

New bylaws could get tougher on tree replacement

New rules getting tough on tree removal and replacement to protect the urban canopy are set to be approved by Council.

Meeting at the Committee level earlier in September, Council moved ahead on recommendations stemming from its Urban Forest Study which could result in amendments to the Town's tree removal and compensation policies.

The new policies will confirm that the minimum tree size for compensation will be a trunk diameter of 5 or more centimetres and forbid the removal of trees between April 1 and August 31 in accordance to the Migratory Birds Convention Act.

“The purpose of the UFORE (Urban Forest) Study was to assess the distribution, structure and function of Aurora's urban forest and to provide management recommendations for enhancing the sustainability of both the urban forest resources as well as the community as a whole,” said Gary Greidanus, Senior Landscape Architect for the Town of Aurora.

Among the recommendations contained within the study, in addition to the minimum size of replacement trees, is an increased emphasis on topsoil quality for tree plantings in newer and infill developments and ensuring that new tree plantings are diverse to improve the overall health of the local environment.

But compensation dominated last week's discussion, particularly in ensuring the Town as a whole is getting the best environmental bang for its buck.

“The [existing] compensation policy bases compensation on a monetary value for both assessing existing trees and determining replacement trees,” said Greidanus. “Concerns have been expressed that trees offer more than just a monetary value to any given property, including cultural value, ecological value (habitat, etc), as well as value associated with carbon sequestering and these values should be considered in terms of compensation as well.”

The report, however, notes that staff have raised concerns that assessing trees by standards other than monetary value is “subjective”, “difficult to standardize”, and difficult to “uphold under legal scrutiny,” ultimately recommending against going down that road.

Speaking to the recommendations on the table, Councillor Wendy Gaertner said this latest review of the UFORE study was brought forward by Councillor Rachel Gilliland in response to several mature trees cut down on Kennedy Street to make way for two properties. Councillor Gaertner asked staff whether anything in the updated report would have prevented those cuttings.

“This isn't a prevention bylaw,” said Al Downey, Aurora's Director of Operations. “If a planning application is approved, these policies would then kick in. The cutting of trees was permitted as part of that planning application; it is how those trees were compensated for and what was done in order to address that compensation [that is addressed in this report]. It now indicates to the owner we would like the largest possible trees to be re-planted onto that property.”

“The other issue is how we evaluate that compensation. We explored a number of different compensation models and we find that the most practical one is the one we use right now: a per caliper replacement. There was a thought that perhaps we could do it as part of the carbon sequestering equation and that is extremely difficult to do as part of compensation.”

But, the per caliper model is due to get some extra teeth and Councillor Gaertner asked how if new policies would be enough to “dissuade” from trees being removed without permission from the Town.

“I am not aware of what the fine is going to be, but I would suggest it should be strong enough to ensure that [owners] wouldn't go ahead and cut trees down,” said Mr. Downey. “Our concern is that the fine will be great enough to certainly discourage any trees from being cut down without prior notification.”

Councillor Gilliland, however, said more work needs to be done to address replacement trees as they relate to carbon capture.

‘It would encourage people to choose some diversity and more carbon-capturing trees that would be best for our community,’ said Councillor Gilliland.

In response, Mr. Downey said it was an ‘interesting idea that should be possible.’

‘I don’t want to say ‘yes’ right away, but I think it is a very good idea,’ he said. ‘As staff, we can look at not only providing trees that are going to survive well in that particular situation, but we are looking at how well they sequester carbon.’