



The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Policies and Priorities Committee

From: Phil Bartnik, Director Public Works & Environmental Services

Date to Council: December 8, 2020

Report Number: PWES-2020-20

Subject: Tree Maintenance and Removal Policy

Recommendations

It is recommended:

That Report PWES-2020-20 Tree Maintenance and Removal Policy **be received;**

And that the Tree Trimming Policy No. 40/2002 **be rescinded;**

And further that the Tree Maintenance and Removal Policy, as appended to Report PWES-2020-20, **be adopted.**

Background

At the September 25, 2018 regular meeting of Council, Administration was requested to examine policy respecting tree cutting and trimming of municipal trees that includes a provision for residents who wish to cost-share in tree maintenance (Unfinished Business Item 28/18).

This report is a review of existing policy that addresses tree maintenance, removal and replacement and considers legislation in place to protect the tree canopy within the Town of Tecumseh.

Green Infrastructure

Well-maintained and healthy trees act as our “green infrastructure.” Trees and (urban) forests reduce stormwater runoff by capturing and storing rainfall in the canopy and releasing water into the atmosphere through evapotranspiration. The presence of trees also helps to slow down and temporarily store runoff, which further promotes infiltration, and decreases flooding

and erosion downstream. Additional benefits include cleaner waterways, cleaner air, cooler temperatures, increased property values, and energy savings.

Urban Design

In an urban context, street trees define the space of the street, and when mature, provide canopy. They demarcate the pedestrian space, calm traffic and help protect the pedestrian from motor vehicles. When laid out with consistent sizes and alignment, street trees bring order to the street, visually soften the streetscape, and introduce nature to the urban street.

Having a policy in place to provide consistent guidance on tree management within the Town of Tecumseh is invaluable for today's residents and future generations.

Ontario Bill 68

Bill 68, entitled *Modernizing Ontario's Municipal Act, 2016*, received royal assent on May 30, 2017. This bill introduced a series of reforms to the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act* and the *Municipal Elections Act, 1996*.

Of the various reforms introduced, an amendment to Section 270 of the *Municipal Act, 2001*, has the effect of requiring all municipalities to adopt and maintain policies with respect to the protection and enhancement of the tree canopy and natural vegetation in the municipality.

Section 270(1) requires that:

A municipality shall adopt and maintain policies with respect to the following matters...

7. The manner in which the municipality will protect and enhance the tree canopy and vegetation in the municipality.

In response to Council's request in 2018 and following the amendments to the *Municipal Act, 2001*, an updated policy is proposed respecting tree planting, maintenance and removal, which will support the protection of the Town's tree cover.

Comments

Tree Trimming Policy No. 40/2002

The Town's current Tree Trimming Policy, Policy No. 40/2002, was adopted by Council on December 11, 2001. The purpose of this Tree Trimming Policy was to ensure the proper maintenance and growing life of trees on property of the Town of Tecumseh.

While Policy No. 40/2002 appears to satisfy a portion of the requirements of Bill 68, it is proposed that the Policy be further enhanced and strengthened to include additional information to consistently protect and manage the Town's tree cover.

Tree Trimming Policy No. 40/2002 generally speaks to the maintenance of trees located on Town property. In accordance with this existing policy, the Town is responsible for the following:

- Removing dead branches and stubs;
- Ensuring lower tree branches have ample clearing over curbs, lawns, roofs, driveways, traffic signs and street lights;
- Trimming bushes, ornamentals and decorative trees on an as needed basis; and
- Trimming private trees that are encroaching on Town property.

The existing policy also states that “all healthy trees will not be considered for removal. Any tree more than 50% dead will be monitored.”

Tree Maintenance and Removal Policy No. 108

The Tree Maintenance and Removal Policy No. 108 (Policy 108) is proposed to supersede the existing Tree Trimming Policy No. 40/2002. A draft of Policy 108 is appended to this report as Attachment 1.

Policy No. 108 goes beyond trimming trees to recognizing the benefits of trees with the objective of expanding the Town’s healthy tree population. The purpose of Policy No. 108 is broadened to protecting and enhancing the Town’s tree cover and includes standards and procedures for consistently managing the planting, pruning and removal of trees located on property owned by the Town of Tecumseh.

A key addition to the Policy addresses requests from property owners to remove a (healthy) Town owned tree for nuisance reasons (i.e. leaves in the fall, acorns and chestnuts on the ground, problems with growing grass in the shade of the tree, etc.). In accordance with Section 6.4 Other Removals, these requests will not be considered.

Another important clause within the Policy refers to removing a tree on Town Property if it is determined that it creates an immediate danger to property or persons. Under Section 6.6 Emergency Situation, the Town will have the right to authorize the immediate removal of the tree at its earliest convenience.

Equally important, Policy No. 108 includes notification to adjacent property owners when it has been determined that a tree located on Town property is to be removed.

To ensure that the Town’s overall tree population is not diminished, Section 6.8 Tree Replacement outlines the procedure for replacing trees that are removed from Town Property. There are countless benefits of (re)forestation throughout the Town and any tree removed is proposed to be replaced by a tree from the approved species listed in Section 6.9 Tree Types.

Yet another key addition to the Policy ensures that tree management is administered by either the Director Public Works & Environmental Services or the Director of Parks & Recreation in

consultation with an Arborist. Tree management will use best management practices in arboriculture and will be completed under the advisement and/or supervision of an Arborist.

A separate policy will be presented to Council in 2021 respecting the enhancement of the Town's tree canopy.

Consultations

Corporate Services & Clerk
Parks & Recreation Services

Financial Implications

There are no financial implications associated with this report.

The Town currently budgets \$30,000 for new tree plantings and \$60,000 for tree trimming and removals annually.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Cheryl Curran, BES
Project Technician

Reviewed by:

Paul Anthony, RRFA
Director Parks & Recreation Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

**Attachment
Number**

**Attachment
Name**

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Tree Maintenance and Removal Policy No. 108