

# POLICY

	Policy:	<b>TREE CANOPY AND NATURAL VEGETATION PROTECTION AND ENHANCEMENT POLICY</b>		
	Department:	<ul style="list-style-type: none"> <li>• Engineering and Public Works</li> <li>• Parks Facilities, Recreation and Culture</li> </ul>		
	Division:	<ul style="list-style-type: none"> <li>• Public Works</li> <li>• Parks and Naturalized Areas</li> </ul>	By-law No.:	N/A
	Administered By:	<ul style="list-style-type: none"> <li>• Manager of Public Works</li> <li>• Manager of Parks and Naturalized Areas</li> </ul>	Approval Date:	December 11, 2023
	Replaces:	=Tree Canopy and Natural Vegetation Protection and Enhancement Policy – November 23, 2020		
	Attachment(s):	N/A		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg recognizes the environmental, aesthetic value, economic and health benefits of trees, natural vegetation, naturalized areas and biologically diverse ecosystems and as such is committed to preserving and enhancing its tree canopy, natural vegetation and natural habitat areas within the Town.

## 2. PURPOSE

- 2.1. This policy outlines the Town’s commitment to increase tree canopy (coverage) and natural vegetation when possible and continue to support collaborative initiatives between the Town, developers, landowners, public/private agencies and the general public that seek to preserve and enhance the tree canopy and natural vegetation in the Town of Amherstburg through consultation, planning and action.
- 2.2. This policy outlines the Town’s commitment to protecting, preserving and rehabilitating natural habitat areas by recognizing the significant nature and diversity of our ecosystems and as such will endeavour to support that no negative impacts or adverse effects threaten functioning ecosystems.
- 2.3. This policy ensures compliance with Section 270(1) of the Municipal Act, 2001 requiring municipalities to adopt a policy which sets out the manner in which it will protect and enhance the tree canopy and natural vegetation in the municipality.

## 3. SCOPE

- 3.1. This policy applies to all trees and natural vegetation within the Town of Amherstburg.
- 3.2. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

## 4. DEFINITIONS

- 4.1. **Biodiversity** is the variety and variability of species at the ecosystem level measured by the genetic diversity of morphological attributes.

- 4.2. **Carbon Sequestration** is either a natural or artificial process by which carbon dioxide is removed from the atmosphere and held in solid or liquid form.
- 4.3. **Carolinian** refers to the eastern US growing zone to which the northernmost portion extends into Southern Ontario.
- 4.4. **Ecosystem** is the interacting system and living relationship between plants, animals and their surroundings.
- 4.5. **Natural Vegetation** refers to the native plant life that grows naturally without human intervention in a geographic region.
- 4.6. **Tree Canopy** means the layer of tree leaves, branches and stems that cover the ground when viewed from above.
- 4.7. **Trees** includes shrubs, hedges and woody vegetation.
- 4.8. **Urban Heat Island Effect** is the phenomena by which urban environments become significantly warmer than surrounding rural areas due to modified land surfaces and human activity trapping, generating or reflecting heat.
- 4.9. **Wetlands** means wetlands as defined by the Ontario Wetland Evaluation System which includes marsh, pond, bog, fen, and swamps.
- 4.10. **Woodlands** means woodlands as defined in the Forestry Act that are 1.0 hectare or more in area.

Other common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## 5. **INTERPRETATIONS**

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

## 6. **GENERAL CONDITIONS**

### 6.1. **Benefits of Tree Canopy and Natural Vegetation**

6.1.1. When trees are to be planted the Town of Amherstburg will plant or encourage the planting of Carolinian species trees and vegetation, suitable for growing zone 7A to 8A, in accordance with the Town of Amherstburg Public Tree By-law for the benefit of:

- 6.1.1.1. Reducing heating and cooling costs. Trees and natural vegetation act as a shield against wind and snow further insulate buildings in the winter or as a canopy providing shade thus reduce heating and cooling costs;

- 6.1.1.2. Increasing property value by improving the aesthetics of properties and streetscapes;
  - 6.1.1.3. Improving air quality by filtering out many common urban airborne pollutants;
  - 6.1.1.4. Contributing to mitigating the effects of carbon emissions by sequestering carbon, reducing home energy use thus helping to retard the rate of climate change;
  - 6.1.1.5. Reducing the urban heat island effect, direct exposure to the sun and heat related illnesses;
  - 6.1.1.6. Improving the usability of public parks and recreational areas for the residents, the community and school groups;
  - 6.1.1.7. Enhancing privacy and noise abatement. Trees and natural vegetation provide a natural barrier that obstruct views and dampen sound between properties;
  - 6.1.1.8. Aiding in storm water management by altering and slowing the path of rainfall, recharging groundwater, reducing surface water contaminants and helping to prevent erosion along slopes;
  - 6.1.1.9. Naturalizing areas for both community enjoyment and create ecosystems or linkage and corridors to existing ecosystems to provide habitat and passage for birds, mammals and insects;
  - 6.1.1.10. Ensuring greater success of planting and ecological interaction by planting Carolinian species. In response to global climatic change and an average rise in temperature trees and vegetation from the Carolinian zone should responded better; and,
  - 6.1.1.11. Increasing the amount of natural carbon sequestration within the municipality through increases in natural vegetation and the promotion thereof.
- 6.1.2. The Town of Amherstburg will preserve and protect or encourage the preservation and protection of areas of ecology function with appropriate setback and buffering to identified boundaries for the benefit of:
- 6.1.2.1. Ensuring sustainable, ecological functioning habitat for wildlife including species unique, rare and threatened within the region;
  - 6.1.2.2. Enriching the quality of life for residents. Time spent in green space improves mental health and well-being across numerous dimensions from stress reduction to physical activity; and,
  - 6.1.2.3. Providing an economic opportunity supported by visitors to the region (eco-tourists) participating in passive recreation within the Towns unique biologically diverse ecosystems.
- 6.1.3. The Town of Amherstburg will preserve and protect or encourage the preservation and protection of shoreline and watercourse areas and their ecological functions through;
- 6.1.3.1. Planting and the encouraging of natural vegetation plantings for the purpose of contributing to the root structure and preventing the erosion of shorelines;
  - 6.1.3.2. The use of natural elements such as rocks and other features to stabilize the shoreline against the effects of erosion;
  - 6.1.3.3. The restriction of orders to cut to the top of the bank; and,

6.1.3.4. The appropriate setback and buffering.

## 6.2. Town of Amherstburg Policies, By-laws, Programs and Partnerships

6.2.1. The Town of Amherstburg currently has policies, by-laws and programs in place in order to protect and enhance tree canopy and natural vegetation within the Town.

6.2.2. The Town of Amherstburg also works in collaboration with numerous community partners and agencies within the County of Essex and the Province of Ontario.

6.2.2.1. County of Essex (Official Plan)

6.2.2.2. Essex Region Conservation Authority

6.2.2.3. Carolinian Canada

6.2.2.4. Bird Studies Canada

## 6.3. Climate Change Considerations

6.3.1. Manage or encourage managing forest resources for species biodiversity, ecological function and sustainability.

6.3.2. Manage or encourage managing trees (of the urban forest) in a manner that enhances their quality, quantity and sustainability. With climate change and the climate model for the Great Lakes region, tree species from the more temperate region of the Carolinian zone will be considered for planting in response to a warming climate.

6.3.3. Maintain a data collection and implement regular monitoring practice of tree coverage and natural vegetation.

6.3.4. Provide a foundation toward addressing climate change and realizing the ecological benefits provided by nature.

6.3.5. Include the planting of site suitable Carolinian tree and plant species in all new and redeveloped Town projects.

6.3.6. Remove damaged, decayed or dangerous trees in the urban environment as required and implement the replacement of a minimum oftwo for one tree with the consideration of municipal growth. The possibility of expanding coverage in the municipality is the goal of the municipality.

## 6.4. Biological Diversity

6.4.1. The Town recognizes that biodiversity is foundational to the development of a resilient and sustainable urban forest. Therefore the Town promotes and encourages the diversification of tree species plantings to increase biological diversity and avoid monocultures. Diversification is essential to the maintenance of a healthy ecosystem which can survive the influence of introduced or invasive species, and species decline due to climate change or other environmental factors such as high winds, erosion, habitat loss, overpopulation, or ecosystem collapse.

## 7. RESPONSIBILITIES

7.1. **Council** has the authority and responsibility to:

7.1.1. Adopt and maintain the Tree Canopy and Natural Vegetation Protection and Enhancement Policy.

- 7.2. The **CAO** has the authority and responsibility to:
- 7.2.1. Approve the removal of a tree (or part of) that is damaged, decayed or endangers the life, health, safety or property of the public, or, is considered undesirable and removal is for the greater public good subject to the provisions of section 6.3.6.
  - 7.2.2. Direct appropriate and correct horticultural practices when attending to the care and maintenance of the tree canopy and natural vegetation throughout the Town.
- 7.3. The **Director of Parks, Facilities, Recreation and Culture** has the authority and responsibility to:
- 7.3.1. Ensure compliance with all provisions within the Tree Canopy and Natural Vegetation Protection and Enhancement Policy.
- 7.4. The **Manager of Public Works and Manager of Parks and Naturalized Areas** have the authority and responsibility to:
- 7.4.1. Ensure implementation of this policy and all related by-laws and programs.
  - 7.4.2. Actively promote and support all programs and efforts to protect and enhance the tree canopy and natural vegetation in the Town of Amherstburg.
- 7.5. **Staff** have the authority and responsibility to:
- 7.5.1. Comply with the Tree Canopy and Natural Vegetation Protection and Enhancement Policy.

## **8. REFERENCES AND RELATED DOCUMENTS**

- 8.1. Ontario Bill 68 Modernizing Ontario's Municipal Legislation Act, 2016
- 8.2. Municipal Act, 2001
- 8.3. Green Infrastructure Ontario Coalition
- 8.4. Environment and Natural Resources Canada
- 8.5. Ministry of Natural Resources and Forestry
- 8.6. Provincial Policy Statement
- 8.7. Environment Canada, How much habitat is enough?