

Municipality of East Ferris

Report to Council

Report No.: PLAN-2020-04

Date: July 14, 2020

Originator: Greg Kirton, Manager of Planning and Economic Development

Subject: Tree Canopy and Natural Vegetation Protection Policy

RECOMMENDATION

1. That Council adopts the proposed Tree Canopy and Natural Vegetation Protection Policy.
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BACKGROUND

As discussed at the November 26, 2019 Council Meeting, 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.

Although the current policies in our Official Plan are sufficient to meet our obligations under Bill 68, Council directed staff, by way of Council Resolution 2019-323, to come back with a more comprehensive policy that goes beyond our minimum requirements. Attached as an appendix to this report is the proposed Tree Canopy and Natural Vegetation Protection Policy. This policy is intended to support East Ferris Official Plan policies and provide additional clarification and guidance when reviewing Site Plan Control Agreements and other development applications.

OPTIONS

1. Option 1

That Council **adopts** the proposed Tree Canopy and Natural Vegetation Protection Policy.

2. Option 2

That Council **does not adopt** the Tree Canopy and Natural Vegetation Protection Policy.

3. Option 3

That Council directs staff to further review the policy and bring back an amended Tree Canopy and Natural Vegetation Protection Policy for consideration.

FINANCIAL IMPLICATIONS

There are no financial implications.

RECOMMENDATION

It is recommended that Council adopts the proposed Tree Canopy and Natural Vegetation Protection Policy.

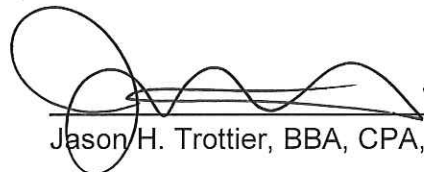
Respectfully Submitted,



Greg Kirton

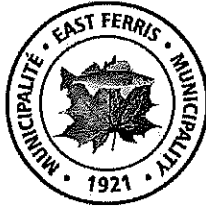
Manager of Planning and
Economic Development

I concur with this report,
and recommendation



Jason H. Trottier, BBA, CPA, CMA

CAO/Treasurer



Appendix A – Municipality of East Ferris Tree Canopy and Natural Vegetation Protection Policy

1.0 Background and Purpose

This policy is intended to support Council's goals and values of protecting the natural environment in East Ferris. Section 270(1) of the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, requires municipalities to adopt a plan to protect the tree canopy and natural vegetation within the community. The purpose of this policy is to promote best practices for a sustainable tree canopy within the Municipality of East Ferris, including all settlement areas and shorelines.

2.0 Application of Policy

This policy applies to all development projects on public and private lands in the Municipality of East Ferris. This policy may be used as a reference point, or as a guiding principle for residential, commercial, industrial, and municipal development purposes.

3.0 Definitions

Natural Vegetation: Refers to native plants that grow naturally, without human intervention, within a geographic region.

Site Plan Control Agreement: The legally binding and enforceable agreement between a property owner and the Municipality, as outlined in the Site Plan Control By-law #2013-44.

Tree Canopy or Tree Cover: The plant material including leaves, branches, and stems at a defined coverage of 1.5 metres or higher above the ground, and the extent of tree canopy in excess of 10 years maturity.

4.0 Recognition of Resource Abundance

The Municipality, being located in rural Northern Ontario, has an abundance of mature trees, forests, and natural vegetation. The large lot sizes found in East Ferris mean a vast majority of trees are untouched, and therefore there may be less pressure on the tree canopy than in most urban settings. The Municipality recognizes the fortunate position that we are in, but also the need not take it for granted and to actively protect and support a robust and healthy tree canopy to promote biodiversity in East Ferris.

5.0 Municipality of East Ferris Official Plan

The Official Plan provides general policy direction for the protection of trees and natural vegetation within the Municipality.

Section 5 of the Official Plan speaks to general land use policies for development in different designations. This section references the need to preserve existing vegetation as a priority in Residential, Rural, and Commercial development. This policy is intended to support those policies.

The Official Plan also specifically mentions maintenance of vegetation along the shoreline on waterfront properties. This is enforced through Site Plan Control Agreements.

Section 5.3.8.2, Site Plan Control

4) 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 Municipal Official Plan policies are generally implemented through specific land use policies for the property located within the designated area. The policies contained within our Official Plan meet our provincially mandated requirement for tree canopy and natural vegetation protection policies. This policy seeks to build on those policies with best practices and additional clarification.

6.0 Best Practices

6.1 Use of Native Plant Species

When planting any vegetation, consideration should be given to the use of native trees and shrubs throughout the Municipality.

6.2 Avoidance of Invasive Species

It is important to prioritize the planning of native species in East Ferris. Invasive species can disrupt the natural balance of the ecosystem and spread rapidly. The easiest way to control the spread of an invasive species is to avoid planting them.

6.3 Planting Location

Prior to planting a tree, property lines, utilities (power lines, buried water / sewer laterals), septic beds, or other 'hard' infrastructure should be taken into consideration. The planting location of a tree should also take into account the future growth as it relates to a dwelling or building foundation, and roof.

6.4 Shoreline Vegetation and Naturalization

Across the Municipality in the waterfront designation, a Site Plan Control Agreement must be undertaken when developing or redeveloping a lot. The Municipality requires the maintenance of existing shoreline vegetation in accordance with our site plan control agreement policies set out in our Official Plan. In some cases we also require the replanting of shoreline vegetation on the property, if it has been removed or damaged. Trees and natural vegetation adjacent to, or along shorelines help stabilize shoreline banks and improve water quality. The Municipality encourages the protection of areas adjacent to waterbodies. These shoreline buffers should:

- Be comprised of natural and native vegetation including a broad corridor of undisturbed vegetation.
- Not be completely grassed and include a variety of trees and shrubs.
- Avoid shoreline hardening, where possible, through the planting of different species of vegetation to prevent erosion.

6.5 Development Planning

When development of a lot is considered, the Municipality should apply creative approaches to protect the tree canopy and natural vegetation. New subdivisions approved in the Municipality should include conditions regarding the preservation of the existing tree canopy and natural vegetation when necessary. Consideration should be given to the following:

- The submission of a tree protection plan prior to development, and the implementation of a tree replacement program where extensive tree cover may be removed.
- The layout of roads and building envelopes to maximize the preservation of mature trees.
- The planting of new native species of trees and shrubs, where specific sites may be lacking.

7.0 Disclaimer

This Policy does not take precedence over any By-Laws, Official Plans, or Agreements made by the Municipality and is intended to serve as a supporting document.