

Guelph's Private Tree Protection By-law Update

Phase 1 Engagement

Committee to Council: Session with Heritage Guelph

April 2023



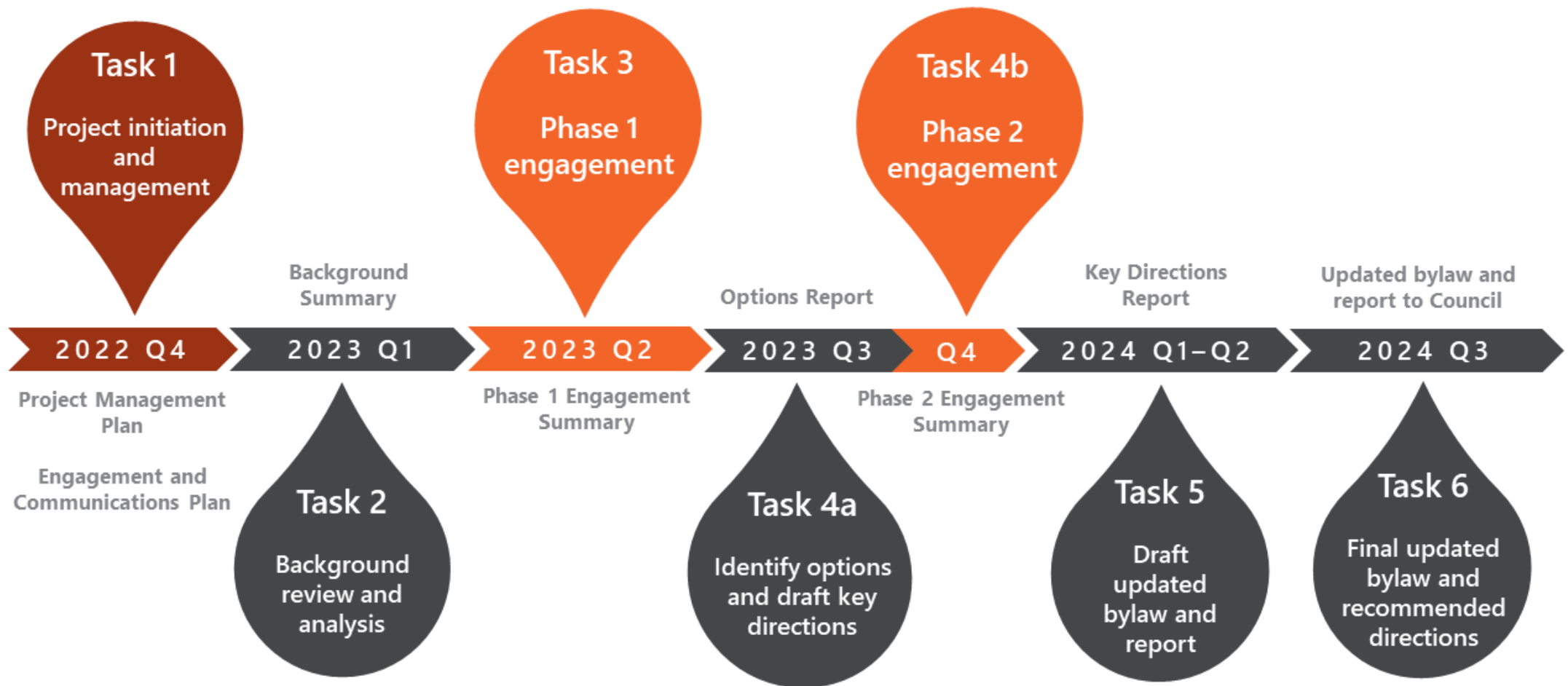
Why does the bylaw need updating?

Guelph's Private Tree Protection By-law was last updated in 2010. What has changed?

- **More intensification**
- **More concern about climate change**
- **Updated policies, regulations and guidelines relevant to the bylaw**
 - new Official Plan policies for Natural Heritage System (2014)
 - first Heritage Conservation District (2015)
 - Tree Technical Manual (2019)
- **Recommended:** In the City's Urban Forest Management Plan 2013-2032



Private Tree Protection By-law Update

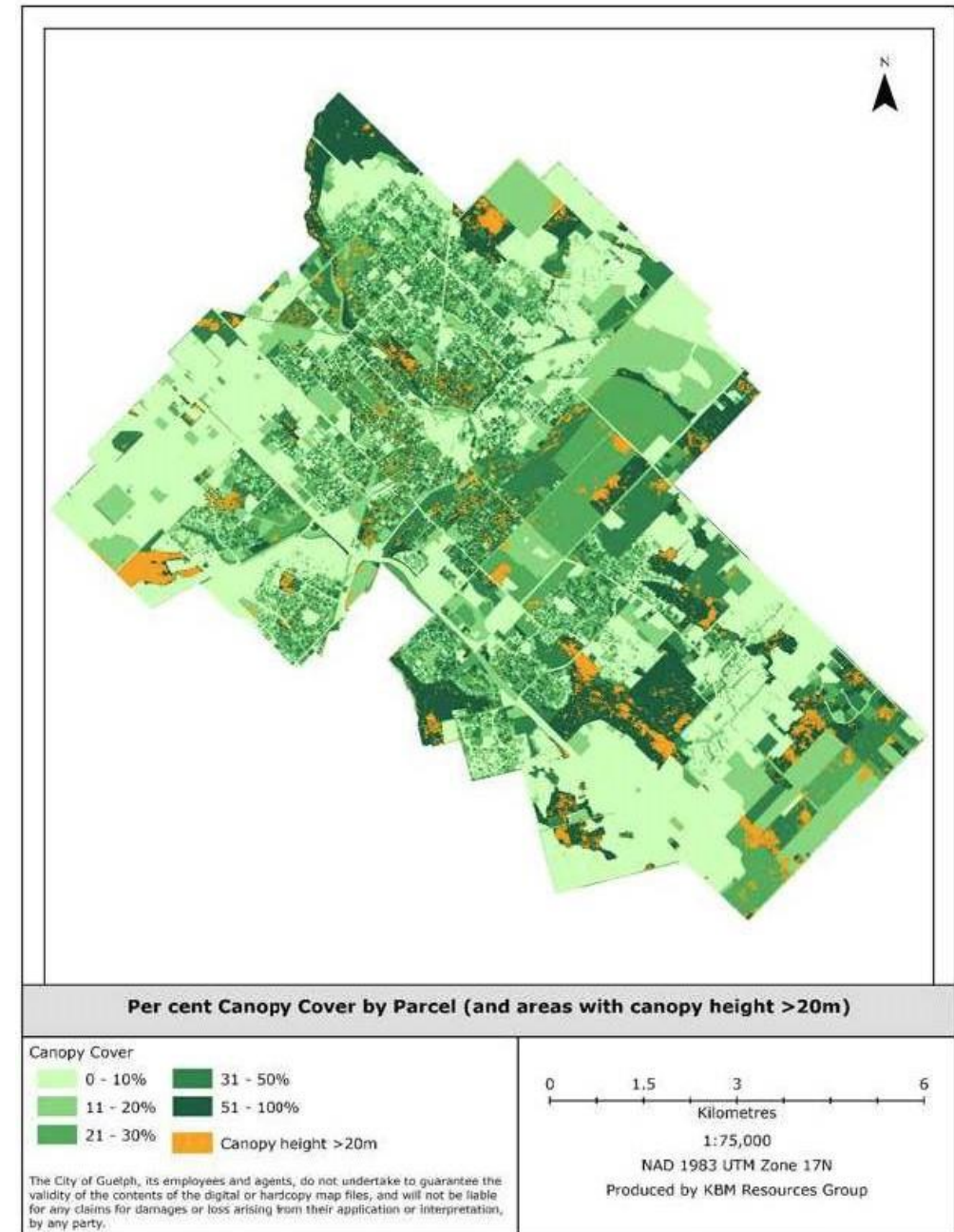


Some facts about trees in Guelph

- Guelph's current tree canopy cover is 23 per cent
- More than half of the canopy cover in the city is on private lands

Most of the trees in Guelph are relatively small:

- Over 70 per cent are 15 centimetres diameter or less
- Over 90 per cent are 30 centimetres diameter or less



Why have a private tree bylaw?

Guelph values the numerous contributions trees make to the health of the community and to sustainable growth.

A private tree bylaw is one of the tools the City uses to protect and enhance tree canopy cover by:

- Creating opportunities to educate people about trees
- Deterring or preventing unnecessary tree removals
- Ensuring that tree removals are done properly
- Facilitating tracking of tree removals and replacements
- Providing a legal basis for getting tree replacements and/or financial compensation for trees removed



What is the current bylaw scope?

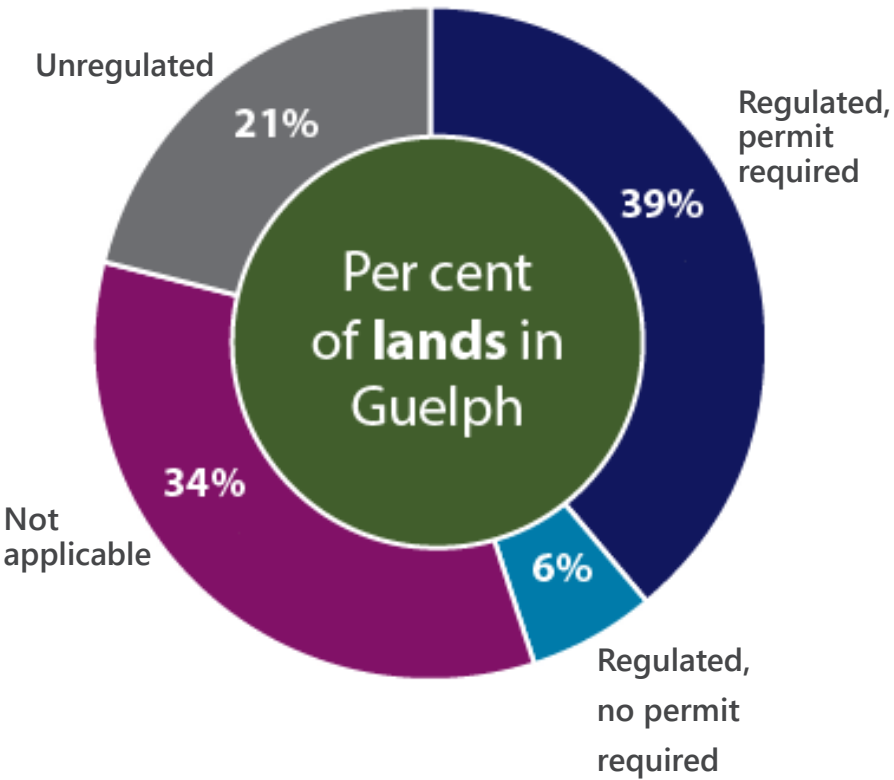
Guelph's current Private Tree Protection By-law regulates:

- trees that are at least 10 centimetres in diameter
- on privately-owned lots greater than 0.2 hectares (0.5 acres)

Note: The dimensions are about 90 feet wide by 239 feet long



What does the bylaw regulate?



Regulated

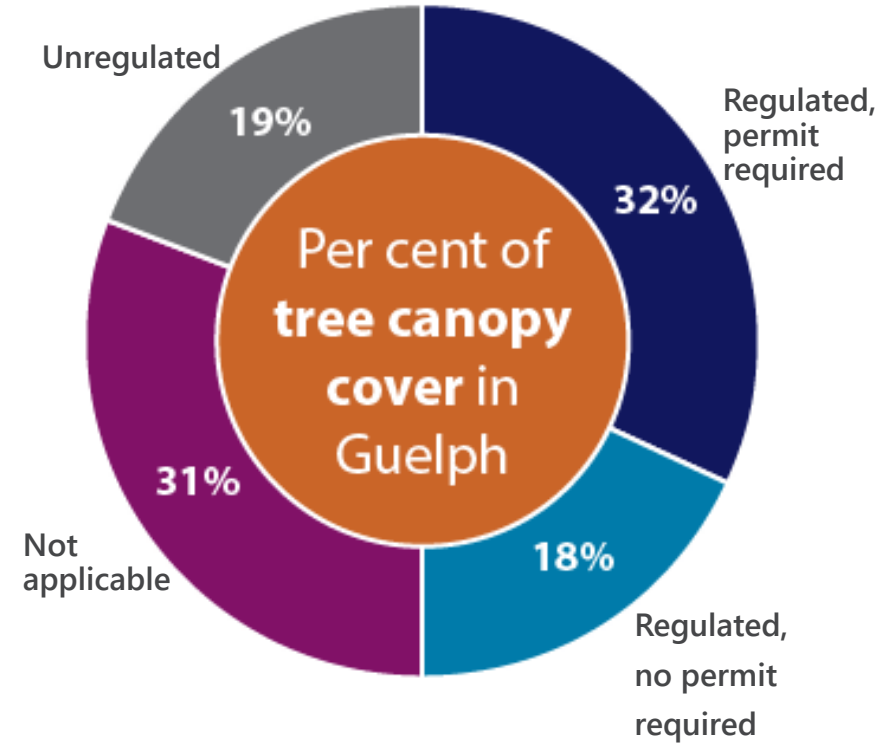
- 45 per cent of the land in the City
- 50 per cent of Guelph's tree canopy cover

Unregulated

- 21 per cent of the land in the City
- 19 per cent of Guelph's tree canopy cover

Not applicable (to public lands)

- 34 per cent of the land in the city
- 31 per cent of Guelph's tree canopy cover



How does the current bylaw work?

Permit required: For damage (injury) or removal (destruction) of trees of at least 10 cm diameter on privately-owned lots greater than 0.2 hectares (0.5 acres)

There are some exemptions to the permit process:
Examples include trees deemed high risk or dead

Processes:

- A designated Bylaw Inspector from the City may issue a permit, with or without conditions (or may deny a permit)
- Permits are to be posted at least 5 days prior to works
- Permits expire after 90 days unless an extension granted
- There is an appeal process (Committee to Council)



More about the current bylaw ...

A designated Bylaw Inspector from the City may, in relation to a permit:

- Enter the lands for an inspection
- Order the discontinuation of a permit violation
- Recover the costs of remedial actions

A designated Bylaw Inspector from the City may also press charges for a bylaw violation and, if convicted by the courts, the violator may be subject to fines

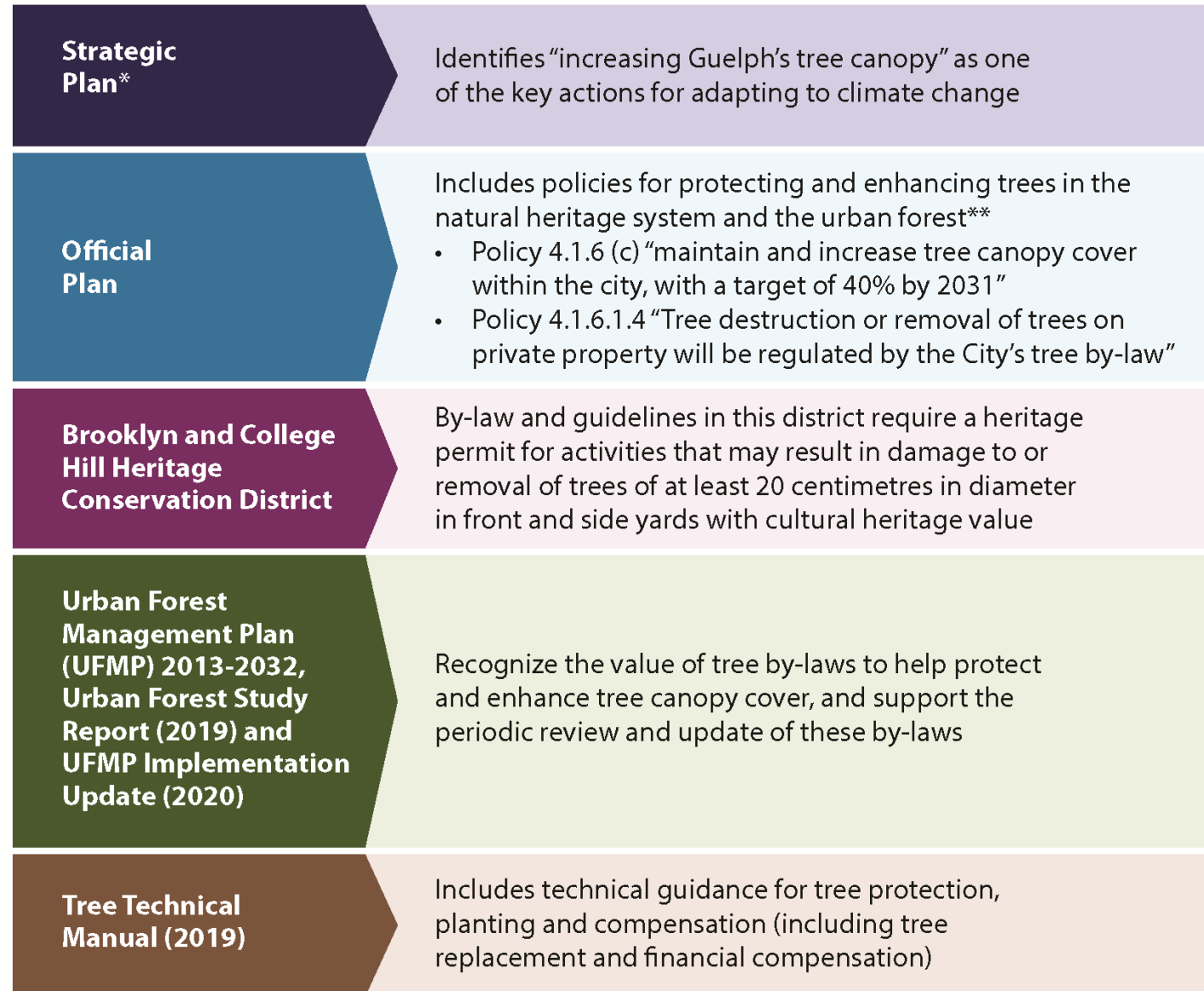


More than tree bylaws apply

The Private Tree Protection By-law is only one of multiple planning tools that apply to trees in Guelph

* The Strategic Plan is being updated over 2023

** In Guelph, the Official Plan defines the "urban forest" as trees outside the natural heritage system and so trees across the city are referred to as "tree canopy cover"



Brooklyn Hill Heritage Conservation District

Part A: Plan and Guidelines, Section 4.6.5

(a) The damage or destruction of any tree greater than **20 centimetres in diameter** at 1.4 metres above ground requires approval of a heritage permit where it is located within the **front yard or exterior side yard** and contributes to the heritage value or visual character of the Heritage Conservation District (i.e. trees that contribute to the canopy that overarches the public realm). The heritage permit approval **may include conditions for replacement** planting of such trees.



Heritage trees in the current bylaw

Part 1 - Definitions

- "Heritage Tree" means a tree designated under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended or replaced from time to time, or included in the City's Municipal Register of Cultural Heritage Properties

Part VI - Issuance of Permits

- 6. In deciding whether or not to issue a Permit in respect of a Regulated Tree, an Inspector shall consider the following criteria: ... (e) whether the Regulated Tree is a Heritage Tree



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Questions? Comments?

www.haveyoursay.guelph.ca/tree-bylaw