

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2023-48

**“A BY-LAW TO ADOPT A TREE CANOPY AND NATURAL
VEGETATION POLICY”**

WHEREAS Section 270(1)(7) of the Municipal Act 2001, S.O 2001, c. 25, as amended, provides that a municipality shall adopt and maintain a policy with respect to the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality; and

WHEREAS the Council of the Corporation of the Township of Edwardsburgh Cardinal deems it advisable to adopt a tree canopy and natural vegetation policy;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. That the Tree Canopy and Natural Vegetation Policy attached hereto as Schedule “A” and shall form part of this bylaw is adopted.
2. That this by-law shall come into force and take effect on the date of passing.

Read a first and second time in open Council this 25 day of September, 2023.

Read a third and final time, passed, signed, and sealed in open Council this 25 day of September, 2023.


Tory Deschamps (Oct 4, 2023 01:48 EDT)

Mayor



Clerk

Schedule "A"
Bylaw 2023-48

1. PURPOSE

- 1.1 This policy provides guidelines regarding the injuring or destruction of trees within the Township and on promoting the regeneration of the landscape with forests in order to maintain and enhance the current tree canopy and natural vegetation.

2. APPLICATION AND SCOPE

- 2.1 This policy forms part of the Townships climate change initiatives and applies to Township properties and development properties, on public and private lands, within the Township. It is a resource which can be referred to and utilized as establishing guiding principles for residential, commercial and public purposes. This policy shall be a document that will help to develop standard operating procedures within departments, planning agreements and the Township's official plan. Nothing in this policy is intended to restrict normal farm/agricultural practices as defined by the Normal Farm Practices Protection Act, including agroforestry if applicable.

3. DEFINITIONS

For the purposes of this policy:

"Agricultural Use" – shall be as defined in the Township's Zoning Bylaw.

"Conservation Authority" – means the South Nation Conservation Authority.

"Dead, Dying, or Diseased" –in reference to a tree, means a tree with no living tissue, a tree where seventy (70) percent of more of its crown is dead, or a tree infected by a lethal pathogen as certified by a qualified tree expert.

"Development" – shall be as defined in accordance to the Planning Act R.S.O 1990 Section 41:

- (1) The construction, erection or placing of one or more buildings or structures on land of the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164(4) of the Municipal Act, 2001 or subsection 3(1) of the City of Toronto Act, 2006, as the case may be, or of sites for the location of three or more mobile homes as defined in subsection 46(1) of this Act or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of this Act.
- (1.1) The definition of "development" in subsection (1) does not include the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.
- (1.2) Subject to subsection (1.3), the definition of "development" in subsection (1) does not include the construction, erection or placing of a building or structure for residential purposes on a parcel of land if that parcel of land will contain no more than 10 residential units, unless the parcel of land includes any land in a prescribed area.
- (1.3) The definition of "development" in subsection (1) includes the construction, erection or placing of a land lease community home, as defined in subsection 46 (1), on a parcel of land that will contain any number of residential units.

"Endangered and Threatened Species" – means those species listed as such on the Species at Risk in Ontario list under the Endangered Species Act, 2007.

"Hazard/Dangerous Tree" – includes dead or dying trees, dead parts of live trees, or unstable live trees (due to structural defects or other factors) that are within striking distance of people or property (a target).

"Maintenance" – means all work or operations related to trimming, pruning, spraying, injecting, fertilizing, treating, cabling, and bracing a tree in accordance with Good Arboricultural Practice.

"Natural Vegetation" – means native plant life (non-invasive species) that grows naturally without human intervention.

"Riparian Zone" – means an area between the aquatic (shoreline) and dry, upland zone. Typically, a strip of vegetation that borders along the edge of a natural water body.

"Tree Canopy" – means the coverage mature tree crowns have on a property (layer of tree leaves, branches, and stems that cover the ground when viewed from above).

4. GUIDING PRINCIPLES

4.1 There are many benefits to a tree canopy and natural vegetation policy, including but not limited to:

- Expand planting;
- Protection;
- Maintenance; and
- Community engagement and education

4.2 A healthy rural and urban forest improves the quality of life of the Township of Edwardsburgh Cardinal residents. Trees, plants and shrubs help clean the air, conserve energy and make residential living in the Township of Edwardsburgh Cardinal more beautiful and enjoyable. Additional benefits may include:

Environmental:

- 4.2.1 Improves air quality by removing particulates and other air pollution.
- 4.2.2 Moderation of storm water events by increasing soil permeability and intercepting rainfall in the canopy.
- 4.2.3 Provides habitat for animals.
- 4.2.4 Increases biodiversity.
- 4.2.5 Improvement to public health.
- 4.2.6 Temperature moderation.
- 4.2.7 Reduces energy expenditure and cost.
- 4.2.8 Improves riparian zones; preventing erosion.

Economic:

- 4.2.9 Improves interest in businesses.
- 4.2.10 Improves marketability of settlement properties.
- 4.2.11 Reduces infrastructure costs by reducing strain on sewers and roadways.
- 4.2.12 Reduces liability and prevents damage through maintenance.
- 4.2.13 Reduces energy costs.
- 4.2.14 Reduces health care costs.

Community:

- 4.2.15 Improves social connection within communities.
- 4.2.16 Improves walkability of communities.
- 4.2.17 Provides a natural sound barrier.
- 4.2.18 Reduces energy costs.
- 4.2.19 Reduces health care costs.
- 4.2.20 Promotes public education and engagement.

5. TREE CANOPY

- 5.1 The Township of Edwardsburgh Cardinal shall take a proactive approach to maintain healthy tree canopy levels and work towards improvements.
- 5.2 Tree canopy can provide habitat to a number of endangered or threatened species. The habitat of endangered and threatened species is protected through the Endangered Species Act, 2007 and through the policies of the Township's Official Plan. The Township encourages property owners to consult the Endangered Species Act and related O. Reg 230/08 as well as consult the Natural Heritage Information Centre database prior to undertaking development or site alterations. The Centre makes data available to the public on the Province's rare species, vegetation communities, and natural areas and includes information on the occurrence of endangered and threatened species.
- 5.3 Where endangered or threatened species habitat is identified, development and site alteration shall not be permitted except in accordance with Provincial and Federal requirements.

6. PLANNING AND DEVELOPMENT

- 6.1 When development is considered, the Township will apply creative planning approaches designed to protect and enhance its tree canopy and natural vegetation, when and where available; ensuring the Township's amenity value and identity is enhanced as the canopy and vegetation matures. Development proposals/plans should maintain and/or enhance the tree canopy rather than reduce it. The Township's Administration through Community Development and Planning, alongside Public Works, will make efforts to see that development proposals/plans coincide with this policy.
- 6.2 When development is being considered within or adjacent to natural heritage features, recommendations made through an Environmental Impact Statement to reduce or eliminate negative impacts to these features may be implemented through various planning tools as permitted by the Planning Act.
- 6.3 Ideally, one (1) tree planted for every new building lot or residential home built as part of a subdivision is a desired goal. Trees provide numerous benefits to residents and are a contributing factor in building resilient communities.
- 6.4 This policy may be used as a guiding tool for commercial/industrial development. Increased natural vegetation and tree canopy buffers help beautify commercial properties, maintain sound barriers and enhance the natural beauty of the Township.

7. COMMUNITY ENGAGEMENT AND EDUCATION

- 7.1 Public education that communicates the value of a healthy, growing tree canopy and provides information to residents on proper tree care as key components to maintaining a healthy tree canopy. Through engagement and education, in partnership with the South Nation Conservation Authority, the Township can highlight future successes and build upon feedback. As part of the outreach, the Township will communicate the details of this policy with the community, local developers and commercial businesses.
- 7.2 Additional engagement and education information may be provided in accessible formats, such as information and events related to Earth Day cleanup efforts and tree seedling giveaways in association with the South Nation Conservation Authority. Private land planting programs managed by the Conservation Authorities may also be used as educational opportunities.

8. PRIORITY ACTIONS (In no particular order)

- 8.1 Manage tree removal, tree maintenance, and tree planting on Township owned land.
- 8.2 When funds are available, increase tree planting on Township owned lands, especially focused within public parks/open spaces, where possible.
- 8.3 Support the United Counties of Leeds and Grenville and the South Nation Conservation Authority in forested land acquisitions within the Township of Edwardsburgh Cardinal.
- 8.4 Support and promote the South Nation Conservation Authority tree seedling program and any other programs to support the tree canopy and natural vegetation.
- 8.5 Support developers and commercial business plans that ensure the long-term survival of the tree plantings.
- 8.6 Support and participate, where possible, in tree planting efforts by the South Nation Conservation Authority.
- 8.7 Develop a municipal commemorative tree program where people/businesses can buy and plant trees (in locations as approved by the Manager of Parks, Recreations & Facilities and/or Manager of Public Works) in municipal parks in honour of loved ones or organizations.

9. GENERAL

- 9.1 Where a property is used as an Agricultural Use, the property is exempt from this policy.
- 9.2 Nothing in this policy takes precedence over any bylaws, resolutions, plans or agreements of the Township or other legislation.