

Subject: Review of the Proposed Tree Management Policy**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2021-0097;

AND THAT Council approve the proposed revisions to Public Works Tree Maintenance Policy S802-01.

Background:

In 2000, a local residents' group formed the Pelham Tree Conservation Society and compiled a series of procedures to follow with respect to the management of trees located on municipally owned properties such as road allowances, parks and cemeteries.

Through Municipal Operations Report MOR-33/00, the General Committee/Operations Division recommended a number of amendments to the proposed procedures and that Council adopt the revised Tree Planting, Maintenance and Replacement Guideline. The 2000 Tree Planting, Maintenance and Replacement Guideline is attached to this report as (Appendix A).

In 2015, Committee of the Whole requested that staff investigate the creation of a policy to explore the means to provide the community with safe and healthy municipal trees that are planted in newly developed areas, maintained and inspected regularly, and removed and replaced as required through Action #20150908005.

In 2016, through Action Report #20151013003 Public Works Policy S802-01 for Tree Management was presented to the Policy and Priorities Committee, and was later adopted by Council. The existing Policy S802-01 is attached to this report as (Appendix B).

As the result of a series of complaints regarding tree maintenance and tree removal in the urban portion of Fonthill during 2020, Council added "Tree Maintenance Policy" as a strategic action item in the Town's strategic plan. This report is written

in satisfaction of the directive to bring back options and potentially updated tree policy to Council. Staff look forward to receiving direction on next steps.

Analysis:

The Town's urban tree canopy is a source of civic pride and a major component of Pelham's environmental health and future sustainability. Not surprisingly, the care and maintenance of municipal trees is a priority throughout the municipality.

The existing policy S802-01 states that the Town of Pelham provides the community with safe and healthy trees on municipal property that are maintained and inspected regularly, however it does not provide specific guidance for staff, or direction regarding its application previously found within the Tree Planting, Maintenance and Replacement Guideline approved in 2000.

The 2000 Tree Planting, Maintenance and Replacement Guideline provides a number of labour and financial challenges to the department. The prescribed inventory development has not been completed and the five year inspection cycle is not feasible with the current staff compliment.

The proposed revision of Policy S802-01 (Appendix C) is meant to provide an integrated set of objectives, and procedures to form a comprehensive guide, for the management of publically owned trees in a fiscally responsible manner. The proposed seven year inspection and pruning cycle will require one additional seasonal staff member.

Financial Considerations:

The total approved Beautification Division Operating Budget for Tree Maintenance in the Town of Pelham is \$300,000. The two largest components include \$150,000 allocated to the Gypsy Moth Management Program, and \$125,000 allocated to Tree Maintenance which includes: planned pruning, tree removals, stump grinding, ISA tree inspection, emergency response, and equipment rental. The remaining \$25,000 is allocated to tree planting. The total Beautification budget for 2021 is \$937,707, of which 32% is directly related to tree maintenance.

The Town of Pelham employs one full time arborist and one full time seasonal employee for six months a year in the Beautification Department. An additional staff member to complete the tree inspection, assist with the pruning cycle and complete trail inspection is estimated at \$15,000 annually.

Depending upon Council's preferences, it is entirely possible to spend more money on the protection and maintenance of the municipal tree canopy. Any proposed increases to spending in this area should be referred to the 2022 budget.

Alternatives Reviewed:

Other options and alternatives for Council's consideration to amending the Tree Management Policy are as follows:

- 1) Council may direct staff to do nothing and leave the existing Tree Management Policy S802-01 intact. With this approach staff would develop a set of internal procedures based on the existing policy. Internal procedures are not generally shared publicly and do not require Council approval. While this alternative is acceptable, it does not serve to inform the public of the prescribed level of service found within the proposed revision (Appendix C).
- 2) Council may direct staff to explore an option to apportion the care and maintenance of municipally owned boulevard trees to the abutting property owner. This alternative would act to reduce the tree maintenance budget. This alternative is not supported by staff as it would place the burden and cost of maintenance onto the abutting property owner. It would also lead to the reduction of control over an important community asset.
- 3) Council may direct staff to prepare a by-law governing the removal or destruction of trees on both municipal and private lands. Staff do not support this option. Costs incurred as a result of causing injury or removal of municipal trees are recovered as outlined in the Schedule of Fees and Charges under By-law 37-28 (2016). The policy before Council is related to the management of municipally owned trees and does not impact private property. Staff does not have the current capacity to enforce a By-Law regulating the removal or destruction of trees on private lands. This option would ultimately require further staff resources.
- 4) Council may direct staff to explore the option of delegating the authority to the Niagara Region to enforce the Regional Municipality of Niagara By-Law No. 2020-79 (Appendix D), to prohibit or regulate the destruction or injuring of trees in woodlands having less than one (1) hectare in the Town of Pelham. It is unknown if the Region would be willing to assume this delegation, and if so, for what price.

Strategic Plan Relationship: Grow Revenue - Promote Cultural Assets and Protect Environment

The tree canopy within the municipal boundary is vital to the high quality of life within the Town of Pelham.

Consultation:

The Town's Arborist, the Supervisor of Beautification, the Climate Change Coordinator, the Planner and Senior Planner, the Manager of Public Works, the Director Corporate Services/Treasurer, and the CAO all contributed to the drafting of this report and/or the proposed updated Tree Management Policy.

Other Pertinent Reports/Attachments:

Appendix A - 2000 Tree Planting, Maintenance and Repair Guideline

Appendix B - 2016 Policy for Tree Management S802-01

Appendix C - 2021 Proposed Tree Management Policy [replacing S802-01]

Appendix D – Regional Municipality of Niagara By-Law No. 2020-79

Prepared and Recommended by:

Ryan Cook, CRS, Dippl MM
Manager of Public Works

Jason Marr, P. Eng.
Director of Public Works

Prepared and Submitted by:

David Cribbs, BA, MA, JD, MPA
Chief Administrative Officer