

May 4, 2021

Environment, Infrastructure and Community Services Committee

City of Burlington426 Brant St
Burlington, ON
L7R 3Z6**West End Home Builder's Association | Submission City Private Tree By-law 02-2020 Implementation Update (RPF-07-21)**

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Halton Region. The WE HBA represents nearly 300 member companies made up of all disciplines involved in land development and residential construction, including: builders, developers, professional renovators, trade contractors, consultants, and suppliers. In 2019, the residential construction industry employed over 22,700 people, paying \$1.4 billion in wages, and contributed over \$2.6 billion in investment value within Halton Region.

WE HBA was surprised to learn about upcoming Committee and Council proceedings regarding the City's Private Tree By-law 02-2020 Implementation Update. Our members would have appreciated being informed of the ongoing progress of the implementation, and the rationale for the changes proposed. WE HBA appreciates that Council held a workshop to discuss improving the City's Private Tree By-law to address the needs of the City and maintains that industry partners should also have a voice in these discussions.

Repeal and Replacement of By-law 02-2020

WE HBA understands that the decision Committee will be making is to repeal and replace By-law 02-2020 with a by-law substantially in the form attached in Appendix 'A' of report RPF-07-21. Noting that this change will significantly impact the development community, as well as private property owners, WE HBA believes that further consultation is required between the City of Burlington and WE HBA before the implementation of any changes. Further to this, there has been no engagement with the development community to discuss the performance of the existing Private Tree By-Law over the last year that has led staff to determine the need to replace the existing by-law.

Changes to the Rates and Fees By-law 92-2020

WE HBA notes that, as part of the changes proposed to Private Tree By-law, the City is proposing changes to the fee structure that will result in further costs being placed on industry that will be passed on to consumers through higher homes prices and rent. In addition, WE HBA notes that the City has determined that the impacts of the COVID-19 pandemic on the implementation of the Private Tree By-law have been significant. Staff has indicated that its ability to process applications in a timely manner has been adversely impacted by the COVID-19 pandemic. Staff has also noted that there may have been a higher demand for tree removal applications because of increases in home renovations resulting from a shift towards more people working at home. As such, introducing higher fee structures without a clear understanding of how the program has preformed under normal circumstances is inappropriate. WE HBA requests further consultation with our membership as the City seeks to introduce new fees as they relate to application

reviews, permit per tree fees, and the permit renewal or transfer fees, as well as the introduction of security deposit fees and inspection fees. Adding fees to the process without sharing information on how service improvements will be made to support both the improvement to tree protections and the process for our members (who will be paying the increased fees) is premature. As such, WE HBA requests further consultation prior to the implementation of these changes, as they impact the ability of our members to efficiently deliver much needed new housing supply to the City of Burlington.

Conclusion

WE HBA recognizes that the successful implementation of tree protections in Burlington will require a collaborative approach between the City of Burlington and the residential construction industry. As home builders, professional renovators and strong contributors to our local economy, our Association wishes to emphasize that careful and thoughtful integration of tree protections within other City public policy objectives—including intensification—is important, especially when conflicts are bound to arise. Equally important, is the integration of the policies and by-laws within the context of the existing provincial planning framework, especially A Place to Grow (2020), under which Schedule #3 specifies that by 2051 Halton Region is projected to grow by an additional 485,000 people. A significant portion of that growth will be directed to Burlington. While this growth may pose challenges to the protection of trees in Burlington, it is also important to consider that tree protection by-laws will conflict with and frustrate the creation of significantly needed housing supply in Burlington. WE HBA requests further dialogue with the City in how to address these challenges, prior to the passage of a replacement by-law for the City's Private Tree By-law 02-2020.

Sincerely,



Michelle Diplock, MPI
Manager of Planning & Government Relations
West End Home Builders' Association



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