**Oakville Green Recommendations
Key Issues and Recommendations Based On What We Have Learned From DND Lands And The Public Meeting With Town Staff and Ward 2 Councillors on Wednesday, April 10th**

1. **Tree Preservation Plans Community Consultation**

Current Situation:

 Tree preservation plans that are available during community consultations are DRAFT plans, subject to change once all utility plans, etc. were approved. No public consultation is undertaken AFTER the final so-called preservation plan was agreed to. This is standard practice for Town staff.

Recommendation:

 This standard practice must change to provide communication to the public and keep the Town website updated with current information after the preservation plan is finalized and within a reasonable time before tree clearing begins. Given modern development methods, it is almost impossible to preserve trees except on the periphery of an infill development project so Planning staff need to communicate publicly as early on as possible what is achievable for tree preservation on infill developments.

1. **Tree Definitions**

Current Situation:

 A “tree” is defined differently depending on which document is referenced. The Urban Forest report defines a tree as to be any woody plant with a diameter at breast height (dbh) larger than 2.5 centimeters whereas the Private Tree Bylaw only concerns itself with trees 20 cm or larger dbh. There needs to be a much clearer definition of “tree”.

Recommendation:

 Define trees as per the Urban Forest Report.

1. **Private Tree Bylaw**

Options for improvement:

1. **Current by-law (2)**

No person shall injure or destroy a total of five (5) or more trees, or the fifth or more tree, each with a diameter greater than 20 cm and less than 76 cm on a lot within a calendar year, without first obtaining a permit pursuant to this ByLaw

**Recommendation**

No person shall injure or destroy a total of three (3) or more trees, or the fourth or more tree, each with a diameter greater than 15 cm and less than 50 cm on a lot within a 23-month period, without first obtaining a permit pursuant to this ByLaw.”

**B) Current by-law(3)**

- No person shall injure or destroy any tree with a diameter greater than 76 cm on a lot within one calendar year, without first obtaining a permit pursuant to this ByLaw

**Recommendation**

 No person shall injure or destroy any tree with a diameter greater than 50 cm on a lot without first obtaining a permit pursuant to this ByLaw

1. **Current Section 7 Notification Process**

Subject to the notification process set out in Section 7, a permit is not required to injure or destroy a tree if:

1. the number of trees each with a diameter between 20 cm and 76 being injured or destroyed on a lot within one calendar year is four (4) or less

**Recommendation**

Subject to the notification process set out in Section 7, a permit is not required to injure or destroy a tree if:

(a) the number of trees each with a diameter between 15 cm and 50 being injured or destroyed on a lot within 23 months is three (3) or less

1. **Current Minimum Fine**

The minimum fine for an offence is $400

**Recommendation**

Make the minimum charge for an offence $1,000

1. **Current Minimum Fine**

The minimum fine for an offence is $400

**Recommendation**

Add protections for:

\* Healthy trees that are rare

\* Trees that have heritage value

\* Trees that have naturally smaller trunk sizes or that are slow growing.

\* Very large stature trees because while they compromise only .5% of our forest canopy, they provide the most benefits and are under significant threat from infill development.

1. **Tree Replacement Formula**

**Current Situation**:

 There is no formula used for appropriately offsetting the trees that are lost during new or infill development. For example, on the DND lands 162 trees were taken down (not counting “shrubbery”) and only 145 will be planted.

**Recommendation**:

 Develop a formula needs that rates the value of the individual trees being removed and requires developers to replace, either through planting or through financial compensation that goes to planting trees elsewhere, equivalent trees.

1. **Terminology**

**Current Situation**:

1. Tree Preservation Plans actually serve as “Tree Loss Plans” because, unless a tree is specifically mentioned to be preserved, the developer can take it down. For example, the cedars on the fenceline of the DND lands were removed. They were on the periphery of the DND lands and could have been preserved but as they were not marked for preservation they were automatically removed.
2. Rationale used to take down trees.
* For mature trees: “They’re near the end of their life anyway.”
* For young trees: “They don’t contribute much and they are easy to replace.”
* For non-native trees: “They don’t belong here” (despite the fact they contribute to pollution and erosion abatement, oxygen, habitat, shade etc).
* For shrubs and native plants: “They’re messy.”

**Recommendation**:

1. The terminology and Town staff approach to Tree Preservation Plans to be replaced with “Tree Loss Plans” which show trees to be removed with all unmarked vegetation automatically being preserved.
2. Add provisions for the protection of hedgerows that provide vegetative buffers or “green linkages” that preserve biodiversity or that serve a social or esthetic purpose.
3. Change this dialogue so that any tree removal needs to be justified instead of excused.
4. **Replacement Trees**

**Current Situation**:

We are losing biodiversity as we take down old trees whose genetic lineage traces back over thousands of years in connection to this land and replace them with cloned trees collected from unknown seed sources.

**Recommendation**:

The Town should strive to source trees for replanting that are grown from local seed sources as often as possible and put more effort into protecting existing natives trees and native “shrubbery” that harbours those good genes and improves biodiversity.

1. **Oakville 40% Tree Canopy Goal**

**Current Situation**:

The Town is NOT on target for the stated goal of 40% tree canopy coverage by 2057 due to:

1. Loss of more trees than are being planted:
* Approx 10% of Oakville’s canopy will be lost as the Emerald Ash Borer affects almost 180,000 ash trees
* White pines, white cedars and other trees are at risk due to warmer weather
* Silver maples, and other species, can’t take the drier weather that is expected.
* Development plans are currently being made for the Merton lands that will result in significant tree loss.
* The Town’s own studies show that reaching 40% tree canopy cover is possible if 90% of the Natural Heritage System in north Oakville is forested. Currently, it is mostly degraded farmland that is not forested.
* Ongoing infill development in the south and new development in the north will continue to degrade the canopy.
* There is no program in place to encourage planting of trees in areas with the lowest tree canopy, for instance in the industrial/commercial lands along the QEW.

**Recommendations:**

1. Acknowledgement of the Town’s inability to reach this goal given the current situation
2. Develop a new plan that engages every segment of Oakville’s community in getting native trees planted. This plan to go hand-in-hand with a tree education program that promotes the value of trees as green infrastructure, stresses the value of native trees and shrubs and teaches people how to select, plant and care for trees.

Radical proposal to be discussed with Residents’ Associations — require that permits be given before cutting healthy trees of any size or number.

**Next Steps: a meeting with reps from all residents’ associations need to agree on the above recommendations and to the proposed options to improve the current tree bylaw.**