



May 23, 2024

Site Alteration & Tree Preservation By-law

Summary of Public Feedback

Presented by:

Cale Henderson

Manager of Development & Environmental Services, TOA

Rebecca Elphick, Consultant Planner, JLR



Platinum
member



Agenda

01 Project Status

02 Summary of
Public Feedback

03 Response to
Public Feedback

04 Next Steps

Project Status

Spring 2024

Summer 2024

Fall / Winter 2024

Winter 2024

Revise Draft Site
Alteration and
Tree Preservation
By-laws

In-Person
Open House

Virtual Open
House

Summary
Report of
Public
Feedback

Presentation of
Public
Feedback to
Council

Final Revision to
Draft Site
Alteration and
Tree Preservation
By-laws

Presentation of
Final By-laws to
Council for
Decision



We are here!



Summary of Public Feedback

Level of Support

Quantitative feedback indicates most respondents feel there is a **need for a site alteration and tree preservation by-law**, though some feel that additional regulation is unnecessary intervention.

Level of Regulation

Amongst those who support the by-laws, feedback indicates they need to be **less restrictive**, though a minority urge that Council **not pursue implementing** these by-laws.

Environmental Protection

Much of the public feedback indicates support for **environmental protection**, though feedback is mixed as to whether the draft by-laws will help Council to **achieve this goal**.

User Friendly

Many respondents have voiced the **difficulty of understanding** the draft by-laws, in terms of understanding exemptions, and when a request is needed to facilitate a planned activity.

Process for Relief

Feedback indicates that many are concerned with a potential **backlog of applications** resulting in long wait times, as well as a desire for **more objective criteria** for assessing applications.

Enforcement

In addition to concerns over whether the by-laws are needed are concerns over the Township's **ability to enforce** them, and whether the penalties are **adequate to dissuade contravention**.



Response to Public Feedback

Level of Regulation

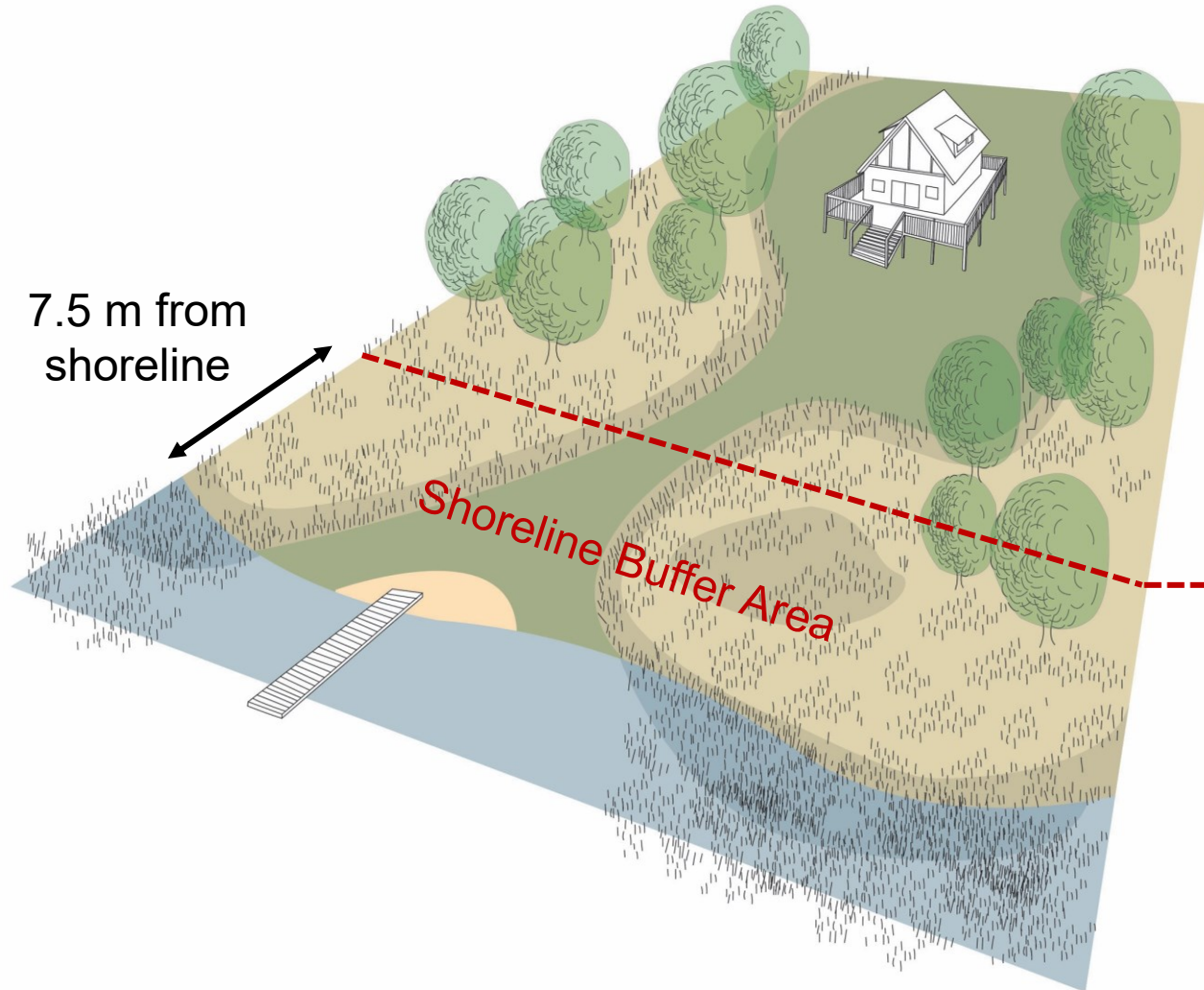
Amongst those who support the by-laws, feedback indicates they need to be **less restrictive**, though a minority urge that Council **not pursue implementing** these by-laws.

Two-Zone Approach to Tree Preservation By-law

- **In the shoreline buffer** (i.e., 7.5 m from shoreline): destroying or injuring trees or shoreline vegetation is prohibited, unless otherwise exempted or relief is granted through an application to the Township
- **Beyond the shoreline buffer:** only clear cutting of trees is prohibited, unless otherwise exempted or relief is granted through an application to the Township

Outcome: Tree removal of any scale less than clear cutting in the backlot (i.e., beyond shoreline buffer) is permitted, though stricter regulations remain in the shoreline buffer (i.e., 7.5 m from shoreline).

Two Zone Approach to Tree Preservation



Prohibition only for **clear cutting** of trees – i.e., removal of all, or substantially all, of the trees on a property, unless otherwise exempted by by-law or relief is granted by the Township

Heightened prohibitions on injury or destruction of native shoreline vegetation, including trees:

- Exemptions to allow certain permitted activities (e.g., installation of a dock, shoreline structure, pathway, etc.)



Response to Public Feedback

Process for Relief

Feedback indicates that many are concerned with a potential **backlog of applications** resulting in long wait times, as well as a desire for **more objective criteria** for assessing applications.

Delegation of Authority to Staff to Grant or Refuse Relief

- Council delegates authority to the Manager of Development and Environmental Services to grant, or refuse to grant, permission for activities that are otherwise prohibited by the by-laws
- Opportunity for landowner to make an appeal to Council where:
 - Manager fails to make a decision within 45 days of application deemed complete
 - Landowner wishes to challenge staff's refusal to grant relief, or conditions imposed on staff's decision to grant relief

Outcome: Applications for relief from the by-laws are before Council only in cases where staff's decision has been appealed by the landowner, resulting in a decrease in Council's application volume



Response to Public Feedback

Process for Relief

Feedback indicates that many are concerned with a potential **backlog of applications** resulting in long wait times, as well as a desire for **more objective criteria** for assessing applications.

Objective Criteria for Assessing Application for Relief

Inclusion of a set of objective criteria by which the Township will assess applications to allow activities not otherwise permitted by the by-laws:

i.e., demonstration that the proposed activities will not result in:

- soil erosion, slope instability, or siltation of a watercourse
- blockage or contamination of a watercourse
- flooding, ponding, or interference with natural drainage
- detrimental effect on a natural heritage feature or on the natural environment of the area

Outcome: Applicants have a better understanding of how the Township will assess their application, resulting in overall greater transparency

Next Steps

Pending discussion of the revised draft Site Alteration and Tree Preservation By-laws, we request direction from Council to proceed with public engagement:

- In-Person Public Open House (July 2024)
- Virtual Public Open House (July 2024)

Township staff and JLR will:

- present the revised draft by-laws
- provide an update as to how public input has informed revisions to both by-laws
- advise of next steps towards bringing the draft by-laws forward for Council's adoption



Thank You!



We welcome any questions or comments from members of Council at this time.

Cale Henderson, RPP, MCIP
Manager, Development and Environmental Services
Township of The Archipelago

chenderson@thearchipelago.ca
705-746-4243 ext. 305

Rebecca Elphick, M.PI
Planner
J.L. Richards & Associates Limited

relphick@jlrichards.ca
343-803-4095



www.jlrichards.ca