

**THE CORPORATION OF THE TOWN OF RAINY RIVER**

**BY-LAW NO. 1704-19**

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Being a by-law to establish a tree canopy policy for the Town of Rainy River.

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**WHEREAS** the Town Council of the Corporation of the Town of Rainy River has established a policy for regulation of the tree canopy.

**NOW THEREFORE** the Town Council of the Corporation of the Town of Rainy River enacts as follows:

**THAT** the Town of Rainy River Tree Canopy Policy, a copy of which is attached and marked as “Schedule A” to this by-law, is hereby approved.

This By-law shall come into effect upon the third and final reading.

READ the first time in open Council this 11<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

READ the second time in open Council this 11<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

READ the third time and finally passed in open 11<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer



# SCHEDULE "A"



Policy No.

P-2

CORPORATION OF THE TOWN OF RAINY RIVER

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Property Department

# Tree Canopy Policy

## Policy Objective

Maintain, enhance and protect the forest.

## Background

The Modernizing Ontario's Municipal Legislation Act, 2017 (Bill 68) received Royal Assent on May 30, 2017. The Act requires municipalities to adopt a policy with respect to the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.

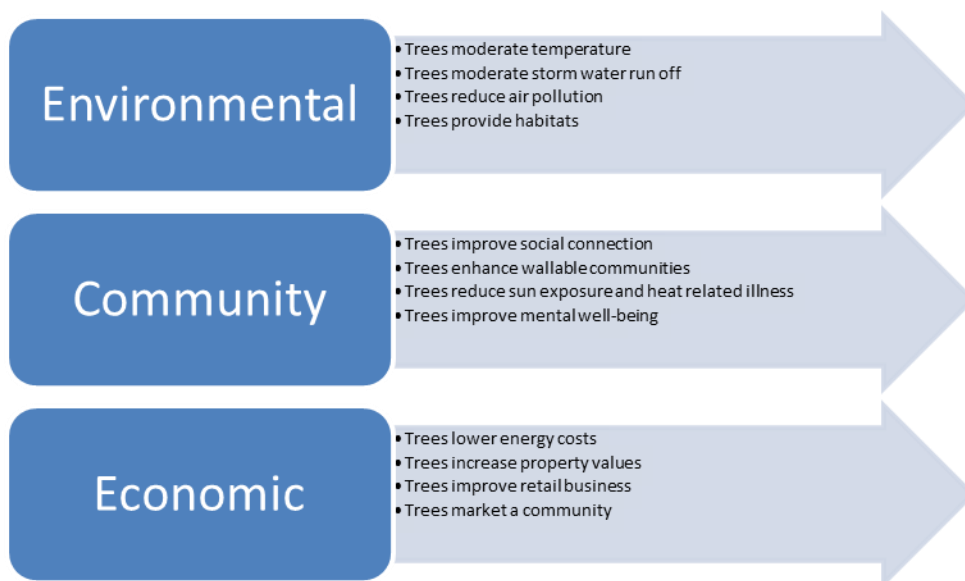
## Municipal Forest

The term municipal forest refers to trees within a municipality, encompassing trees located on private and public land. For this policy the application of the term shall only be for trees located on publicly- owned lands.

An emerging trend among municipal governments is the consideration of the forest as a vital part of the municipal infrastructure as the forest significantly contributes to the quality of life in a municipality.

Most forestry studies classify those benefits into three sections:

Figure 1.1 Forest Benefits



The combination of environmental, community and economic benefits establish the municipal forest as an essential Town asset.

However, the benefits the municipal forest provides to its local community may be susceptible due to threats that can harm or destroy green infrastructure and natural capital. Arborists across Ontario identify the following risks:

1. Urban intensification;
2. Insects and diseases (Chestnut Blight, Dutch Elm Disease, Asian Long-horned Beetle and the Emerald Ash Borer (EAB)); and
3. Climate change and severe weather events (snow storms, wind storms, ice storms, and rain events).

## **P-2: TREE CANOPY POLICY**

The purpose of this policy is to formalize processes which must be undertaken to maintain, enhance and protect the forest on municipal land. This document shall provide a forestry management blueprint.

### **Green Infrastructure**

The Town of Rainy River categorizes the stewardship of green infrastructure into three sections:

1. Maintain (Maintenance)
2. Plant (Enhancement)
3. Protect (Protection)

The three-prong approach aligns with the provincial mandate, is comparable to other municipal procedures and addresses the needs of the Town's forest. While developing this approach, emphasis has been placed on the sustainability of the approach, ensuring that the forestry operations are feasible when considering budget and personnel availability. Other larger municipalities may have more robust policies. However, the Town of Rainy River is unique and this plan reflects the Town's challenges and expectations.

### **Maintain (Maintenance Practices)**

Maintaining existing green infrastructure will remain a central management approach. Most forestry management plan developers assert that a fundamental element of expanding the municipal forest is the cultivation of existing trees as large-stature trees and well-established trees provide a more significant share of benefits. Continuing to enhance the municipal forest by planting and not preserving the existing municipal forest is not sustainable and will only increase risk and an unhealthy municipal forest. Therefore, the Town will maintain its existing municipal forest.

The Town will review facilities on a routine basis. If it is identified that a tree is a danger, dead or dying, the tree will be removed. If a tree has overhanging branches, impedes structures, obstructs sightlines, etc., it will be pruned or removed.

### **Plant (Planting Practices)**

The Town is committed to planting trees where it is reasonably feasible in order to enhance municipal facilities and canopy and will follow good planting practices to ensure the quality and longevity of the new trees ultimately fostering a balanced and sustainable municipal forest. The planting of trees on public land is the responsibility of the Town and its' staff, however, under the following circumstances non-employees of the Town may plant trees on public land:

- Contractors hired by the Town;
- Community volunteers authorized in advance by the Town; and
- Land developers in new subdivisions as per approved subdivision agreements.

The Town restricts the planting of trees on public property to Town employees and those authorized by the Town. The restriction is necessary to ensure the planting in appropriate locations and suitable species.

## Protect (Removal of Trees)

As mentioned above, the tree canopy is susceptible to external forces. Because of this, the protection of existing trees is crucial, especially large stature and well-established trees. To protect the existing municipal forest, the Town shall only remove trees under the following circumstances:

- The tree is dead or dying;
- The tree causes a hazard and needs to be removed to mitigate risk;
- The trees impede site lines and/or drainage;
- Emergency work;
- Installation or reconstruction of Town infrastructure; or
- At the discretion of the Public Works Foreman and in consultation with the CAO, or their designate.

The policy allows for trees to be removed during infrastructure installation. During the pre-construction process staff members are to consider alternative approaches limiting the removal of trees.

Additionally, only the Town and contractors authorized by the Town shall have the responsibility of removing trees on public land. Limiting removal authorization is to ensure the tree canopy is responsibly managed and to mitigate risk.

## Severe Weather Event Policy

During a severe weather event Public Works operators or forestry contractors for the Town will respond to residents and emergency services on a priority basis. Emergency crews will prioritize fallen trees that are blocking main arterial roads, or trees on public property which have fallen on buildings as soon as crews can be dispatched. Furthermore, if Public Works crews need to leave a site to attend another call, the crew will return at a later date and time to complete the original request. Emergency crews will address and resolve other requests at a later time.

All forestry debris after a weather event may be taken to the Rainy River Waste Disposal Sites (limited hours).

## Invasive Species

Invasive species are considered plants that disrupt the natural balance of an ecosystem, often aggressively spreading over a specific area. The Town may use the following different control mechanisms, if/as required. Some of the varying methods may include:

- Pulling
- Cutting
- Burning
- Chemical control (may be used for Hogweed removal by professionals)

## Moving Forward

This document provides a basic outline for forestry management for public lands within the Town of Rainy River. The policy will be reviewed and amended by Council on an as needed basis.

### **ADOPTION & REVIEW GUIDELINES**

Approved by Motion #19-020 & By-law 1704-19 on February 11, 2019  
Reviewed/Revised by Res. # \_\_\_\_\_

Approximate date of next review \_\_\_\_\_, 20\_\_\_\_

<b>REFERENCES:</b>	<b>POLICY AREA</b>	<b>POLICY NUMBER</b>
	Property _____	Section P-2 _____