

## Memorandum

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**Date:** April 11, 2024  
**To:** Agricultural Advisory Development Committee  
**From:** Robyn Carlson, City Solicitor  
**Re:** Tree Preservation By-law Proposal: Summary of Responses from Public Engagement, Costs of Program & Status Update

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### Purpose of Memorandum

The purpose of this memorandum is to provide the Agricultural Advisory Development Committee ("ADAC") with a summary of the responses received to date to the City's public engagement, estimated costs of the program, and a status update, including upcoming dates.

The City conducted engagement with the public via survey on its Jump In website, and as well responded to emails received by [treebylaw@kawarthalakes.ca](mailto:treebylaw@kawarthalakes.ca).

The survey results are attached. They will be available once an accessible copy is available at: <https://jumpinkawarthalakes.ca/tree-preservation-bylaw>

Currently underway is consultation on the draft by-laws by the Williams Treaties First Nations:

- Alderville First Nation
- Beausoleil First Nation
- Curve Lake First Nation
- Georgina First Nation
- Hiawatha First Nation
- Rama First Nation
- Mississaugas of Scugog Island First Nation

... as well as with the Metis Nation of Ontario (Peterborough and District Office).

The matter returns for an update discussion with the Environmental Advisory Committee on May 16, 2024.

The results of public engagement, engagement with this Committee and the Environmental Advisory Committee, and consultation with First Nations and the Metis Nation of Ontario (Peterborough and District Office) will be presented to Council on September 24, 2024.

The administration of the program will require 2 new members of staff and one vehicle. This would be an annual salary investment of approximately \$120,000 over the two positions (administrative position and arborist), with an upfront investment of approximately \$52,000 for the vehicle. Benefits are added to the salary costs. Maintenance replacement costs are added to the fleet costs over time.

As a result of engagement to date, I will be recommending the following amendments to the Tree Preservation By-law for City-owned Trees, as well as to the Tree Preservation By-law for Privately-owned Trees applicable to multi-residential development (i.e. subdivisions and plans of condominium):

- A payment of \$1,500 per mature healthy native tree removed, in place of \$1,700; and
- A cap of \$250,000 to be paid per development

... to ensure that the by-law does not prohibit development of this nature. Otherwise, the impact of the by-laws on development was largely not contentious by the general ratepayer. The development community would prefer that they pay nothing, and a senior housing developer preferred an exemption for senior's housing, but my recommendation of a financial cap does allow money from tree loss to be used to fund tree canopy creation elsewhere, while not prohibiting development. The existing proposal provides an exemption for affordable housing.

I will be also be recommending the following amendments to the Tree Preservation By-law for Privately-owned Trees applicable to individual and infill residential development (i.e. consents to sever 1 residential lot into 2 lots; and building permits for single family dwellings):

- A payment of \$375 per mature healthy native tree removed, in place of \$1,700 for properties greater than 0.5 ha (so that, regardless of property size, the same payment applies); and
- A cap of \$5,000 to be paid per development

... to ensure that the by-law does not prohibit development of this nature.

I will be recommending that, if the By-laws are not approved, or are approved with a reduced scope such that additional staff and fleet costs will not be required to implement the by-laws, that the costs that would have been directed to by-law administration be directed into the Tree Canopy Reserve annually (i.e. \$172,000 payment from general revenue to the Tree Canopy Reserve annually).



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Robyn Carlson