

**Subject:** Public Works Tree Maintenance Policy**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0128;**

**AND THAT Council approve the proposed Public Works Tree Maintenance Policy S802-01;**

**AND THAT Council direct staff to become founding members and collaborative partners with the Vineland Research and Innovation Centre's Greening the Landscape Research Consortium in 2022;**

**AND THAT Council direct staff to explore the option of delegating the authority to the Niagara Region to enforce the Regional Municipal By-law No. 2020-79 on properties less than one (1) hectare in the Town of Pelham.**

**Background:**

On June 6<sup>th</sup> 2021 Council referred Public Works report #2021-0097 Review of the Proposed Tree Maintenance Policy back to staff to conduct a public engagement campaign to obtain input on the proposed policy. This report serves to summarize the comments received and provide recommendations based on public input.

**Analysis:**

The Proposed Tree Maintenance Policy project was presented on the Engaging Pelham website for review and public input. The project specific webpage (<https://engagingpelham.ca/tree-policy>) included copies of the proposed Tree Maintenance Policy S802-01 (Appendix A) and Public Works Report #2021-0097.

The website included a survey consisting of four questions that was released for public input beginning on June 16<sup>th</sup>, 2021 to July 8<sup>th</sup>, 2021. The complete results of the survey, as well as one letter received have been included as (Appendix B) to this report. Twenty Six (26) members of the public visited the survey section of the webpage and there were fourteen (14) participants. Further to the survey, Staff received several additional comments through email or telephone.

Out of the fourteen surveys completed, 85.7% of participants support that the Town of Pelham delegate the authority to the Niagara Region to enforce the Regional By-Law No.2020-79 to prohibit or regulate the destruction or injuring of trees in woodlands having less than one hectare in the Town of Pelham. 71.4% of participants would like the Town to develop a by-law governing the removal of destruction of trees on private properties less than one acre and 100% of participants thought that there needs to be a policy identifying canopy coverage targets within the urban boundary.

Only 13.3% of participants believed the Tree Maintenance Policy was satisfactory, however, when asked to provide comments on the proposed policy and identify additions, deletions and further comments, Staff did not receive suggestions pertinent to the proposed policy. Six responses were related to the removal of mature trees, and/or development related tree complaints. Mature trees found within municipal boulevards are not removed unless an apparent safety hazard is present, and the proposed policy is not intended to regulate development. Two responses were regarding LDD Moths (Gypsy Moth) which are managed through Policy S802-03. One participant would like personal choice of boulevard trees which is not recommended. Boulevard trees are either selected as part of an overall landscape plan and part of subdivision agreements or selected by qualified staff based on location and site conditions. The remaining comment was asking for the development of a private tree removal by-law which is not related to the proposed policy.

In response to the survey results, Staff recommend that the Town of Pelham continue to explore the option of delegating the authority to the Niagara Region to enforce Regional By-Law No.2020-79 (Appendix C) on woodlots in Pelham under one hectare. By-Law No. 2020-79 supports the Regional Official Plan to maintain, restore and enhance ecological health through promoting good forestry practices and prohibiting or regulating the destruction or injuring of trees in woodlands of one hectare or more. It also regulates the destruction of Heritage and Significant Community Trees identified and designated by the Council of an Area Municipality, upon delegation of such authority to the Region.

Both the City of St. Catharines and the City of Niagara Falls have delegated the authority to the Niagara Region to enforce the Regional By-Law No.2020-79 on woodland properties with a minimum size of 0.2 hectares (0.5 acres). An additional by-law governing the removal of trees on private lands less than 0.5 acres in size is not recommended as Staff does not have the capacity to enforce such a by-law and would require additional resources to do so.

Every participant who completed the survey believes that the Town should create a policy identifying urban tree canopy coverage targets. On June 21, 2021 Council endorsed the Town of Pelham Corporate Climate Change Adaptation Plan (CCCAP). Goal 5.1 of the CCCAP is to map the Town's tree cover to understand the spread of the existing tree canopy and develop strategies for expanding the municipal tree canopy. Staff believe that this is an important goal and there is a need to determine the existing canopy percentage, however the purpose of the proposed policy S802-01 is to provide a process to address the maintenance of trees found on municipal property and prescribe an expected level of service for tree maintenance requests.

A number of concerns have been heard from the public regarding street scape design (tree placement), planting specifications and practices, tree protection and preferred tree species. The specifications for species, placement, planting and protection of trees are located in Section 2.17 of the Town of Pelham Municipal Engineering Design Manual. Trees are to be planted in accordance with the "Urban Tree Foundation Specifications" for planting, staking, and tree protection, found at [http://www.urbantree.org/details\\_specs.shtml](http://www.urbantree.org/details_specs.shtml). Section 2.17 of the Town of Pelham Municipal Engineering Design Manual has been appended to this report as Appendix D. Specifications are updated regularly due to the continual improvement processes established in the field of Civil Engineering.

In addition, Staff have been asked to consult with industry experts and explore memberships with forestry and environmental organizations. The Town of Pelham has recently been invited to become a member of the Vineland Research and Innovation Centre's Greening the Landscape Research Consortium. Members of the consortium have access to training and planning tools to make improved decisions on tree species to increase biodiversity, green space and infrastructure design, and policy and procedural development in urban forestry. Additional benefits include access to knowledge resources and the ability to set up a custom case study with the research team. Members have the ability to shape the Centre's research strategy to ensure that the program addresses the challenges and opportunities experienced by the consortiums partners. Staff recommend becoming a founding member and collaborative partner in the Greening the Landscape Research Consortium to support in the development of best practices and procedures for urban forestry and green infrastructure.

From a human capital perspective the Beautification Division of Public Works employs one ISA certified arborist whose primary function is tree maintenance and forestry work, as well as a full time Cemetery Attendant who as an ISA certified arborist is able to provide expertise and share experience, but due to the demands of that position is not commonly available for tree work. Two additional staff members hold diplomas in Horticulture and one has completed the Trout Unlimited

Canada, Stream Rehabilitation Training Program. The Town of Pelham is also a member of the Ontario Urban Forest Council, Landscape Ontario, and ISA Ontario. The above staff and organizations have been leveraged in the creation of the Proposed Tree Maintenance Policy.

### **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 seasonal staff member to complete the tree inspection, assist with the pruning cycle and complete trail inspection is estimated at \$15,000 annually.

Determining the tree canopy cover percentage requires analysis of Near Infrared Band (nIR) satellite imagery to determine the Normalized Difference Vegetation Index (NDVI) or trees with foliage. The cost of determining the percentage of tree cover within the urban boundary is estimated at \$7000.

Becoming a founding member and collaborative partner with the Vineland Research and Innovation Centre's Greening the Landscape Research Consortium has a cost of \$5000 per year with a 3-year commitment.

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 operating budget.

### **Alternatives Reviewed:**

No alternatives were considered in the preparation of this report. The Proposed Tree Maintenance Policy was drafted to provide a process to address the maintenance of trees found on municipal property and prescribe an expected level of service for tree maintenance requests.

Tree concerns and pruning requests continue to be the top service request received in Public Works, and such it is vital that both staff and public understand the

prescribed service level and expectation for response. The policy is designed with the goal of reducing the number of requests through planned and efficient tree maintenance utilizing both municipal staff and contracted service providers.

### **Strategic Plan Relationship: Strong Organization**

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 – Tree Maintenance Policy S802-01

Appendix B – Tree Maintenance Policy Survey Results and Resident Letter

Appendix C – Regional By-Law No.2020-79

Appendix D - Section 2.17 Pelham Municipal Engineering Design Manual

Public Works Report #2021-0097 June 7, 2020

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