

Memo

From: Pamela Spence, Member of Sustainability Advisory Committee, Town of the Blue Mountains

To: Nathan Westendorp, Director of Planning, Town of the Blue Mountains

Cc: Andrea Matrosovs, Councilor and SAC Co-Chair, Town of the Blue Mountains

Rob Potter, Councillor, Town of the Blue Mountains

Kim Harris, Sustainability Advisory Committee Co-Chair

SAC Tree Preservation Sub-Committee members

Jeff Fletcher, Sustainability Manager, Town of the Blue Mountains

Date: August 30, 2021

As you know I am interested in the Tree By-law to be prepared by the Town of the Blue Mountain. I provided a letter on August 20 to the August 24 COW meeting as I was unable to attend and then reviewed the video of the August 24 COW meeting where in the matter was addressed in the last hour of the day. COW 8/24 can be seen:

<https://pub-bluemountains.escribemeetings.com/Players/ISIStandAlonePlayer.aspx?Id=e18cbc35-6cce-4d15-9daa-6c215669a107>

The following resolution came out of the COW meeting:

With respect to Staff Report "PDS.21.080 Tree Bylaw Update and Directions Report", the Committee of the Whole considered this report at the August 24, 2021 Committee of the Whole Meeting, and the following recommendation will be considered by Council at the September 7 Council Meeting.

"THAT Council receive Staff Report PDS.21.080, entitled "Tree By-Law Update and Directions Report";

AND THAT Council direct Staff to implement Option 2, in consultation with the Agricultural Advisory Committee and Sustainability Advisory Committee, as outlined in Staff Report PDS.21.080, which includes the following:

1. Direct Staff to complete housekeeping updates to Municipal Tree Preservation By-law 2010-68, as necessary, to ensure coordination with any updates completed by the County of Grey regarding County Forest Management By-law 4341-06, as amended;

2. To also include in the update to the Municipal Tree Preservation By-law 2010-68, provisions that controls tree clearing, prior to development applications and pursue the following objective and/or exemptions:

- Apply the Town's Tree Preservation Bylaw inside the Settlement Areas of the Town only (as defined in the County of Grey Official Plan)
- Require a permit for tree removal on parcels with a minimum of 0.5 ha when

- A. When the applicant proposes to destroy five (5) or more trees simultaneously or in a given calendar year, regardless of diameter; and

B. When the applicant proposes to destroy a tree with a minimum diameter of thirty (30) cm or more.”

- Only allow permits in certain Official Plan land use designations, when supported by appropriate studies and reports, such as a Certified Arborist Report, Environmental Impact Study, or any other report that the Director deems necessary:

- To pursue additional exemptions to the By-law:

A. Land parcels which are less than 0.5ha in size”;

B. The removal of a tree that necessitates removal as a result of being considered locally as an invasive species, diseased, dead, or a hazard to life or property

C. 4 or fewer trees a certain size can be removed

3. To consider the development of a Comprehensive Tree Canopy Strategy in conjunction with the planned Natural Heritage Study (subject to Budget 2022 Approval) and Integrated Community Sustainability Plan”

Planning is on the Sustainability Advisory Committee agenda for Sept 8 wrt this matter. I will try to attend but I have a long-standing 4 days away in an area without cell coverage and may have trouble joining. Therefore, I have questions I would appreciate being considered ahead of or at the meeting.

Questions:

1. Will Planning or Sustainability Advisory Committee be inviting the Tree Sub-committee members to join the SAC meeting on Sept. 8?
2. Will this be a working meeting on Sept. 8 or is the intention to inform and set up a discussion another time/way?
3. The report covered jurisdiction, are Planning and Legal satisfied that all the questions re legitimacy that have arisen on this matter have been addressed?
4. Will Planning be reviewing the best practices provided to them by the Tree Sub-Committee members earlier this year and providing a response with respect to measures and clauses contained within those best practices?
5. In the August 24 COW meeting, Councilor Bourdignon provided an example of a neighbor in Slabtown on 50 acres of land, not in a settlement area and not zoned agricultural, wishing to cut his trees. I was unclear what the Town’s response was. Please clarify if the property in this scenario would be covered by the County Tree By-law and if not why not.
6. On Sept 8, are we at liberty to discuss the parameters in the resolution above (for example - 0.5 ha vs 0.4ha/1 acre) and provide alternatives if justified and recommended by SAC?
7. Will you be able to provide a definition of and mapping of the Settlement Area considered by this resolution ahead of the meeting? Are hazard lands, significant forests, environmental protection areas, etc. included in the settlement definition? Could a perimeter beyond settlement boundary be included as there is much interconnectedness to trees, drainage, etc.
8. What other matters do you wish the committee members to consider? Can we get into native species vs non-native/nuisance species, maintenance cutting, what constitutes diseased or

dead, infractions and consequences for infractions, notice posting, departmental responsibility, permit costs, arborist report requirements, etc.

9. Can SAC assist in the creation of Terms of Reference for the Natural Heritage Study and/or Tree Canopy strategy and support Planning to ensure that these are in the 2022 budget?

Thank you for your consideration of these questions. There may be more as the ideas flow.

Pamela Spence

August 30, 2021