

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – Proposed New City of London Tree Protection By-law

- *(Councillor P. Squire wondering, and perhaps you will not have any information on this because it is too early, but do you have any information as to whether, if the purpose of this by-law is to preserve our trees, is it working, is it having an effect, is it changing anything in terms of the number of trees in London.); Ms. S. Rowland, Urban Forestry Planner, responding that they do not have any metrics on that and they are aware that tree industry professionals often deflect what would have been an application by making it clear to their client that you are not going to get a permit so there is no point in applying so they only see the ones that are probably going to be approved; all the ones that they may have deflected from the outset, they do not have any metrics for that so it is hard for them to put a number on it; however, she does not have the information at hand but they do do a canopy loss estimate with every application that is approved and that is a figure that they could present at the next meeting if need be; (Councillor P. Squire indicating that he would find that really helpful if it was available when the by-law comes back, he is really interested in what the effect might be.).*
- *(Councillor S. Turner enquiring about the golf courses and cemeteries, recognizing that it was a bit of a struggle for a bit of time trying to figure out how to address that; exempting them altogether would lead them to not go through any level of assessment and it would leave them to decide which to remove and which not without any intervention, is that correct.); Ms. S. Rowland, Urban Forestry Planner, responding that that is correct; (Councillor S. Turner indicating that a lot of golf courses existing within Open Space 4 lands which have some level of environmental significance to them, they are typically hazard lands, they might have slope stability questions, they might have erosion control issues, they might be in floodplains, he has some reservations with allowing golf courses especially in Open Space 4 lands to have full control and autonomy over what they remove or retain, could Ms. S. Rowland, Urban Forestry Planner, speak to that a little bit.); Ms. S. Rowland, Urban Forestry Planner, indicating that this has been one of their more challenging decisions as to which side of the line they land; something that might help focus the mind is to consider what the implications of denial might be but certainly the locations of the few golf courses that exist in the city that are privately owned, she would tend to agree with the Councillor, they tend to occupy lands that may have some hazard land status and are important features for those people that live and back on to them in the cases where they are surrounded by housing but also as corridors for or conduits of wildlife; she thinks they also serve a purpose there; she works with these golf courses under the existing by-law and she does know that they are used as corridors for wildlife because she sees it when she visits, that said, they do present problems with coyotes in that at least one of the golf courses has a resident coyote population which is causing some concern to the neighbours and she hears that a number of pets have been lost; there has to be a balance as to whether you always protect the environmental wildlife concerns or whether you accept that this is a business whose business model requires a certain aesthetic and use but is kind of unique to themselves and it is very difficult for them to deny a permit when an application comes in that is based on the need, for example, a burial ground or the golf courses, the need to improve play when technology is changing, golfers are striking the ball a further distance than they used to before and all these other reasons why golf courses have to continually evolve; it is not an easy decision; having said that, they do not have the highest tree canopy tree cover of the larger landowners in the city, a lot of the land within a golf course is actually vacant open turf with no tree cover so in terms of the percentage of canopy tree that could potentially be lost, if, and she says, if, they were to cut all their trees down it is not a*

dramatic number, it would be certainly harmful but it is not a dramatic number; advising that she is not sure if she has exactly answered the Councillors question but it is a very complex issue and they have gone back and forth on it many times; inviting the Committee's thoughts as to what would be the right decision; *(Councillor S. Turner recognizing the challenges that this poses for staff insofar as a lot of the Tree Protection By-law surrounds the question of canopy and total canopy cover; Open Space 4 lands we have the question of slope stability, soil erosion and more terrestrial preservation rather than canopy coverage so she would say that this something that they should really consider carefully before contemplating that exemption; with respect to cemeteries, he cannot profess to understand how cemeteries operate other than you put people underground but he would imagine that as a cemetery is planned and contemplated, they probably identify and plot off the property itself and identify where those plots would be throughout and that some of those plots may be close to trees and many or most of them probably would not be because it would be hard to bury somebody in a tree; challenged with reading through the comments from the cemeteries talking about how they have it just in time delivery process but he would think that all of the plots have been identified so to say that they need to seek a tree permit in time to respond to a burial did not make a lot of sense to him as an industry comment; he is not sure if he is missing something in that but he would imagine that they know well in advance what plots are available for use.); (Councillor A. Hopkins wondering if that was a question or a comment.); (Councillor S. Turner clarifying the question, is that a valid concern from industry or is it more a hypothetical.); Ms. S. Rowland, Urban Forestry Planner, responding that it definitely did come up in a petition that was sent to them on behalf of two cemeteries which is in the report; there was a letter from Ron Koudys and Associates and it was clear in that that the burial plot issue is an issue; she cannot speak as to whether they are unique in that or how they would otherwise operate; she does not know; she was hoping that there might be people here today from the cemeteries that might be able to speak to that but she does not see them; it is a little bit beyond her knowledge.*

- *(Councillor M. Cassidy clarifying that the current by-law, the permit is \$100 per tree and staff is proposing to make it a \$100 flat rate regardless of the number of trees; wondering if staff could elaborate on the reasoning behind that change.); Ms. S. Rowland, Urban Forestry Planner, responding that the fees at the moment, they do vary a little bit, there is a \$1,000 flat rate fee if you are dealing with more than four trees in a tree protection area, otherwise it is \$75 per tree until you hit that threshold of how many tree and with distinctive trees it is \$100 per distinctive tree and it is unlimited as to the number of trees; when they spoke to the industry back in February, 2018, they asked them specifically was the \$100 fee a problem because obviously the cost is passed on to the homeowner and it was made clear to them at that event that it was not a problem and the overall cost of taking a tree down in someone's backyard, \$100 was not seen to be a barrier; think it is not an unreasonable amount but they do accept that there have been some issues with the \$1,000 fee for sure and the potential unlimited cost depending on how many trees you are taking down that are large; then it could get quite expensive; the \$100 was what they asked the industry for feedback on and they thought that was ok so that is why they have \$100 proposed now; (Councillor M. Cassidy enquiring that even if they are taking down one hundred trees their fee is \$100; wondering if staff can explain the point of a Tree Protection Zone.); Ms. S. Rowland, Urban Forestry Planner, indicating that the point of a Tree Protection Zone was because we are a single-tier and under the *Municipal Act*, two types of tree by-laws can be created; for upper-tier, it would be woodlands and for lower-tier it would be trees not in woodlands; as a single-tier we do both so we are trying to protect trees in woodlands and trees on their own; the Tree Protection Area became a proxy, if you like, for dealing with groups of trees together or areas of large landholding that have a significant tree component on them where every tree would be protected like it should be in a woodland; if you have a size limit in a woodland, what could potentially happen is that every tree under the size is removed and you end up with no woodland fifty years from now; the purpose of the Tree Protection Area was really to meet that need to*

protect trees and woodlands, noting that we can do that as a single-tier authority because there is potential for us to protect both types of trees and trees in woodlands; *(Councillor M. Cassidy wondering if staff have been successful at that.);* Ms. S. Rowland, Urban Forestry Planner, responding that they do not have any metrics on that and she would also point out that where large treed areas are lost it is usually for development reasons and that is out of our control, out of our hands.

- *(Councillor J. Helmer wondering how often are the judgements of city staff responsible for enforcing the by-law and the arborists diverging when you are dealing with is this tree dead and should it come down because the current system now you have staff going out to check, you have arborists advising so 86% of them there is no permit required, is there a lot of convergence between the arborists and the city staff in terms of their judgements.);* Ms. S. Rowland, Urban Forestry Planner, responding yes, they have gotten to know the tree industry in the past three years that the by-law has been in existence; you develop a level of trust with some of these groups, some of these companies where you know they are being truthful, honest, forthright and they would only come to you when they know the tree is going to get a permit; she would say that the vast majority are honest opinions and that is why they are proposing that they accept that when they say the tree is dead, that they accept that, having said that, they still propose that they will do a little sample and she is going to suggest maybe one in ten perhaps where they still go out and verify just to make sure it is not being abused and there may be some particular companies that they would do that all the time but on the whole she would say that they have been very honest and forthright with staff.

- *(Councillor A. Hopkins enquiring about the distinctive trees being fifty centimeters or more and she heard in the staff presentation that if they do reduce it, and to her, it would make sense that if they do reduce it, they save more trees but the comment about the resources that are needed and do we know what those resources look like if we reduce it to 40, 30, whatever, was that looked at or considered at all.);* Ms. S. Rowland, Urban Forestry Planner, indicating that they could get that information for the Councillor from the work that was done in 2008, for their Urban Forest Effects Model, which did break down the tree population into a range of size classes but they did this for the 20-25 centimeter class and if they did go down to the 20 or 25 centimeter threshold it would be approximately ten times as many trees potentially protected by the by-law but they do not anticipate that being a tenfold increase in their workload; more of those trees are going to be younger, healthier, not reaching the end of life so they do not expect there to be a tenfold increase in their workload but they do expect there to be about fourfold and that is an estimate but they think it is a reasonable estimate of what they would anticipate coming through the door; *(Councillor A. Hopkins wondering how this new by-law is different to dealing with dead trees to the previous by-law.);* Ms. S. Rowland, Urban Forestry Planner, responding that on the current by-law, there is a requirement for an arborist's report to be submitted; it does cost money to get arborists' reports and with the proposed by-law, an arborist's written opinion, it could be as simple as an e-mail, is required to say this tree is dead, here is a photo and please can we have a permit; they hope to avoid some of the costs that are then off-set by the homeowner that is dealing with the application process but it also frees up a lot of staff time and if they accept it at face value with the exception of possibly one in ten that they may verify, but, yes, it will free up more of their time to deal with the more contentious issues and enforcement matters that they deal with every day; *(Councillor A. Hopkins wondering about the time period to get that tree down would be a shorter period, is that fair to say.);* Ms. S. Rowland, Urban Forestry Planner, indicating that yes, that is fair to say, they impose time limits on the permits to when they expire and if it was seriously hazardous they would make that very short indeed; in fact, they also deal with property standards orders that are of a similar nature and there is a time limit on those for getting trees down but they would certainly contract the period that the permit was valid for and checking that it is being implemented and if not, there may be consequences with property standards to make sure it gets removed.

- Heather Chapman, 152 Albert Street – sharing some truly interesting, amazing facts from a book by Peter Wohlleben, he is the author of a book called “The Hidden Life of Trees What They Feel, How They Communicate: Discoveries from a Secret World” and he is a world-renowned forester, he is from Germany and he is supported by David Suzuki and a whole lot of other world class ecologists and scientists; one of the first things is that we all know that trees are great vacuums for carbon dioxide, this is a quote from page two hundred twenty-four of this book “Each summer day, every day, trees release twenty-nine pounds of oxygen in the air per square mile of forest. An average person breathes twenty pounds of oxygen per day.”; this one square mile of forest supplies ten thousand people with their daily requirements; if you look at the City of London, we have a population of 385,000 people and that means we need 770,000 pounds or 1,116 tonnes of oxygen, that is forty acres of trees is what we need; noting that is the minimum; that is not counting the people that come here for eight months of the year or who are transient; she knows that the City of London is making great efforts to reduce our carbon footprint, we are working on transit, we are making more bike lanes, we are making neighbourhoods more walkable; asking the question, when we are making all of these efforts, why are a few landlords and developers allowed to do whatever they want, cutting down our trees without any consideration for the impact that they are having; in their neighbourhood, just today, they took pictures of backyards on St. George Street, of landlords who have just cut down everything and they have even taken the fences down and they have just paved them, just paved them over to make parking spaces and it looks like a God-awful backward inner city kind of a street and they have even got big canopies there, big tents that they have brought in, big marquis and it is just going to be ugly, it is going to be more noisy for neighbours, they will not have the shade, they will not have the cooling effect, they will just have lots of cars; that is one of her questions; *(Councillor A. Hopkins asking Ms. Chapman to speak into the microphone a little bit more.);* the other thing that is really interesting about this book is that it shows that trees, like City Councils, CEO’s, Boards of Directors, they are planners, they make decisions maybe three years out, maybe the Fall before, about how many leaves they are going to allow to have on certain branches and they plan how many blossoms they are going to have in years that they are wanting more seeds; they make these decisions way, way out so you cannot really look at a tree and say it is just a dumb plant; it is not, it is part of the ecology, these are very very noble kinds of big plants like elephants are to the land or whales are to the oceans; when people just arbitrarily say oh that tree is sick or hazardous or it is sick and it needs to come down, that is not necessarily the case because trees make these decisions about what they are going to do with their branches, how many leaves they are going to produce, when they are going to shed them, they make all those decisions so you cannot just have someone arbitrarily going into a backyard or buying a house and saying I am cutting down these trees because they are old and they look like they are dying; you actually need an arborist or another scientist to go in and determine whether or not that tree is sick; *(Councillor A. Hopkins advising that Ms. H. Chapman is coming up to five minutes.);* *(Councillor A Hopkins asking Ms. H. Chapman to sum up please.);* what she really wants to say is that they really have to support this new by-law and we have to enforce it because if people are just allowed to go around and do whatever they want, then we are not going to be the Forest City, we are going to be the asphalt city.
- Vicki Van Linden, 431 Ridgewood Crescent – enquiring and expressing concern about replacing dead trees; she does not know if staff could inform them of, even in the case where a tree is dead, and of course it is lawful and advisable to remove it, is there any requirement to then replace that tree at some future time; as for the cemeteries and golf courses, she does not know enough about cemeteries to make a comment but she has walked through lots of golf courses and she has read the comments in the Agenda and she is reluctant to give an exemption to golf courses, she hopes the Committee will consider that; thinking that cemeteries and golf courses are not the same thing and do not have the same concerns; regarding the reduction of down to twenty-five centimeters, she really is in favour of that and she understands

that it would require more staff time but she pays a lot of attention as she moves about the city to when she sees trees that have been cut down and she admits that she is not an arborist but she thinks most of them can tell if the stump from a tree, whether this was a healthy tree or whether there was any kind of disease; she does see a lot of trees that are certainly far more mature than a sapling and probably are falling in this area below the fifty centimeters; she is going to start carrying a measuring tape with her from now on; often they are placed and she has tried really hard to decide, try to figure out why did that tree come down, it is maybe in the front yard, it is not near a driveway, it is not too near the sidewalk, she cannot figure out any solid reason why it would and a couple of times she has had an opportunity to talk to people who were in the yard and in the two cases where she was able to ask somebody why they took the tree down, in one case it was because they wanted more sun to come to a front window, well, that is fair enough but you know, maybe pruning could have provided that a little bit more and in the other case it was referred to that the tree was dirty, it was dropping seeds, it had to be cleaned up; thinking that those are not good enough reasons to take out trees because we all know that they provide a public good; summarizing that she hopes that maybe we would move to the twenty-five centimeters and she is really reluctant to give golf courses free reign on this.

- Sandy Levin, Congregation Beth Tefilah Orthodox Synagogue of London – showing a picture of their property from the City Map showing the city trees; indicating that he discovered when they had an invasive tree branch break, fall across the city sidewalk, having to remove it because it was basically hollow and discovered they are in the Tree Preservation Area and he heard Ms. Sara Rowland, Urban Forestry Planner talk about the qualifications for that and, as you can see, they do not meet that criteria in any way, shape or form; noting they are mainly parking lot, actually everybody uses their parking lot for the city park next door; showing a higher level picture of where they are located and where city park is located; thinking it was just a mapping error that they ended up in the Tree Protection Area; really like to ask, and he notice that this is not going to change until 2020, but that they be removed from the Tree Protection Area and frankly, if they have got to lose another tree before the by-law gets amended can they be treated as if they are not in the Tree Protection Area; thinking they have about three or four more trees that are old and they might have to come down but he is not planning on doing that; he would not have taken this invasive tree down if it did not break and show that it was time to go, it is not a problem getting the permit, it is just why are they in the Tree Protection Area. (See attached photographs.)

- Richard Zelinka, 727 Galloway Crescent – advising that he made a presentation the summer of 2016 when the current by-law was first brought into Committee for consideration and at that time he raised a concern that what the City was doing was we were moving to ensure a public good through putting costs on individual property owners and that some of the measures that were being taken were verging on draconian; appreciating some of the recent consideration of issues that has been taken by staff in this current review; he would like to add a few more elements to that consideration if he may; first of all, the definition of tree, the definition of tree which includes seedlings and saplings is much too broad to be used in all applications around the city; in established woodland areas, as you have heard, this makes a lot of ecological sense, they are protecting those seedlings and saplings because they need a regeneration of those woodlands; however, in a homeowners manicured backyard, it makes no sense at all; it is something that does not allow an owner, it requires the owner basically to allow gardens, lawns, hedges, to be destroyed by seedlings and saplings that may have come up, the by-law is being used in a manner that technically does not allow a person to cut their grass and it is fine and good to say that we would not prosecute but why would you have a by-law that says that you are doing an illegal thing to be cutting your grass because you are cutting seedlings that could grow to the size of full grown trees if allowed to do so; it is illegal to cut the grass, it is illegal to remove seedlings from your hedge, it is illegal to remove those seedlings that are infiltrating one's garden; believing there should be two types of tree

protection areas, those that are for woodlands and those that are for non-woodland areas and within those the criteria for what can be done or perhaps even the definition for tree in the second category should be different from the first, it should not prevent a homeowner from doing normal maintenance; notification, he believes that staff has said that the public is generally unaware that this by-law exists; at the 2016 meeting he raised concern that there had not been proper notification and he believes that some of the Planning Committee members at that time raised the question to staff and were told once we get this by-law in we are going to notify people, that is going to be our first task is to make sure everybody knows about this; it is his understanding that particularly people that have been designated in the by-law as Tree Protection Areas, as having Tree Protection Area on their lands have not been directly notified and yet they are being severely affected by the existing by-law and that would be carried forward here as well so he would ask that the Committee consider and staff consider actually notifying those people that have that designation being put on them; Mr. S. Levin and his Congregation, that is a prime example, they did not know, they had to fall upon the fact that they were shown as being Tree Protection; *(Councillor A. Hopkins advising Mr. R. Zelinka that he as about ten seconds left.);* he has a number of other things to say; speaking to the replacement trees and the Schedule "B" which he thinks is a great advance from the previous but there are cases of successional planting; he does it himself, successional planting is a desirable way to plan ahead for the future demise of a large tree; asking that consideration be given to having the City Engineer or the authority whoever the by-law puts this on to be given the given the authority to deem this to having been met through successional planting; he has a situation, he has a large tree and he has planted thirteen trees under it already, good size trees that he has been allowing to grow over the years so that they would be there; *(Councillor A. Hopkins asking Mr. R. Zelinka to please sum up, he mentioned that he had a number of other comments; wondering because staff are wanting to hear input if he could also pass them on to staff as well but if he could summarize.);* what he will do is point them out to staff but one additional thing is and this goes back to Mr. S. Levin's issue, the mapping, one would assume that the areas that are mapped as Tree Protection Areas have trees on them; he did a random check and he found several areas within the city where tree canopies are less than ten percent on those areas, they should not be in Tree Protection Areas if they do not have trees on them, it really calls into question the whole purpose of the by-law; asking that those be checked, the City has the resources to check those areas out and ensure that they are not including lands that have no trees on them.

- Amber Cantel – speaking as a resident; indicating she is in favour of the by-law update; she thinks it includes a number of very important improvements notably around replacement trees which she thought was very valuable; she has a main point she wants to make but she wants to touch on Councillor Turner's point first concerning golf courses; as a resident she has similar concerns about exempting golf courses; finding it easy to believe people will be slow to cut trees on properties like a golf course but she is less confident that trees will be replaced afterwards and she thinks that actually losing the replacement tree requirement from the by-law on such a large piece of land would be regrettable so if the Council decides that the Tree Protection By-law is not the appropriate way to maintain tree cover on golf courses or cemeteries she thinks it would be valuable for Civic Administration perhaps to make recommendations around other tools that are used to achieve that but the specific point she wanted to bring up tonight actually goes back to a question that was raised at a previous Planning and Environment Committee which was how much support is there for the by-law really; at the time she had not realized there was a staff report that spoke a little bit about that and she just wanted to touch on that for the Councillors; in 2014 when the Urban Forest Strategy was being prepared there was a lot of public consultation done and eighty-six percent of Londoners who participated supported the creation of a private Tree Protection By-law that led to our current 2016 by-law which divides protection into two types of trees, you have your Tree Protection Area and your distinctive trees; of these you would expect the distinctive trees would

be by far the most contentious, most Londoners do not like the idea of clear cutting woodlands and most Londoners do not own woodlands to worry about in the first place; whereas it is obviously very different to be affected by a by-law for a tree in your own yard; sometimes it is harder to think about the greater good if it feels like you are the one personally footing the bill; that is why she thinks it is very notable that in 2018 when staff started revisiting the question of how to best update the Tree Protection By-law, they did another survey and they found that eighty-seven percent of Londoners, keeping in mind that eighty-six percent supported the creation of the Tree Protection By-law, eighty-seven percent supported maintaining the distinctive tree designation at that level or better actually reducing the limit so that it would protect more trees; thinking that personally you would expect that two years after implementing a by-law if anything, now that the rubber has hit the road, you would expect a level of support for the by-law to decrease a little bit; people realize that they are actually impacted by this or I have to pay fees for this; thinking that as far as public acceptance of a by-law goes this is really as good as it gets; the fact that even more people support the by-law or would strengthen the by-law two years in is an extraordinary outcome; wanted to say that she certainly hopes that Council will continue to value, support and work with staff to improve the by-law, she thinks it is doing wonderful things for our community and she really thinks the level of support you are seeing from the public reflects that.

- Gary Brown, 35A – 59 Ridout Street South – finding it very poignant tonight that the first two public participation meetings the most common thing brought up was trees; nobody is here to talk about it but anyhow it shows how much Londoners care about their trees; he is not going to get into the folly of parking minimums and how silly that is on City Planning and its detrimental effect; wondering if there is any chance to bring up the City's presentation, he would like to look at slide number two because he has a few questions and while they are bringing that up he would just like to say that they are at a three year review of the City Tree Protection By-law and he was here the first time and the fact that we have no measurement of whether it worked or not, there is no measure of whether our tree canopy has gone up or down, how is the Committee going to make a decision on whether you should change the by-law if you do not know if the current one is working; extremely disappointed that that number is not available to us or at least a reason why it is not available, maybe it is too soon to tell, maybe it is too soon to change the by-law in that case but he thinks that some sort of measurement and some sort of reference is absolutely required before making a decision here; here we have Tree Protection Areas mapped city-wide all trees regardless of size; remembering last year or the year before standing at the Hive on Wharnccliffe Road South in the center of a Tree Protection Area that was being clear cut by a developer and that was completely legal; not quite sure what the name actually means, he is not sure if it should even exist and the developer said we will keep a few of the trees here, and they clear cut them all; advising that he was standing there and his phone was the one that rang, and now we are set to clear cut the last vestige of forest in Berkshire, it is going to be gone from the Forest City, he will remind the Committee of that; he does not think we should be calling something a Tree Protection Area unless it actually is protecting the trees because any time the Committee wants to approve a subdivision plan this gets thrown out the window and done, every time, he cannot stomach that level of hypocrisy; just remove the name because he tells you that if he looks on a map and sees a big green blob that says Tree Protection Zone silly him thinks that the trees are protected there and they are anything but and he thinks that is something that they really need to think about; asking that the slides be forwarded to where the proposed changes are made there is as thing about the cost; off the top of his head, we are talking about a shortage of resources yet they are also talking at the same time of reducing the prices for cutting down trees; apologizing, someone would need to explain the logic in this to him if it is going to cost less money to cut down trees you are going to have less resources, should not the default position just be, it is serving as a detriment, cutting down trees is not the object of this particular exercise to stop the loss of our tree canopy and increase it in the Forest City; there are just a couple of things he has been a

volunteer for ReForest London since day one and one of the most common questions he gets asked when he is looking at other volunteers is when we are planting is what used to be here, well, what used to be here was a forest and now we are replanting it and it is really hard and he is really tired and he has to keep saying that time and time again, the trees that are the most important are the ones in the ground; he would simplify the entire by-law and he would say that if you did not plant it, you do not get to cut it down, it would not be that difficult to enforce, would it.

- Jesse Wilkins – advising that her comments are more specific to the revisions that were provided; one of the things that she saw; advising that her background is a Professional Forestry and she does woodlot marking for commercial forestry; just in some of the wording of the by-law she does realize that it was actually intended to improve the fees for good forestry practices; however, when she was reviewing the language it did almost seem that if you were in a woodland situation and the trees you were looking to harvest for commercial purposes were in the distinctive tree category, that you could actually have to pay the distinctive tree over and over again even though there are multiple trees within a woodlot; if possible for that to be reviewed; she does not believe that the intent was to actually make it harder to do good forestry practices, it was just in the language; also noticed that staff is going to reduce the timing of the permit, so in the past, the 2016 by-law you had a one year interval on the return and speaking to an arborist, she is not sure if that is a good return interval; time for you as a Forester and all of the operational issues that they have upon entering a woodlot; one of the cases for her was that, at the time, it took up to sixty days for the permit to be returned which was completely fair, it was a little bit of a tricky position and after those sixty days were up, it had actually left the winter harvest season so the ground was now thawed and they were not able to return to that woodlot until ten months later so she is not sure what would happen to the fee or if that would just be a permit that could be renewed if not used but possibly the language could be included in the by-law update; in the supplement that had been provided to them beforehand it did discuss a little bit of the intricacies of when the City Foresters will act on behalf of the CFIA and that is in the case of any of the pests effects and in the supplement it definitely did say that you have the right and the ability to spray pesticides on private landowners properties without their consent and she does believe, according to the CFIA, that is law; however, if the intent of this by-law is to be clear, she thinks this is the spot that you put that if you are dealing with someone who is doing organic farming, if their kids have cancer, you should probably just put that right out there; that we are going to spray pesticides in the event of it being on your property you have no choice, it is West Nile; believes this was written with the intent of the city staff to improve the by-law and she does believe that they are actually trying to facilitate it to be as good as it can on both sides and she would really like to drive her last point home on the matter of Schedule “A” and the City is doing everything they can to play both sides of that coin and that said, if you look at any, somebody brought up successional planting, thirteen trees, not even close to how many you need to get a big tree, so Schedule “A” as provided by the City, one tree for one fifty centimeter replacement tree they could not be easier on people, they are doing everything possible to ensure compliance, to ensure participation and to ensure that the public is engaging with this by-law and that also speaks to another speakers point about why they would want to reduce the fees; she thinks that the general intent is to engage and to get compliance rather than to just go after the fees; advising that she really supports this.

- Calvin McCallum, 7024 Kerr Road – advising that he is one of the co-owners of CLC Tree Services here in London, they have been in business for thirty-two years, his Dad started the business and they are succession planning themselves; indicating that he used to be a member of the Trees and Forests Advisory Committee but due to some bureaucratic road blocks he found it better to focus his energy somewhere else; he is a firm believer that you cannot manage a by-law if you cannot manage the companies performing work in your city; the City of Oakville has changed this as far as tree permits go and now contractors have to pass a test to say that they are qualified and capable to perform tree work within that city; feeling like if you want to

manage this by-law and you want good information gathering tactics you need to work with the member companies of the industry within our area; there is a serious lack of transparency in the by-law process and quite often it comes more to personal opinions on what trees are or the shape the tree is in as opposed to well thought out inspections on trees, most inspections happen from the ground and most defects happen ten, fifteen, twenty feet up, this cost is then passed on to people that live in London to have to hire people like him to do canopy inspections, to have to provide reports that then take your costs of a \$1,500 tree removal, which most people can only afford with their discretionary income to \$2,000 and then you have your permit fees on top of that; the costs just keep going up and one of his biggest questions, back in 2018 when they had the meeting was how many fines have been issued and he still does not have an answer to how many fines have been issued; there has been talk that this by-law itself is a lose money opportunity for the city; he is a firm believer that they do need a Tree By-law, but if you can manage the companies that are here, work within the city and have the integrity and have had that integrity the entire time that they have been working in this city, you are going to get a lot better result, you are going to get a lot better care for your forest and you are going to have a lot less cost in trying to fund other people to gather that information when they may not have the ability to do that; reiterating that he is all for a tree by-law but he would encourage the Committee to look into the Oakville by-law; give them a test, we can prove that we are quality arborists and can make these decisions and they can monitor it for the City, they can give the City the information, they can tell the City they denied a tree removal because they thought it was a healthy tree so if another tree company comes along and says that tree has to be cut down, there is some conflict of interest and you have some information to go on; right now there are four or five companies in this city that he would consider professional companies; the people that you should be protecting against are, he hates to say it, but people that have three day a work week jobs and go out and do things on weekends and fly under the radar; they have been working for three years to write these permits and they are still getting six month challenges on dead trees or trees that are lifting porches; asking them to get information from construction companies and letterhead approvals from other construction companies to show that this tree is lifting this deck; believing it is not going to get better and then you fight over it for three, four, five months; they have some that are five months out right now with obvious sheds heaving; given letterheads from professional construction companies, then they ask us to go back and take pictures, get them to prove it and prove it and prove it but they are one of the companies that is not out there skipping around the by-law; advising that the other concern that he has is that there is a serious lack of enforcement and without him knowing what these fines are how does he judge whether it is worth his time to go through the by-law or not; he can go out and cut down trees all he wants if nobody is going to fine him; he made some complaints to the City of London within this department and they consistently preach that they want to fine and they want to make sure that this by-law is working but they had no reaction; they had trees that were cut down in a Tree Protection Zone and they said that if the neighbour is not going to be a witness then they cannot do anything about it; advising that he is also the Vice-President of the Ontario Commercial Arborists Association which is *(Councillor A. Hopkins advising that he has thirty seconds left.)*; it is a group of ninety companies around the Greater Toronto Area and surrounding area and they all get together once a month, figure out these headaches, talk through these things, their opinion was, in the case where this Tree Protection Zone tree was removed and he brought it forward to the managers, if they were not willing to proceed after the neighbour to be a witness then they should have fined the homeowner so that they would have to forcibly be the witness but his big question is how many fines have gone out and is this really worth our time.

- Steven Lambrick, Oxford Street West – advising that he is a professional logger; in many ways, what got me interested in forestry was carpentry and as he has gone through the years working in forestry, understanding landowners concerns, understanding loggers concerns on both sides and the impressions which are

continually implied from old practices; now he thinks the City of London, he thinks what the Tree Protection By-law trying to take it down to forty centimeters, he thinks that may be appropriate in order to obtain a diversity of species in the woodlot and the ecological benefits; an arborist that is deciding whether to remove a tree that is in a backyard is not the same thing as forestry; you have to distinguish that in somewhere in that as a lifting deck, cut the deck, go around the tree, now the problem that may exist with that is the size of the tree; trees get, many people do not understand forestry as well as the gentleman over there or the lady or your Urban Forestry Department; there are many hidden dangers in a forest that most people do not comprehend and you need to select where you want to place your large trees throughout the city based upon the root system and the damage can be caused from swaying, lifting the tree up from the roots and hidden dangers and that is what happened here; the humis layer, the root fibers hit the hole; he understands the problem that the City is facing and the communities facing with development and as he said earlier, he was a carpenter so he can appreciate a developer's point of view; he thinks they need to incorporate more of it in the land as the develop it, maintain what is there to some degree, if it is viable by a professional arborist or a registered forester or this Urban Forestry Department, it is the authentic of how you want your city to look and you are certainly losing that by stripping and recontouring the land itself and he sees that just driving by; seeing the work that has been done since he has lived in London and there are some beautiful development that has gone on; he can see where the city is going to allow future development to go on and you are going to lose the complete ascetics of it and that is going to be very unfortunate because you are losing what this conversation is about; again, as he said, you need to distinguish the difference between tree removal within city and harvesting a forest, there are two applications, two different approaches to it; there are many questions that people brought up as he was listening here and this could go on for hours; *(Councillor A. Hopkins advising him that he has about one minute left.)*; indicating that he is going to shorten it up with a quick question; being a professional forester, logger, he will not use forester because he cannot use the word management in his business, it is against the law, how will these changes affect his profession harvesting and his ability to incorporate the purpose of the by-law over all; how will it affect the peoples' property rights that own those forests if you change it; one other point he has, when it comes to harvesting in my business a hundred dollars a distinctive tree, a tree would never get harvested because that tree make would have to have a value of three or four hundred dollars then you start to create an unsafe forest because the size of the trees, to some extent, depending on the type of trees; think if you are reducing if, if you are harvesting a forest, is understandable; *(Councillor A. Hopkins asking him to please summarize.)*; as for the lady was talking about more trees per acre reduces the carbon input than one large tree so when you go to build your forest make a renewable resource we constantly have a regeneration of new growth and where you are constantly increasing the number trees per acre compared to the size of a tree which could take an acre or two.

- Mohamed Moussa, 155 Thornton Avenue – indicating that like many others here he appeared in August, 2016 in regard to this by-law; advising that he did see some issues with it at the time and it looks like three years later we are rectifying them; in regard to the fee, he mentioned at the time it should be revenue neutral, it looks to be that it is not going to be; if it does get reduced in the permit fee it will allow people to apply more readily; with respect to raising those fees or keeping the where they are at, it may not allow for compliance and this is not a money making thing, you still have to go through a permit process in order to get your approval; when he was here, the fifty centimeters was discussed; after, the proposal was for seventy-five centimeters; he thinks the double edged sword here in reducing it in that, he thinks what has happened is that people have looked at their trees and thought well let us take them down before they actually hit fifty centimeters; you reduce it further and your unintended consequence of that maybe that people will start taking their trees out even earlier; that is the reality of it; he does not have the facts to prove that or the stats to prove it but he has heard that that is what has been happening; indicating

that his biggest issue with this by-law is along the same lines of Mr. S. Levin's, how the Tree Protection Areas are set out, it's by satellite imagery, there is no standard as to how they are set; you could be encapsulating areas that are mostly buckthorn or anything else or even areas that are just between two woodlots that look to have some cover; just some clarification on that, he is not going to go through, Calvin has made some very decent points that he has brought up; the one thing he will say and he thinks that he did not get a chance to say it, just in terms of enforcement, he did make a call for three or so weeks ago, four weeks ago, about trees being clear cut; his understanding of the by-law was it was right through London but apparently it is not outside the Urban Growth Boundary and Ms. S. Roland herself had come out within forty-five minutes, very attentive and very you know on top of it but the one thing he did say three years ago is that we need to protect the trees outside of the Urban Growth Boundary as well because that is where the majority of your logging or loss of trees is going to be as people anticipate, speculators anticipate, in the future.

- Alex Morrison, 95 Tecumseh Avenue East - advising that personally he is interested in seeing the Urban Forest Strategy be successful, this is a part of that, it is the overlying structure that the Trees and Forests Advisory Committee is helping to guide which he is a part of; very much, again, interested in seeing how this would move forward effectively; indicating that he manages a business called ConservaTree which focuses on professional tree care and preservation solutions, we are locally owned and have ISA arborists; indicating that he is very much in favor of the by-law for the most part; he would say that he found the by-law to be ineffective in some ways; noting that he has heard this point of view from many people, homeowners, industry members, city staff; it is a prohibitive by-law that tries to disincentivize removals rather than incentivize proper tree care; there are lots of people out there who are happy to take care of their trees and we do need to disincentivize but we do need to further incentivize people who are interested in maintaining the urban forest; some of the reasons that this is ineffective is that is a low ability to enforce, if you cut down a tree on the weekend when there is by-law staff that are not available to enforce sometimes by the time they show up Monday morning the stump is ground and there is no evidence of anything ever happening there, there was there was clearly a tree there but there is no evidence to really enforce anything at a legal level; it protects too few trees which seems like everybody's on board with right we do not have the funds to possibly go that much lower in terms of how many trees we are going to protect under the distinctive tree designation so that is something that needs to be addressed; this by-law fails to help a lot of homeowners and landowners buy in, they are not interested in the reason that they should have to put up with the dirty, ugly, tree too close to their house for all these reasons, all the negatives, and then they have to pay for the maintenance of it, the trimming, the leaves every week, every Fall, they do not want to shoulder the burden and like he said earlier, people do want to preserve their trees already, they are willing to put their money out, trim their trees and take care of them; one of the specific issues he would like to address is that there is going to be this arborists' opinion, Mr. McCallum mentioned it that other arborists may be willing to push the line as to what could be removed in their opinion you are going to have to let us write our own tickets basically is the plan and so he has had it happen where he passed up on a tree, he said that in his opinion that one is healthy, it could use a trim and that is what he would like to do for them and six months later you drive down the road and the tree is gone; how they got it gone, it is possible that they had someone who is interested in writing that report for financial reasons, maybe they got it done by someone who just skipped the process altogether; it definitely happens; that disincentivizes arborists who are interested in conservation and tree care industry people to keep that line; why am I holding a higher standard when my competition will not and now financially I am out, why should I do that; if there was some level of incentive or support offered for those who choose to be good stewards of the environment, homeowners, tree care industry members, he believes this would lead to greater buy in from the community in general, that we are supporting arborists who want to make a difference and we really are the front line of taking care of the trees; they do a lot of the work, physical

work and they realize that it costs money from homeowners and and they are saddled with the cost of it and if this is an acceptable fee or not it is not just the fee to remove it, if you cannot remove it now you have this additional cost that every year you are spending money on this tree basically and people might choose to just not spend the money and now all of a sudden that tree gets dilapidated and that tree all of a sudden has a big break and deteriorates and now it is able to be removed so they skip the care, they skip spending the money, they skip all of that and here they are with kind of an ineffectiveness to a good intention within the by-law; (*Councillor A. Hopkins indicating that he has about thirty seconds left.*); a good example of an incentivization under the Urban Forest Strategy is the Tree Me grant, \$200,000 every year offered to private landowners to plant trees; why is there no money being offered to landowners to help maintain their trees; people who are just on the line of being able to afford to do that could really use the assistance to help take care of their trees, keep it away from their house, thin them out so that their growth is healthy so they reduce breaks and things like that; and he knows he is running short on time but he has a few more moments hopefully; (*Councillor A. Hopkins asking him to please summarize.*); summarizing that outside of basically just the homeowners and the tree care industry being supported through some sort of incentivization he just believes that that is a better way to go about dealing with this issue, do not disincentivize, incentivize, carrot versus stick, and this by-law is mostly stick so there is no carrot really; trees in urban forests are an easy win for Council members; his Council member is often seen in their community publication saying trees are good, listing the benefits, being an advocate for them and that is great; thinking it is an easy win to say yes to trees but it is more difficult to make a tough decision around a by-law like this where it needs to go further and really, why are we not all in on it, why are we, on the Urban Forest Strategy, as a larger component, not just the Tree Protection By-law that we are here today, why is there not more funding, in the Urban Forest Strategy there is all sorts of points that he could name, there are probably fifteen points in the Urban Forest Strategy where there needs to be more money and it is all falling short.