

URBAN FORESTRY ADVISORY COMMITTEE MINUTES

THURSDAY MAY 24,
2013

START TIME: 5:00PM

CITY HALL: COMMITTEE ROOM 1

MEETING CALLED BY	Mike Anderson
CALL TO ORDER:	5:00pm
COMMITTEE CHAIRPERSON	Elizabeth Chitty
MINUTES	Daryl Abbs
ATTENDEES	Mike Anderson John Dick Steven Holmes Peter Howe John Sheehan Elizabeth Chitty Michael O'Neill David Stevens John Stevens Bruce Zimmerman Keith Bessy Gavin Pally Councilor Mark Elliott Kristen Sullivan – Project Development Planner, RCS Judy Pihach – Manager of Planning Services
REGRETS/ABSENT	Ron Calvert Councilor Bill Phillips

Agenda topics

5:00 PM **#4. APPROVAL OF MINUTES OF APRIL 18, 2013**

DISCUSSION	Approval of minutes deferred to next meeting
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5:05 PM **#3. PRESENTATION BY JUDY PIHACH
MANAGER OF PLANNING SERVICES**

PRESENTATION	
<ul style="list-style-type: none"> • Planning Services is responsible for recommendations to council for development and planning issues • Landscaping is part of development approval • Site plan control has established standards • Council is in development-ready mode and wants to entice development • The balance of increasing the tree canopy versus the cost of development is important to keep developers investing while increasing the tree canopy • Problem: there is no empty space left for development 	

- Problem: when redevelopment occurs, the changing land use is hard on the trees
- There are 2 types of developers; one that wants to preserve trees because they know they are valuable and the other that is not sensitive to tree preservation
- To be successful in increasing the tree canopy tree preservation needs improvement by identifying what trees need to be saved, how, and who should monitor it
- There is an incentive to preserve trees in bigger developments and a deal can be negotiated to do so, keeping in mind the cost to the development community and enforcing the requirements that are put in place
- Each development should pay for an arborist responsible to make recommendations and inform the city is directions are being followed

DISCUSSION

- Arborist reports are not debilitating to development. They should be certified. Prevention is better because it costs more to change the plans after they have been developed
- There is a need to educate staff in the city about the protection of trees and the value that trees bring to neighborhoods
- There is a Technical Standards Manual that outlines the information about the protection of trees and landscaping; so the information is out there
- The Process Review Committee has developers and realtors in the committee so we can get feedback from them
- Q: Where does our role end and the by-law take over?
- A: Judy can enforce regulation through site-plan on commercial and residential development. Only single detached units or properties with less than 4 units are not subject to site-plan control
- Problem: Developers can cut down all the trees and then register the property so that there is nothing to preserve
- Proposed by-law – need a buffer of landscaping around a parking lot and within it
- Q: Duplexes and similar housing structures operate as a business, why do they not fall under the umbrella of site-planning regulation?
- A: Zoning deals with land *use*
- Q: Can we bring down the minimum number of units from 4 to 2?
- A: That could be onerous, a development agreement would be better. Once agreement is on file it is enforceable forever
- Private tree by-law is needed to prevent developers from cutting down trees when developing brownfield sites to housing
- Site-planning can only stop people when they apply for application
- Q: Where are the greatest threats to tree preservation?
- A: Can't save everything. Council will have to make a decision because there needs to be a balance between control over private property and protecting the trees
- Problem: The system now is run punitively while maybe we should take an incentive-based

approach. Commercial areas not penalized and that is where the biggest need for trees is

- Maybe ask for more money for deposit for a lot and use the extra to fill in gaps in the streetscape
- Gavin: We need to be involved sooner and every time something happens. Example of Kentucky coffee tree; municipality didn't even know about it but should be involved in the process and have the power to deal with it. Should also have an arborist reports when applying for building permit
- For the private tree by-law we should look at other municipalities; how they do things, benefits from other by-laws etc. while keeping in mind the size of St. Catharines, the budget, and the amount of staff we can utilize
- Greater need for communication between departments so that tree protection does not fall through the cracks
- The amount of resources to enforce this by-law are important
- Neighbors usually self-police and the municipality is notified when someone is going to cut down a tree but we have no authority to stop it; this is where a public tree by-law would come in. We do not have one whereas other municipalities do
- We should have a well-defined specification of guidelines as to what trees to protect

6:05 PM

#7. QUESTION DEFERRED FROM LAST MEETING

DISCUSSION

- 1 year warranty period: Why not longer?
- One year is not consistent with other municipalities and if a tree lasts two seasons it is more than likely to survive so the committee recommends that warranty period be changed to 2 years
- Judy and Kristen say this can be done
- Problem: In some cases it is cheaper to replace trees than water them and you cannot force developers to water the trees
- Site inspections are done and the city holds 25% of the whole contract on a development until the trees reach the end of their warranty period
- There is no protection for trees during roadwork etc. The city needs to protect street trees during construction as they are not guaranteed. The city needs to set an example for homeowners and developers

6:15 PM

CONTINUE OPEN DISCUSSION

DISCUSSION

❖ Judy Pihach has offered to stay later to continue discussion

- Percentage of green space to hard surfaces:
- There is a by-law that prevents homeowners from widening their driveways to no more than 25 ft. up to 50% of their property but there is no trigger for the city to find out; enforcement is on complaint only
- The permit process is the only other way the city can catch people
- People are not preventative in tree preservation; they do not maintain the tree. They are reactionary. Education on this is important
- Q: What tactics and sequencing can we use to be successful?
- A: Public by-law – trees need to be viewed as infrastructure like sidewalks. We need a process to be followed for when a tree is removed
- Private by-law – Include options of least to most restrictive because council needs to know what all of the options are so they can choose one. Council is pro-development so a range of options will be better
- Major goal: just to get a by-law in place. We can amend after if need be
- Public by-law – enforce what our own contractors do and build this into our contracts
- Try to use media, newspaper, websites to educate people on what we want to accomplish
- Gavin: City is using software to value inventory of trees but they are working out the bugs still

6:30 PM

**#6. REVIEW OF UFAC BY-LAW DRAFT 4
PLANNING AND NEXT STEPS**

DISCUSSION

- Take out two sentences in paragraph 3 that have been re-stated from the introduction
- Goal:
- Does not state protection but implicitly says it
- Words in goal should capture everything in by-law that we want to accomplish
- Should we mention increase in canopy size explicitly?
- The new goal reads as follows: To preserve and improve the quality and sustainability of the urban forest of St. Catharines through better management and tree protection while respecting private property rights.
- There is consensus agreement

6:50 PM

**PATH FORWARD AND DEFERRED ITEMS
FROM LAST MEETING**

DISCUSSION	
	<ul style="list-style-type: none"> • Next time: • Discuss strategies then discuss actions for draft 4 • Agree and approve upon strategies for draft 4 • Items from last meeting: • #8 : Removal of trees at Westgate and Currie Park. This was EAB procedure; resolved by Mike Anderson • #7: If there is a regional tree in the city, how do we replace it? A city crew removed a tree 3 years ago • Emergency procedures: We look at engineering drawings and comment on what to do with trees. We plant all empty boulevards after trees are removed • Recreation and Community Services does not see what happens, there may be some bad communication between departments

9. Next Meeting

- Discuss strategies
- Discuss Actions
- Discuss integrative planning and education
- Climate Action Niagara representative will join us

MEETING ADJOURNED:	7:00pm
NEXT MEETING:	Thursday June 20, 2013 - Atrium