

# Municipality of East Ferris

## Report to Council

Report No.: PLAN-2019-04

Date: November 26, 2019

Originator: Greg Kirton, Manager of Planning and Economic Development

Subject: Tree Canopy Policies

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### RECOMMENDATION

1. That the Council for the Municipality of East Ferris direct staff to prepare a further report with implementation options for further tree canopy and vegetation protection measures to support existing policies.

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### BACKGROUND

Bill 68, entitled Modernizing Ontario's Municipal Legislation Act, 2016, received royal assent on May 30th, 2017. This bill introduced a series of reforms to the Municipal Act, along with multiple other pieces of provincial legislation. Of the various reforms introduced, an amendment to Section 270 of the Municipal Act requires all municipalities to adopt policies with respect to the protection and enhancement of the tree canopy and natural vegetation within their municipality.

This section of Bill 68 came into force and effect on March 1, 2019. Specifically, Section 270 requires that: 270(1) A municipality shall adopt and maintain policies with respect to the following matter: 7. The manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.

Our current Official Plan policies contain wording in various sections that speak to tree cover and vegetation including in Section 5.2 (Rural Uses), 5.3.4 (Waterfront Residential Uses), 5.3.8.2 (Site Plan Control), and 5.5 (Estate Residential Uses), among other references, such as:

"5.2.5

*J) Recognition shall be given to natural site amenities and other design principles in the siting of commercial uses such as: i) Preserving existing vegetation, trees and topsoil and integrating these attributes with a landscaping plan;"*

#### “5.3.8.2

*The Site Plan Control guidelines will provide Municipal staff with checklists and explanatory text in order to develop appropriate Site Plan Controls respecting the following where needed:*

*E) Requirements for the protection, conservation and/or revegetation;”*

#### “5.3.8.2

#### *4. Natural Vegetative Buffer*

*When a Site Plan Control Agreement is required, for development or redevelopment on lands within the Waterfront designation or on a designated watercourse, a natural vegetative buffer of not less than 15 metres adjacent to the shoreline or watercourse shall be identified on the site plan. The cutting or removal of trees, shrubs or ground cover will not be permitted within the natural vegetative buffer except for the removal of dead or diseased trees, debris or noxious plants or where a landscaped corridor not greater than 9 metres (29.5 feet) in width is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment.”*

The Site Plan Control section most heavily references maintenance and enhancement of vegetation and tree cover and speaks to protections through site plan control agreements. This serves as a good way for the Municipality to protect the natural landscape for waterfront residential developments and all non-residential development in the Municipality. Currently there is no requirement for a Site Plan Control Agreement for most residential development outside of the Waterfront designation and no additional tree cover protection policies in place.

Notwithstanding the above, these existing policies appear to satisfy the minimum provincial requirement for tree protection in the Municipality; however, Council may wish to consider additional options to either bolster existing policies, implement new policies, or adopt new by-laws to support the goals of tree cover and vegetation protection in the community. Some common ways that this may occur would be through new Official Plan policies related to development applications, a tree protection by-law, or the review of existing site plan control agreement processes.

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## OPTIONS

### 1. Option 1

That the Council for the Municipality of East Ferris direct staff to prepare a further report with implementation options for further tree canopy and vegetation protection measures to support existing policies.

### 2. Option 2

That no actions are taken and the existing policies are left unchanged.

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## FINANCIAL IMPLICATIONS

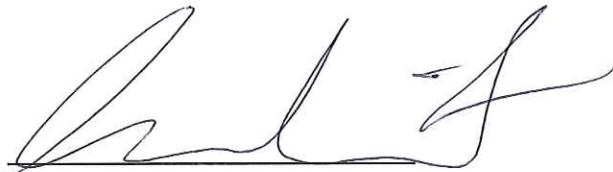
There are no financial implications at this time. The outcome of the options report may produce financial implications in the future.

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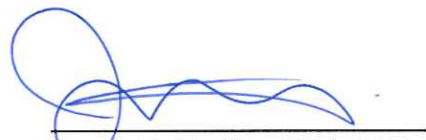
Respectfully Submitted,



Greg Kirton

Manager of Planning and  
Economic Development

I concur with this report,  
and recommendation



Jason H. Trottier, BBA, CPA, CMA

CAO/Treasurer