

City of Burlington Private Tree By-law 02-2020: Implementation Update

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AGENDA

- Background
- Year to Date Experiences
- Program Successes
- Program Limitations
- Opportunities to Consider
- Breakout Room Discussion # 1
- Breakout Room Discussion # 2
- Next Steps



WHAT ARE WE TRYING TO ACHIEVE?

- Increase and maintain canopy cover City-Wide
- Address Climate Change Emergency
- Require a mechanism to promote the preservation of existing trees
- Establish a framework for tree replacement



STRATEGIC ALIGNMENT

Focus Area 3 - Supporting Sustainable Infrastructure and a Resilient Environment

- Top Priorities for Focus Area 3:
- Tree Canopy: Increase the tree canopy City-Wide
- Urban Forest Master Plan
- Consideration of Private Tree By-law

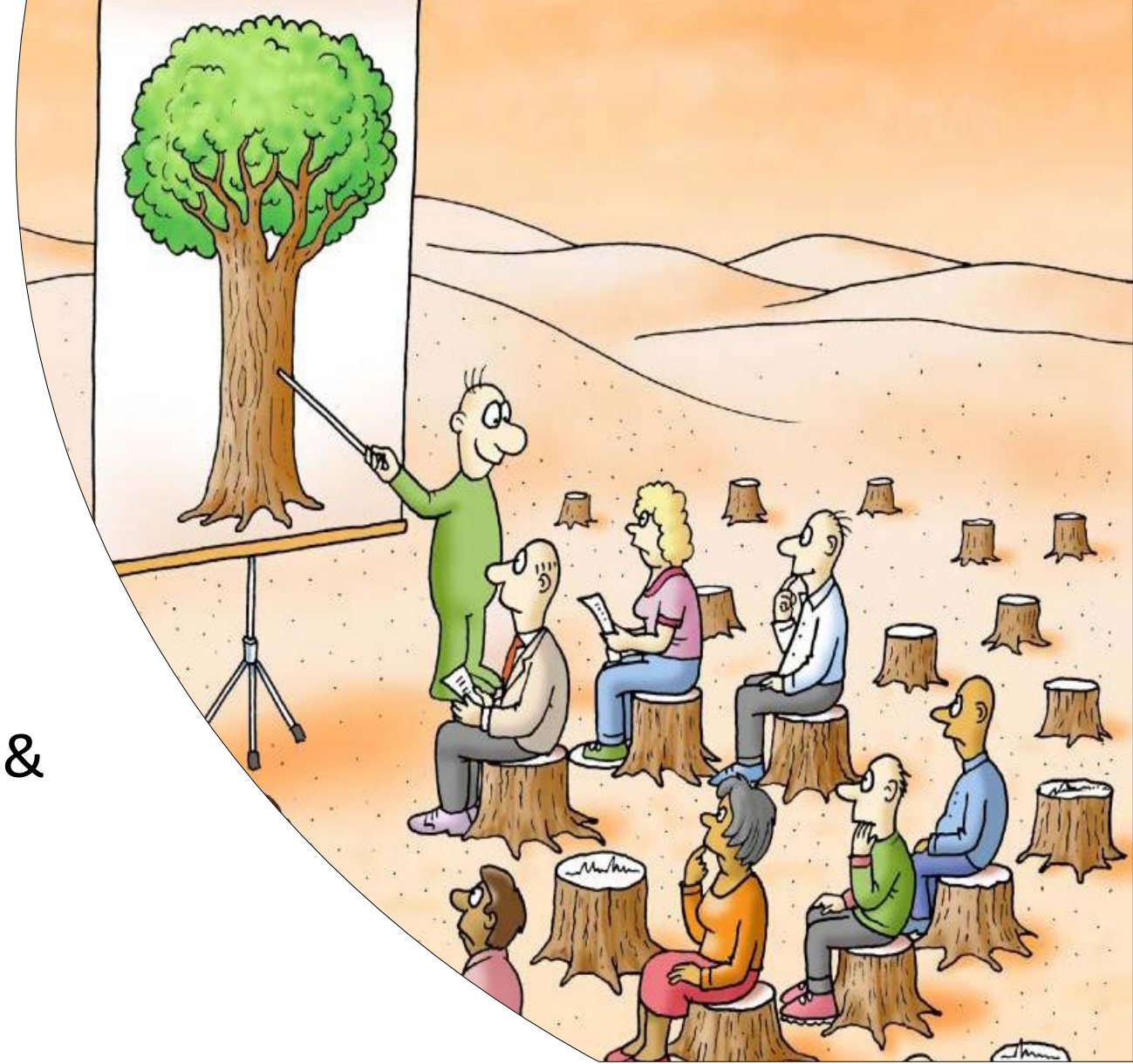


burlington.ca/vision2focus

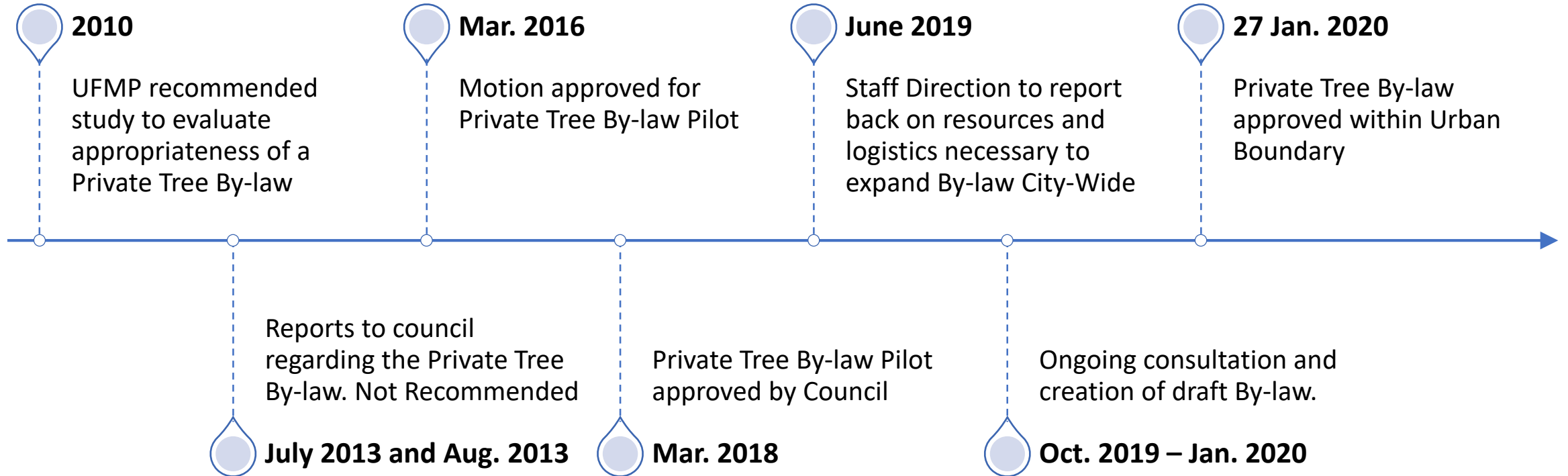


PUBLIC OUTREACH

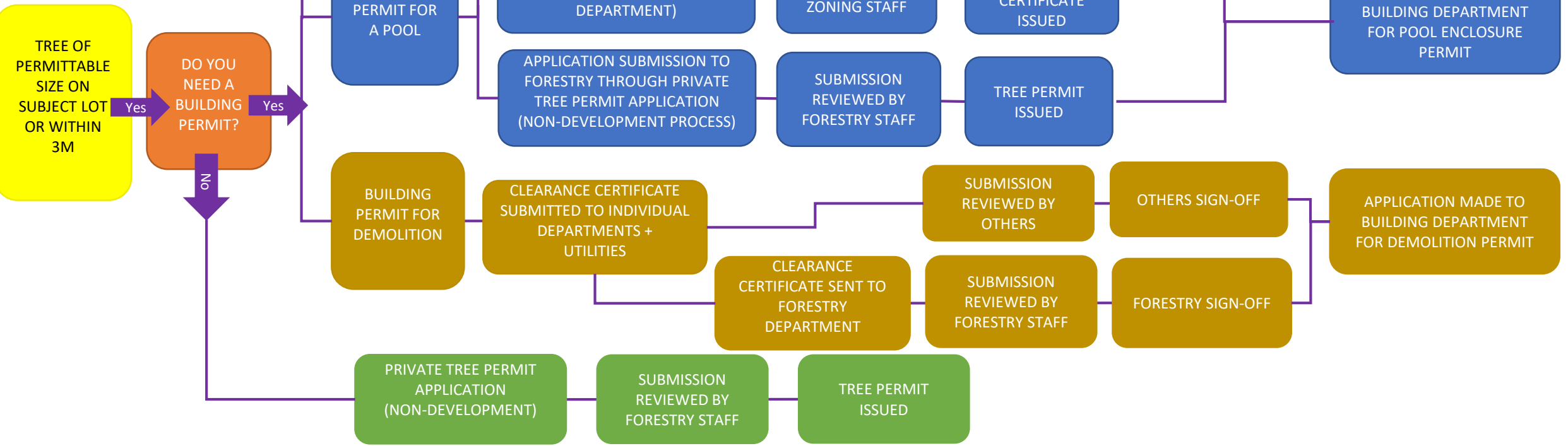
- Polarizing Paradigms:
 - Seeing the Forest for the Trees
 - Unintended Consequences
- Improved Community Engagement & Customer Experience



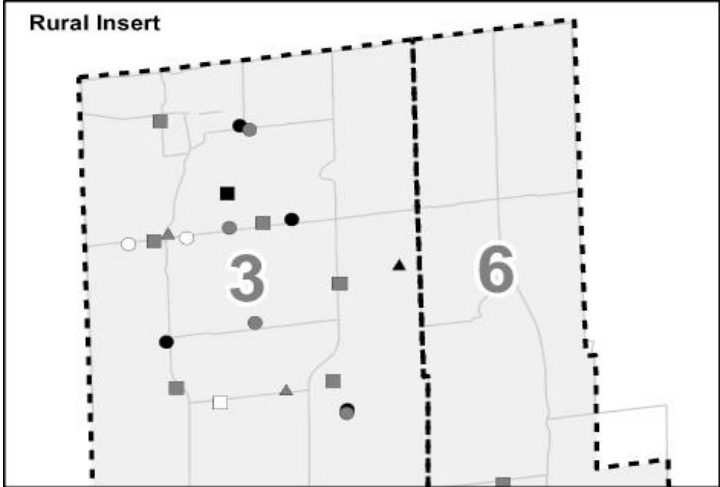
BURLINGTON BY-LAW HISTORY



PROGRAM STRUCTURE



Rural Insert



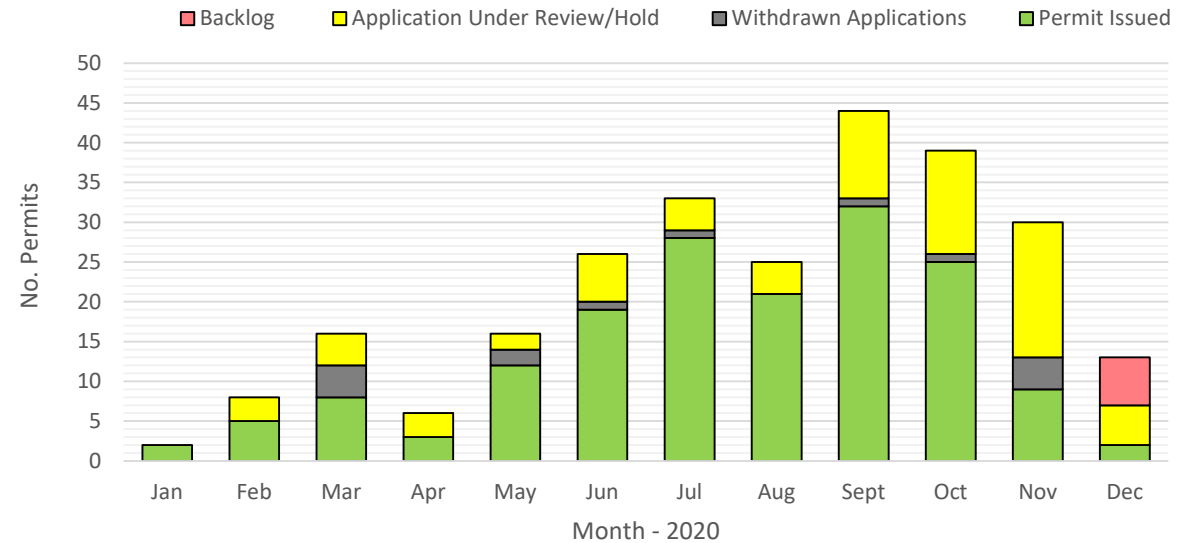
	Application Received	Permit Issued	Application Withdrawn	
Non-Development Permit Applications				
Development Permit Applications				
Demolition Clearances				
Ward Boundaries				
<p>Tree Permits</p>				

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YEAR TO DATE EXPERIENCE

As of December 31, 2020:

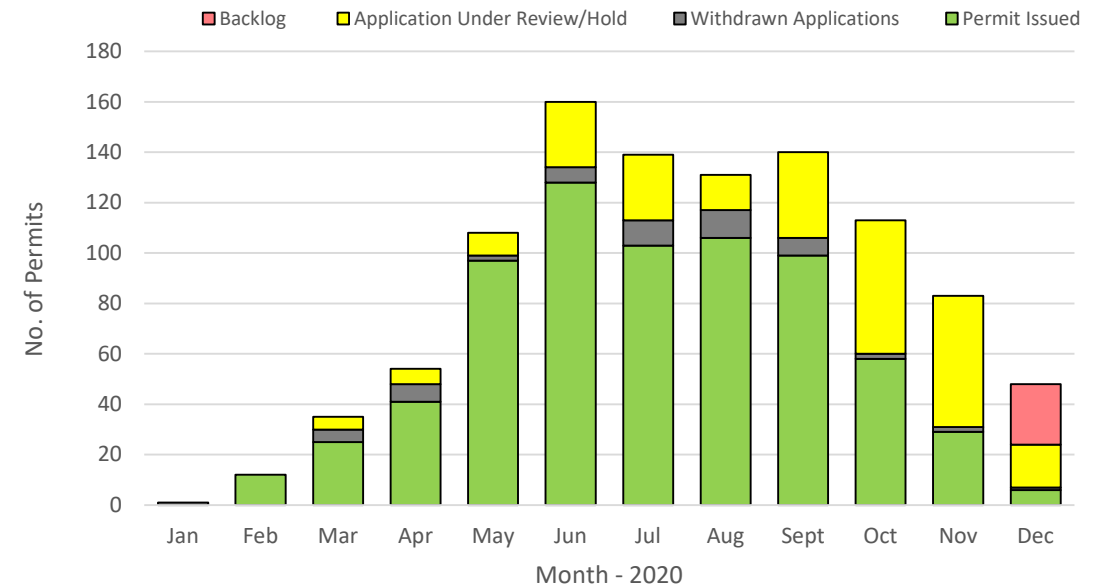
- 258 Development Tree Permit Applications
 - Decks, Pergolas and Gazebos
 - Additions and Garages
 - New Single-Family Dwelling
- 166 Tree Permits Issued Per Property
 - Resulted in 92 Tree Removals; and
 - 65 Tree Injuries
- 92 Applications Withdrawn, Under Review, On Hold or Back-log



YEAR TO DATE EXPERIENCE

As of December 31, 2020 :

- 1,024 Non-Development Tree Permit Applications
 - General Tree Removals
 - Pools, Patios & Landscaping/Hardscaping
 - Dead & Terminally Diseased Exemption
 - 2m of an Occupied Building Exemption
- 704 Tree Permits Issued
 - 1059 Tree Removals (71% exempt); and
 - 62 Tree Injuries
- 320 Applications Withdrawn, Under Review, On Hold or Back-log



YEAR TO DATE EXPERIENCE



Tree Replacement Plantings

- 784 Replacement Trees to be / or that have been planted on Private Property
 - \$313,600 Equivalent cash-in-lieu value
- Timeframe to plant tree(s) is one (1) year from date of permit issuance
- Majority of replacements are Cedar (*Thuja occidentalis*)

YEAR TO DATE EXPERIENCE

As of December 31, 2020 there has been :

- 65 Demolition Clearances Review Requests
- 99 Committee of Adjustment Applications
- 40 Pre-Consultation (CofA) Review Requests
- 66 Known By-law Infractions



YEAR TO DATE EXPERIENCE

- Provisions in place for those projects that fall under the purview of the *Planning Act*
- Coordination with Forestry occurs for planning applications which includes:

Application Type	2020 Applications
Site Plan (SP)	19
Minor Modification (MM)	3
Minor Development (MD)	6
Official Plan Amendment (OP)	3
Rezoning Subdivision (RZ)	4
Subdivision (SD)	1
Development Consultation – for Site Plans (DC)	32
Development Planning Consultation for Site Plan Amendment, Rezoning and Subdivision (DPC)	27



YEAR TO DATE EXPERIENCE

Engagement

- Rural Community
 - Meeting with the BARAAC took place November 12, 2020
- City Legal Department
 - Continued consultation with the City's Legal Department to review Program Limitations
- General Public
 - Continue to provide customer service to residents
 - Begin discussion to restructure and amend the Forestry Webpage and to update information pertaining to additional Forestry Sections which includes:
 - Forestry Operations and Forest Planning and Health



PROGRAM SUCCESSES



- Proactive versus reactive tree preservation
 - Sober second thought to tree removal
- Require applicants to be accountable for tree preservation
- Education and communication
- Compensation received for tree removals
 - Replacement planting or cash-in-lieu

PROGRAM LIMITATIONS



- Potential financial implications
 - Limitations based on current fee structure



- Staff Resources
 - Limitations with staff time to review various application types due to volume (e.g., Tree Permits, Demolition Clearance, CofA etc.)



OPPORTUNITIES TO CONSIDER

- Change view of responsibility of resource
- Restructure fee schedule
- Improved enforcement through additional authorities under the By-law
- Review Canopy coverage as Key Performance Indicator
- Improve customer experience through technological investments
- Improved follow up on replacement planting success



BREAKOUT SESSION #1

- HOW MIGHT WE...
- IMPROVE THE CITY'S PRIVATE TREE BY-LAW TO ADDRESS THE NEEDS OF THE CITY
 - WHY IS IT IMPORTANT?
 - WHAT IS STOPPING US?

BREAKOUT SESSION #2

- HOW MIGHT WE...
- IMPROVE THE CITY'S PRIVATE TREE BY-LAW TO ADDRESS THE NEEDS OF THE CITY
 - BRAINSTORMING SESSION: GOOD | BETTER | BEST

NEXT STEPS

- Review and summarize results of the Council Workshop
- Prepare a Report for Committee/Council
- Continue Discussion with Rural Community
- Continue Discussion with City Legal Department
- Continue to provide Customer Service