

THE CORPORATION OF THE UNITED COUNTIES

OF PRESCOTT AND RUSSELL

BY-LAW NUMBER 2018-18

A BY-LAW TO ADOPT A POLICY WITH RESPECT TO THE MANNER IN WHICH THE CORPORATION OF THE UNITED COUNTIES OF PRESCOTT AND RUSSELL WILL PROTECT AND ENHANCE THE TREE CANOPY AND NATURAL VEGETATION IN THE MUNICIPALITY

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25 provides that every municipality shall establish policies with respect to the manner in which it will protect and enhance the tree canopy and natural vegetation in the municipality;

AND WHEREAS the tree canopy and vegetation in the United Counties of Prescott and Russell are protected by the Counties' Official Plan.

NOW THEREFORE the Council of the Corporation of the United Counties of Prescott and Russell enacts as follows:

1. That the Council of the United Counties of Prescott and Russell hereby confirm that the policies set out in Section 5.5.6 of the Official Plan shall constitute the policy as required by Section 270(1)7 of the *Municipal Act, 2001*;
2. That the Policy attached hereto as Schedule "A" constitutes an integral part thereof;
3. That this By-law shall come into effect on March 28, 2018.

DONE AND PASSED in open Council this 28th day of March, 2018.



François St-Amour, Warden



Andrée Latreille, Clerk

**UNITED COUNTIES OF PRESCOTT AND RUSSELL
OFFICIAL PLAN**

5 NATURAL HERITAGE

5.5.6 Significant Woodlands and Vegetation Cover

According to the PPS, *woodlands* are defined as “treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.” Significant woodlands in the United Counties have values, both natural and human. The more obvious values are that they:

1. help to moderate climate, as temperature and moisture are influenced by respiration of trees and shrubs and by their shading;
2. provide oxygen to the atmosphere while reducing carbon dioxide, via photosynthesis;
3. clean air pollutants;
4. prevent soil erosion and stabilize slopes;
5. help to maintain good surface water quality;
6. provide habitat for a diverse range of species;
7. retain water and may recharge ground water;
8. yield economic products including lumber, firewood, maple syrup and mushrooms;
9. provide recreational activities such as wildlife observation, hiking, and hunting;
10. contribute to the beauty and visual diversity of the urban and rural landscape; and,
11. provide an attractive setting for rural residential development.

The United Counties have used the GIS approach developed by the Kemptville District of the Ministry of Natural Resources and Forestry to identify significant woodlands. This approach utilizes digital woodlands data and takes into consideration the important characteristics of the woodlands.

The boundaries of the significant woodlands identified on Schedule B were produced using digital data which has not been ground checked. Accordingly, there may be areas identified as significant woodlands that may not actually be so, as well as areas which may be significant woodlands that have not been mapped. In this regard, site assessments will be an important part of environmental impact studies to verify site conditions.

The criteria used to determine the significance of woodlands was developed by the Kemptville District of the Ministry of Natural Resources and Forestry and include woodland size, woodland interior (core habitat that is 100 m from woodland edge), proximity to other significant habitats, linkages, riparian areas, uncommon characteristics and old woodlands.

In terms of vegetative cover, this Plan recognizes that preserving vegetation along waterways, on sites subject to development and along roadways contributes to the overall health of the area

and helps lessen the environmental impact of development and improve the visual appeal of newly developed areas. Development proposals shall be required to preserve vegetative cover or replace vegetative cover when removal cannot be avoided.

This Plan supports the retention or restoration of the natural vegetative buffer adjacent to all watercourses as the means of protecting water resources and its related ecological function from the negative impacts of development. The Plan also recognizes that woodlands and forests have great ecological significance. Property owners may benefit from the Managed Forest Tax Incentive Program which is a voluntary program that provides lower property taxes to participating landowners who agree to conserve and actively manage their forests.

Forests are a renewable resource if harvested in a sustainable manner. Forestry management is sustainable when it maintains and enhances the long-term health of forest ecosystems to the benefit of all living things, while providing environmental, economic, social and cultural opportunities for the benefit of present and future generations. Sustainable forest management refers to management regimes applied to forest lands which maintain the productive and renewal capacities as well as the genetic, species and ecological diversity of forest ecosystems.

Property owners have the right to harvest forest resources on their lands. This Plan encourages forestry management in accordance with the Eastern Ontario Model Forest Code of Forestry Practice.

To mitigate potential impacts due to site alteration and tree cutting in lands identified as containing significant woodland, Council may adopt appropriate by-laws to prohibit or regulate the placing, dumping, removal or regrading of topsoil or fill, and the destruction or injuring of trees.

5.5.6.2 Vegetative Cover General Policies

At a regional level, several studies indicate that a reduction of the regional forest cover below 30 % results in a significant reduction in biodiversity. It is estimated that the current percentage of forest cover in Prescott and Russell is approximately 26 %. The percentage of residual forest and natural forest corridors in the landscape has a significant impact on the presence of species within a region. Therefore, if the landscape contains a large proportion of forest, this will benefit the regional habitat and greater diversity will result. The reduction of forest cover causes the reduction or the disappearance of many animal species that require forest habitats. On the other hand, non-forest species and species who inhabit forest edges multiply. Globally, the loss of forest cover results in a loss of biological diversity.

Deforestation is the permanent removal of forest cover from an area and the conversion of this previously forested land to other uses. Deforestation can be attributed to several factors such as the clearing of land for urban development, transportation corridors, recreation, forest industries and natural resource extraction industries. The clearing of land for agriculture is one of the major causes of deforestation in Prescott and Russell. Rising global market demand and high prices for commodities are the driving factors of enticement to deforestation and it is becoming a rising trend of regional significance in Prescott and Russell.

Council recognizes the importance of protecting an adequate forest cover for the region. Although the *Municipal Act, 2001* provides the framework that enables local and upper tier municipalities the power to adopt tree cutting and tree conservation by-laws, Council for the time being, will continue to carefully monitor this situation by using updated DRAPE imagery and

promote the benefits of proper forest management practices. New development will be subject to the following policies:

1. This Plan shall require the retention and/or establishment of mature tree cover and native shrubs and vegetative cover on lands within 15 metres of a high water mark of a water resource in order to protect the riparian and littoral zones and associated habitat, prevent erosion, siltation and nutrient migration, maintain shoreline character and appearance, and minimize the visual impact of development. Notwithstanding the 15 metre vegetative buffer, a water access area of a maximum of 9 metres width may be permitted provided the natural shoreline is disturbed as little as possible and the balance of the water front outside of the access area is maintained in a natural state. Within the natural vegetative buffer, the pruning of trees for viewing purposes or the removal of trees for safety reasons may be permitted provided the intent of the policy is maintained. All other policies and approvals for work near water resources shall apply and shall be subject to site plan approval.
2. In rural areas, retaining existing natural vegetation along public roads shall be encouraged. Developers shall be encouraged to remove as little vegetation as possible when establishing roads, building sites and servicing facilities. Specific provisions relating to protection of vegetation may be incorporated into site plan agreements. The retention of natural vegetation is not meant to include noxious weeds or invasive species.
3. In urban areas, selective protection of significant trees or shrubs shall be promoted. Provisions relating to protection of vegetation may be incorporated into subdivision or site plan agreements.
4. The County and local municipalities shall ensure that trees along municipal road allowances and on other municipal property are preserved while allowing appropriate maintenance and the removal of trees which may constitute a safety hazard. Any private removal of trees on municipal property shall require the approval of Council.
5. Applications for subdivisions, Official Plan and Zoning By-law amendments, minor variances or site plan control may be supported by a Tree Preservation Plan. Such a plan shall:
 - a) retain as much natural vegetation as possible, especially along watercourses, on steep slopes, in valued woodlots, in areas linking green spaces and along roadways;
 - b) determine which stands of trees or individual trees warrant retention based on a preliminary assessment;
 - c) outline measures for the protection of those trees or stands of trees being retained during construction;
 - d) describe the area and nature of tree loss and compensation measures proposed. Such compensation measures may include off-site plantings;
 - e) indicate tree planting or vegetative cover required to provide protection for stream courses or steep slopes;
 - f) investigate the use of native species in tree planting strategies and shall discourage monoculture;
 - g) provide guidelines for property owners on the importance and care of trees on their property;

- h) consider the impact on the environment during and after construction, and propose mitigation measures where there is substantial alteration of the existing tree cover on the site;
- i) natural features/functions may be protected and enhanced by incorporating them into public open spaces and recreational pathways.