



THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Subject: Tree Retention

Report Number: Environmental Services-2022-01

Meeting Date: Monday, March 14, 2022

Recommendation: THAT Council direct staff to investigate opportunities to strengthen private tree protection and to bring a report and policy back for Council consideration.

Date to be considered by Council: Monday, March 21, 2022

Report Summary:

The Kincardine Community Environment Committee (KCEC) has been approached with concerns related to local tree felling and the lack of Municipal policy preventing mass removal. Members of the community are seeking Council consideration to augment existing policy and to add additional guidance on tree management on private property within the Municipality. The KCEC has supported through a motion that Council consider these additions. Staff are open to consideration of private tree management and suggest that if Council is supportive research be completed with a report and draft policy brought back to Council for future consideration.

Origin: Environmental Committee & Resident concerns

Existing Policy: N/A

Background/Analysis: 'Kincardinians for the Trees' has brought forward concerns pertaining to clear cutting of properties in the community related to planned development. With an interest to protect the tree canopy and habitat within the wood lot areas, they have been seeking consideration for policy implementation. The group has held discussions with the KCEC and planning experts from Bruce County and MHBC (consultant completed most recent Official Plan update) to consider what exists today within existing policy framework.

Currently there are provisions within the Bruce County Forest Conservation By-Law, the Official Plan (OP), and guidance from the Natural Heritage study. The

provisions however do not preclude in all circumstances a developer from altering their site prior to commencement and submission of applicable planning applications.

The KCEC passed the following resolution at their monthly meeting held in February: “That the Municipality of Kincardine Environmental Committee proposes that Council adopt the Tree Retention Guidelines in the 2009 NHS study; pass a tree preservation By-law under the Municipal Act and pass an Official Plan Amendment to strengthen submission requirements for development applications and explicitly include Arborist Reports and Tree Protection Plans as well as amend the definition of Significant Woodland to include areas of 1ha and above.” The resolution passed aligns with requests received from the concerned citizen group.

The policies developed and refined within the OP update were based on Provincial requirements, our consultants experience and current best practices. Should Council have a desire to support more stringent rules and guidance, staff would need to complete a review and bring back a report pertaining to private tree retention later this year. Staff would suggest starting with a review of opportunities that a tree retention policy or By-Law would provide to consider if this will adequately support community concerns and while still allowing for land development and decision making of private trees by private landowners.

Corporate Strategic Plan 2020-2025: Sustainable Practices - The Municipality is progressive in its efforts to maintain and build out infrastructure, its operational practices and managing finances.

Financial Implications: Nil

Attachments: 2009 Natural Heritage Study Tree Retention Excerpt