

PROJECT SCOPE OUTLINE

Project Title: Woodlands Bylaw Review
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1. INTRODUCTION

1.1 Project Background and Purpose/Justification

The Regional Municipality of Niagara is currently undertaking a comprehensive review of the Region's Official Plan. Included in that official plan review is the existing Environmental Policy Chapter 7 and the Region's Woodland By-law 30-2008 (hereon in referred to as "the bylaw"). This work has identified the need to review the bylaw as it is 10 years old.

The Niagara Peninsula Conservation Authority (NPCA) has been administering the bylaw, on our behalf, since a service level agreement was developed in August 2008. At that time, the NPCA was also fulfilling the role of plan review and technical clearance for Chapter 7 of the Regional Official Plan as described in the 2014 Memorandum of Understanding (MOU) between the Region, the NPCA and the Local Area Municipalities (LAMs). In 2018, the responsibility for plan review and technical clearance for Chapter 7 of the Regional Official Plan returned to the Region. Furthermore, the MOU between the Region and LAMs is currently being revised. A review of the bylaw is timely to ensure administration and enforcement requirements remain clear.

1.2 Project Objectives – Specific, Measureable, Attainable, Relevant, and Timely

The Objective is to review the bylaw in 2019 to ensure consistent service delivery and application of the bylaw across the Region and to consider the following:

1. A review of any changes to provincial legislation that provide RMoN with the power to enact/delegate the administration and enforcement of such a bylaw.
2. A review alignment between the Regional Official Plan and the by-law.
3. Whether the bylaw is in line with similar municipal tree and forest protection bylaws within the GGH and commonly accepted best practices.
4. Whether the bylaw is able to fulfill the current objectives as outlined in the preamble of the current bylaw, and any other objectives identified through the review.
5. Enhancements to the administration and enforcement (i.e., processes for exemption, permitting, enforcement, etc.) of the bylaw
6. Efficiencies in administration and enforcement of the bylaw in the context of the Service Level Agreement and the Protocol for Planning Services between the NPCA and the Region.
7. A review of the administration and enforcement resource requirements for operational budget review.

2. PROJECT DESCRIPTION

2.1 Project Scope

IN SCOPE	OUT OF SCOPE
Review of the bylaw committee structure and purpose to support the review	No anticipated updates to the ROP at this time
Recommend changes to bylaw as required by provincial legislation	No anticipated updates to any other bylaws
Recommend changes to bylaw as required to align with current ROP	
Recommend changes to bylaw as required to align with current or potential bylaw objectives	
Recommend changes to bylaw to align with comparative municipal woodland, forest, and tree conservation bylaws	
Recommend changes to bylaw to include current Best Management Practices	
Provide recommendations to enhance the administration and enforcement processes	
Provide recommendations regarding resource requirements to inform the operational budget	
Provide recommendations to the Environmental Work Program as deemed necessary	
Consult with Local Area Municipalities regarding any changes or recommendations	
Consult with other local stakeholders with regarding any changes or recommendations	
Provide recommendations regarding the Service Level Agreement in the context of a recommended Updated Bylaw	
Determine whether the bylaw can apply to Regionally owned trees outside of woodlands	

2.2 Project Deliverables

1. Legislation and Policy Review
2. Similar Bylaw and BMP Comparison
3. Engagement Plan
4. Communication Plan
5. Information reports to Committee/Council
6. Draft 2019 Woodland Bylaw if needed
7. Recommendation report to Committee/Council

2.3 Completion Criteria

1. All pertinent information presented and reviewed to SMT/CLT (as necessary) and to Council via information reports.
2. Community Engagement has taken place and incorporated into the draft bylaw as deemed appropriate and desirable.
3. A Communication Plan is enacted to provide information on the bylaw review project as well as changes to the bylaw to those persons or entities affected.
4. A recommendation report is considered by Regional Council.

2.4 Constraints

1. There is no separate funding associated with the project at this time.
2. Project team must attend to the other responsibilities of their roles within the department, which may take time away from the project.
3. Data regarding woodlands is dated (early 2000s) and based on work that was undertaken to inform the development of Chapter 7 Natural Environment of the existing Official Plan.

2.5 Assumptions

1. Community Engagement may be contentious due to two separate, high profile incidents within the past year that have garnered media attention. These incidents are not involved in the purpose or focus of this bylaw review.
2. Responsibility of the administration and enforcement of the bylaw is undecided at this time.
3. Regional Council is interested in better understanding the administration and enforcement of the bylaw, and agree that a review is necessary.

2.6 Known Risks

1. Potential for concerns by private residents since the bylaw applies to private property.
2. Potential for illegal or legal clearing of woodlands to occur by persons or parties who may assume that the review will result in increased/additional constraints to development.
3. Undetermined status/potential changes to Provincial Legislation by the current government may affect the outcomes of the review and deliverables.

2.7 Project Team

Name	Role	Department/Organization	Contact Information
Rino Mostacci	Sponsor/Commissioner	Niagara Region	X3276
Diana Morreale	Director, Development Approvals	Niagara Region	X3367
Jennifer Whittard	Manager, Environmental Planning	Niagara Region	X3430
Adèle Labbé	Project Manager/ Senior Environmental Planner	Niagara Region	X3250

Name	Role	Department/Organization	Contact Information
Vanessa Aykroyd	Project Manager/ Landscape Architect	Niagara Region	X3493
Donna Gibbs	Director, Legal and Court Services	Niagara Region	X3651
Shawn McCauley	Ass. Director, Transportation Ops, Public Works	Niagara Region	X3321
Lyndsey Ferrell	Planning Finance	Niagara Region	X3425
Peter Criscione	Communications Consultant	Niagara Reigon	X3747

2.8 Key Project Stakeholders

Name	Role	Department/Organization	Contact Information
Dan Drennan (Current Bylaw Inspector)	Collaborate with project team	NPCA	905-788-3138 x 247
Mickey Cruickshank	Legal Counsel	Niagara Region	X3472
Bylaw Advisory Committee	Consult with Project Team	Area Municipalities, Niagara North Federation of Agriculture, Niagara South Federation of Agriculture, Niagara Woodlot Association, logging industry.	
Niagara Homebuilders Association	Consult	Niagara Homebuilders Association	
Niagara Construction Association	Consult	Niagara Construction Association	
Niagara Parks Commission	Consult	Niagara Parks Commission	
Public	Consult	Public	

3. PROJECT STRATEGY

3.1 Project Approach

Waterfall Methodology: Plan project phases and execute.

Phase 1: Project Initiation

1. Review previous file information
2. Develop Project Charter, obtain sponsorship and present to CLT
3. Initiation (Information) Report to Council

Phase 2: Background Research

1. Confirm status of Tree Forest Conservation Bylaw Advisory Committee
2. Legislation and Policy Review
3. Similar Bylaw and BMP Comparison
4. Review resource requirements to administer and enforce the bylaw and compare to neighbouring Regional Municipalities
5. Collaboration meeting with current Bylaw Inspector

Phase 3: Engagement and Communication Planning

6. Develop Engagement Plan
7. Develop Communication Plan
8. Information Report to Committee/Council (Phases 2 and 3)

Phase 4: Engagement and Analysis

9. Execute engagement plan
10. Analyze feedback
11. Determine direction of bylaw update (major updates/changes)
12. Information Reports to Committee/Council (Phase 4)

Phase 5: Draft new Bylaw

13. Draft 2019 Woodland Bylaw
14. Recommendation report to Committee/Council

3.2 Communication Plan

3.2.1 Project Meeting Schedule

Purpose	Date	Location
Working meetings – Project Managers (Vanessa and Adele)	Bi-weekly	PW Boardroom
Project Check-in with Project Team	End of each phase and as needed	TBD
Collaboration meetings with Bylaw Inspector	During Phase 2	TBD

3.3 Project Schedule

Task/Deliverable	Task Lead	Estimated Start Date	Estimated Completion Date
Initiation Report to Council (Project Charter, direction to strike up Advisory Committee)	Adele/Vanessa	February 2019	February 20, 2019 (for March 20 PEDC)
Legislation and Policy Review	Adele	February 2019	End of February 2019
Similar Bylaw and BMP Comparison	Vanessa	February 2019	End of February 2019
Other Background research	Adele/Vanessa	February/March 2019	End of March 2019
Engagement Plan	Adele/Diana	March 2019	Mid-March 2019
Communication Plan	Vanessa	March 2019	Mid-March 2019
Information report to Committee/Council (Background Research Summary, Engagement)	Adele/Vanessa	Mid-March 2019	April 10, 2019 (for May 8 PEDC)
Execute Engagement	Adele/Vanessa	After May 16, 2019 (council meeting)	Mid-June 2019
Analysis of engagement results	Adele/Vanessa	Mid-June	End of June
Information Report to Council	Adele/Vanessa	End of June	July 11, 2019 (for August 7 PEDC)
Draft 2019 Woodland Bylaw	Adele/Vanessa/Legal	July	End of August (for circulation and review to key stakeholders)
Recommendation report to Committee/Council	Adele/Vanessa	Mid-September	October 9, 2019 (for Nov 6 PEDC)

3.4 Project Budget

Expense/Purchase	Estimated Budget	Expended to Date	Estimate to Complete	Variable Costs
Engagement sessions (# of sessions tbd): refreshments, light snacks, materials	TBD			
Solicitor (potential)	TBD			