
Subject: Woodland Conservation By-law, Agricultural Policy and Action Committee

Report to: Planning and Economic Development Committee

Report date: Monday, November 9, 2020

Recommendations

1. That staff **CIRCULATE** a copy of this report and the new Niagara Region Woodland Conservation By-law No. 2020-79 to the Agricultural Policy and Action Committee (APAC).
2. That the Agricultural Policy and Action Committee **INCLUDE** the Woodland Conservation By-law as a standing item to its quarterly meetings.

Key Facts

- On October 22, 2020 the Regional Council of Niagara adopted By-law 2020-79, a By-law to prohibit or regulate the destruction or injuring of trees in woodlands in the Regional Municipality of Niagara.
- The purpose of this report is to direct APAC to include the Woodland Conservation By-law as a standing item to its quarterly meetings.

Financial Considerations

There are no financial impacts to the Region as a result of this report.

Analysis

The Agricultural Policy & Action Committee (APAC) was formed in 2013 as a result of a direction from Regional Council to amalgamate the Agricultural Sub-Committee and the Regional Chair's Agricultural Task Force. The amalgamation of the two committees into the Agricultural Policy & Action Committee provides the opportunity to recognize and align the work of both committees, and to recognize the critical primacy of agriculture in the Niagara Region in terms of both public policy and demonstrable actions. The APAC reports into Regional Council through the Planning and Economic Development Committee.

The original Woodland By-law did not include agricultural exemptions or an advisory committee. In 2008, the By-law was updated to include agricultural exemptions and the 2020 update maintained those exemptions. Additionally, in 2008 an Advisory Committee was formed to ensure that the implementation of the Woodland By-law was completed in a manner that ensured no negative impacts to the agricultural sector. Through staff review of other Woodland By-laws in the Province, it was confirmed that no other By-law formally incorporates an Advisory Committee. This is in part because the By-law has legal implications for tree removal that must be dealt with in a prescriptive manner that avoids any potential for real or perceived conflict of interest.

Given that the agricultural exemptions are still within the By-law it is not staff's intention to limit public engagement on the By-law but instead direct that engagement through APAC. It is recommended that APAC receive quarterly updates from the Regional forester, and staff be made available to answer any questions or concerns relating to the By-law at that Committee. Staff recommend that public engagement continue to take place through APAC.

Alternatives Reviewed

No alternatives were reviewed as part of this report.

Relationship to Council Strategic Priorities

The Woodland Conservation By-law aligns with objective 3.2 Environmental Sustainable Stewardship:

“A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, aligned with a renewed Official Plan.”

Other Pertinent Reports

- DPD 49-2006 Update on the Tree Conservation By-law
- DPD 133-2007 Tree and Forest Conservation By-law Amendments
- Service Level Agreement Tree and Forest Conservation By-law August 2008
- PDS 13-2019 Initiation of a Woodland By-law Review
- CWCD 41-2020- Woodland By-law Review Update
- PDS 16-2020 Woodland Conservation By-law Review

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