [Tree By-law](#); [Travis Sandberg](#)  
**Subject:** Webform submission from: Contact the Tree By-Law Update  
**Date:** July 6, 2022 4:57:59 PM

---

Submitted on Wed, 07/06/2022 - 16:57

Submitted by: Anonymous

Submitted values are:

**Name:**

Jan Pratt

**Email:**

[REDACTED]

**Phone:**

[REDACTED]

**Share your feedback regarding the Tree By-law Update:**

PLEASE.....protect the trees in any way you can....protect them from those who see them as obstacles to development, and in return the trees will keep doing their job(s).

I support the tree preservation bylaw and encourage staff and council to keep working toward a SUSTAINable balance between NATURE and the inevitable growth of our town. Jan Pratt  
Landscape Architect.

**I would like a copy of my submission sent to my email address.**

No

Any accompanying files are attached.

**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Travis Sandberg](#); [Karen Long](#); [Town Clerk](#)  
**Subject:** RE: Town of Blue Mountains Tree Bylaw comments  
**Date:** July 7, 2022 8:45:31 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)

---

Good morning Mike,

I acknowledge receipt of your emailed correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 11 Public Meeting, and attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** Mike Robbins <[REDACTED]>  
**Sent:** Wednesday, July 6, 2022 9:08:24 PM  
**To:** Corrina Giles <[cgiles@thebluemountains.ca](mailto:cgiles@thebluemountains.ca)>  
**Subject:** Town of Blue Mountains Tree Bylaw comments

Hello

I fully agree with the points made in the attached letter written by Bruce Harbinson.

We all enjoy the immense benefits provided by the Niagara Escarpment, in fact a large proportion of us live, work and recreate here primarily because of the escarpment corridor and its strategic location bordering the western shores of Georgian Bay. Our successful tourism industry is largely due to the natural escarpment and the opportunities it provides. We must protect the natural escarpment corridor as a connected ecological corridor. That means maintaining and expanding the existing tree cover and connectivity.

The forest cover on the Castle Glen settlement area needs to be protected and preserved as an integral

piece of the connected escarpment corridor.

We cannot allow further fragmentation. The health of the two important cold water fisheries that arise from the springs and lake at Castle Glen (Silver and Black Ash) rely on it. As local residents and business owners we rely on a green natural escarpment corridor as our most important natural asset.

Thank you

Mike Robbins



Founding Partner, the Tourism Company

Past Chairman of the Center for Responsible Travel (CREST in Washington DC)

Part of the TAPAS Group network (IUCN Tourism and Protected Areas Specialist Group)

Committee Member for the Aspiring Georgian Bay Geopark

Member of the Trebek Council

Board Member of the Escarpment Corridor Alliance

Fellow International Member of the Explorers Club

Royal Penguin LT&C (Linking Tourism & Conservation)



the Tourism Company

**From:** [REDACTED]  
**To:** [Travis Sandberg](#)  
**Subject:** Tree by-law  
**Date:** June 23, 2022 10:00:27 PM

---

Dear Travis

The July 11 2022, Tree By-law meeting may be the last meeting with the local town residents. This meeting is conveniently held during the daytime, unfortunately many residents cannot attend, since so many people are working.

I'm sure many people would like to stand up and defend their rights to protect their land and be good stewards to preserve their forest and plant life.

As in the past, we have gone to the Town of Blue Mountains meeting for the Tree preservation. The by-law should go after the Developers who would like to clear cut forests for future development.

There should be No Limit of cutting 5 Trees on a Landowner's property for firewood.

I have had many mature White Pine Tree tops snap off from mid winter wind storms. Therefore, I must cut the remaining tree down, it is becoming deadfall and soon a hazard.

Please consider all residents concerns, we do not wish to have the same Laws as the (NEC)Niagara Escarpment Commission.

Those person(s) on council who wish to push Town of Blue residents should focus on The NEC district as on their own boundary.

Thank you Shelly Hobson

**From:** [REDACTED]  
**To:** [Travis Sandberg](#); [Corrina Giles](#)  
**Cc:** [Alar Soever](#); [Andrea Matrosovs](#); [Shawn Everitt](#); [Peter Bordignon](#)  
**Subject:** Re Tree By Law TBM July 11 meeting  
**Date:** July 6, 2022 12:09:51 PM

---

July 6, 2022

Please share my input to the appropriate Councillors and Staff of TBM

Given the various exemptions to the Tree BY law for many of the parts of the TBM, ( ie Non Settlement areas) The town needs to be committed in actions and words to have available to the public, clear data on existing counts of various species of flora and fauna in the TBM as of 2020, so comparison data can be done after a minimum of a 2 year change in the Town Tree By Law.

Will we have fewer species of birds,d insects and mammals as well as understory plants, given the change to their habitat, based on the new ways to manage tree protection?

It will be critical to understand the consequences of the 2022 Tree By LAW and if it is actually achieving a better canopy for the TBM.  
How will this by law be measured and monitored to be clear about what it is achieving ...?

Thank you for the incorporation of these concepts into the management of the Tree By Law in TBM.

Regards

Lorraine Sutton  
[REDACTED]

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

**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Town Clerk](#); [Travis Sandberg](#)  
**Subject:** RE: Tree By Law  
**Date:** July 12, 2022 9:10:35 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Good morning Adriene,

I acknowledge receipt of your emailed correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** Adriene <[REDACTED]>  
**Sent:** Tuesday, July 12, 2022 7:24 AM  
**To:** Town Clerk <[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)>  
**Subject:** Tree By Law

Good Day,

Unfortunately I was unable to attend yesterday's meeting at the town hall but would like to add my voice to the many that are concerned with how the cutting down of trees in our municipality is being managed.

The importance of trees in the environment cannot be underestimated as we march towards more extreme weather conditions everywhere in the world including in our region. I would like to see leadership from our community that shows that we understand and are will to undertake decisions that will protect trees as well as important ecosystems in our environment. Once destroyed they are gone forever and the repercussions of that loss will be with us for generations, let ours not be the generation that is responsible for this kind of environmental decline.

Respectfully Yours,



Adriene Veninger  
Castle Glen



**From:** [Kyra Dunlop](#)  
**To:** [REDACTED]  
**Cc:** [council](#); [SMT](#); [Corrina Giles](#); [Krista Royal](#); [Travis Sandberg](#)  
**Subject:** FW: Webform submission from: Town Clerk  
**Date:** July 6, 2022 1:41:49 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Good afternoon Sarah,

I acknowledge receipt of your email with attached correspondence as it relates to the [July 11 Public Meeting Re: Proposed Amendments to the Municipal Tree Preservation By-law 2010-68](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 11 Public Meeting, and attached to a followup staff report regarding this matter.



**Kyra Dunlop**

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,  
ON N0H 2P0

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: [kdunlop@thebluemountains.ca](mailto:kdunlop@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** Website Committee <[webcommittee@thebluemountains.ca](mailto:webcommittee@thebluemountains.ca)>

**Sent:** Wednesday, July 6, 2022 1:22 PM

**To:** Town Clerk <[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)>

**Subject:** Webform submission from: Town Clerk

Submitted on Wed, 07/06/2022 - 13:22

Submitted by: Anonymous

Submitted values are:

**Name:**

Sarah Waggott

**Email:**

[REDACTED]

**Phone:**



**How can we help you?**

As a resident of Thornbury I would like to express my urgent and passionate support for the proposed new tree by-law. Although I feel that the details of this law fall short to adequately protect all of our urban canopy from the rapid development that is occurring in TBM, I will support any law whatsoever that protects from clear cutting. I urge council to look 20 - 50 - 100 years down the road at the Blue Mountains we are passing down to our children and grandchildren; to make decisions today that protect them from climate change. Strong tree preservation laws make the difference. Will you pass down a robust ecosystem that sustains life, or yet another golf course? What will be your legacy

**I would like a copy of my submission sent to my email address.**

Yes

Any accompanying files are attached.