



## Report

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**Subject:** Framework for the Tree Preservation By-Law

**Department:** Infrastructure Services

**Division:** Transportation and Development

**Report #:** INS-2025-024

**Meeting Date:** 2025-07-14

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### Recommendations

**That report INS-2025-024, Framework Report No. 1 for the Tree Preservation By-Law be received; and**

**That Council direct staff to proceed with Report No. 2 for the Tree Preservation By-Law to establish the framework for rolling out the by-law and report back to Council by September 2025.**

### Overview

In May 2023, Council directed staff to report back with a framework for the development of a tree preservation by-law that included community input. The public survey found that the majority of respondents agree that a tree by-law should be used to avoid the unnecessary removal of trees and to control how trees are removed.

The framework will be presented in two reports. The attached report, *Tree Preservation By-Law Framework Report No. 1* outlines the findings of the 2023 Urban Tree Canopy Assessment, existing urban forestry management, existing forestry policies, public consultation and the municipal tree preservation by-law survey. The second report, *Tree Preservation By-Law Framework Report No. 2* will outline the proposed by-law framework including resourcing (i.e., corporate) implications and a proposed implementation plan that will incorporate the direction and feedback received from Council with respect to Report No. 1. The second report can be presented to Council in September 2025, pending feedback from this report.

Recommendations and considerations on the approach of the proposed by-law will be requested from Council. There are no direct corporate implications from this report. There may be corporate implications as a result of the recommendations within the *Tree Preservation By-Law Framework Report No. 2* such as staffing resources.

## Background

In June 2012, Councillor Bradley made a motion from Orangeville's Sustainability Action Team for a tree by-law. Staff reported back in February 2013 and a motion to prepare a draft tree cutting by-law was made, but the motion was ultimately lost. The 2020 Municipal Tree Canopy Policy was approved by Council on February 10, 2020, which included a goal to achieve 40% urban tree canopy cover by 2040. In June 2021, Councillor Peters made a motion to formalize the Town's direction with respect to canopy management and associated programming and policy. In May 2023, Council directed staff to report back with a framework for the development of a tree preservation by-law that included community input. On August 14, 2023 Council received the 2023 Urban Tree Canopy Assessment report prepared by PlanIT Geo Inc.

In the Town's Official Plan, it notes that at the discretion of Council, they may enact a tree by-law under the *Municipal Act* to regulate the destruction of trees in defined areas, and to require the issuance of permits for tree removal. Under Section 135 of the *Municipal Act, 2001*, S.O. 2001, c. 25 a local municipality may prohibit or regulate the destruction or injuring of trees. A municipality may also require that a permit be obtained to injure or destroy trees and impose conditions to permit, including conditions relating to the manner in which destruction occurs, and the qualifications of persons authorized to injure or destroy trees.

## Analysis/Current Situation

The Town of Orangeville's tree canopy provides many economic, social and environmental benefits. The 2023 Urban Tree Canopy Assessment, received by Council on August 14, 2023, determined that Orangeville's tree canopy is 24% of the total land mass with 79% being located on privately-owned properties and 21% located on Town owned, public property. This Assessment found that the tree canopy is providing Orangeville with \$471,206 ecosystem services annually (i.e., air quality improvement and stormwater management) and each year the canopy sequesters approximately 790 metric tons of carbon dioxide which is valued over \$163,000.

In 2024, the Town spent a total of \$361,971 on tree related expenditures, including maintenance, removal, replacement, planting and removal of Public Ash trees. Current investments made by the Town on the tree canopy are only made on Town owned, public property. This means that the Town is currently investing money into maintaining just over one fifth (i.e., 21%) of the total tree canopy in Orangeville, while the remaining 79% of the tree canopy (located on private property) is left unregulated.

In the Fall of 2023, a public survey found that respondents identified the benefits that trees provide, and the majority of respondents agree that a tree by-law should be used to avoid the unnecessary removal of trees and to control how trees are removed. Engagement with other municipalities that have tree preservation by-laws was conducted in 2023 to gain an understanding of current regulations. Many municipalities

have rolled out a private tree or tree preservation by-law in the last five years. The approaches vary, with some applying only to the development process, but most apply to all private trees. Depending on the by-law, size of the municipalities and the number of annual permits, municipalities manage their private tree or tree preservation by-law through existing staff resources, while others have a dedicated staff member.

It is proposed that a tree preservation by-law is developed to regulate trees on privately owned land. In addition to the proposed tree preservation by-law, it is recommended that the Urban Forestry Policy, 2012 and the Municipal Tree Canopy Policy, 2020 be reviewed and updated to ensure that they align with the findings of the Urban Tree Canopy Assessment, 2023 as well as federal, provincial and current urban forestry management standards and industry standards.

Two future public engagement activities are planned should Council decide to move forward with developing a tree preservation by-law. First, a public consultation event will be held to present the framework of the by-law. This engagement event would be scheduled after the *Tree Preservation By-Law Framework Report No. 2* is reviewed and received by Council. Secondly, it would be beneficial to engage with local tree service companies or arborists to educate them on the tree preservation by-law and what it will entail including the need for a permit from the Town prior to tree removal. The goal of this engagement is to initiate a local industry mindset shift from tree removal to tree preservation through maintenance or replanting. Any concerns or suggestions received during this industry engagement can be considered and incorporated as appropriate into the tree preservation by-law.

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## Corporate Implications

There are no forecasted corporate implications that will occur directly as a result of the recommendations. There may be corporate implications as a result of the recommendations within the *Tree Preservation By-Law Framework Report No. 2* such as staffing resources.

## Conclusion

Staff will report back to Council in September 2025 to present the *Tree Preservation By-Law Framework Report No. 2* which will include the framework for the proposed by-law.

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## Strategic Alignment

### Strategic Plan

Strategic Goal: Future-Readiness

Objective: Sustainability

## **Sustainable Neighbourhood Action Plan**

Theme: Natural Resources and Environment

Strategy: Protect and enhance natural heritage and the urban forest

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### **Notice Provisions**

Not Applicable

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Respectfully submitted,

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**Attachment(s):** 1. Tree Preservation By-Law Framework Report No. 1