

The Corporation of the Township of North Kawartha

By-law 2023-0060

Being a By-law of the Corporation of the Township of North Kawartha to Establish a Tree Canopy and Natural Vegetation Policy

Whereas Section 270 (1) (7) of the Municipal Act, 2001, S.O. 2001, c.25, as amended; provides that every municipality shall establish policies with respect to the manner in which it will protect and enhance the tree canopy and natural vegetation within the municipality;

And Whereas Council of the Corporation of the Township of North Kawartha deems it necessary to adopt a Tree Canopy and Natural Vegetation Policy;

Now Therefore the Council and Corporation of the Township of North Kawartha enacts as follows:

1. That the Tree Canopy & Natural Vegetation Policy attached hereto as Schedule "A" and forming part of this by-law be approved;
2. That no person shall in any way injure, remove, or destroy any trees on lands owned by the Township of North Kawartha, inclusive of lands located on a road allowance, whether the road allowance is opened or unopened; unless permission has been obtained in writing from either Township Council or Township Staff, as may be appropriate. Approval may be subject to conditions as deemed necessary.

This by-law shall come into effect on the 5th day of September, 2023.

Read and Adopted in open Council on the 5th day of September, 2023.


Signed by Carolyn Amyotte (2023/09/05)
Verify with verifio.com or Adobe Reader.



Carolyn Amyotte, Mayor

Connie Parent
Signed with ConsignO Cloud (2023/09/06)
Verify with verifio.com or Adobe Reader.



Connie Parent, Clerk

Schedule "A" to By-law 2023-000

Tree Canopy and Natural Vegetation Policy

1.0 Purpose:

The purpose of this policy is to provide a summary of the importance and objectives of preservation of tree canopy and natural vegetation, in an effort to promote best practices on public and private properties within the Township of North Kawartha.

2.0 Background:

Subsection 270 (1) (7) of the Municipal Act, 2001 requires all municipalities to adopt and maintain policies with respect to the protection and enhancement of the tree canopy and natural vegetation. The purpose of this policy is to recognize the importance of the tree canopy, together with its many environmental benefits; and to establish procedures to minimize the removal, damage, and destruction of the tree canopy within the Township of North Kawartha.

3.0 Definitions:

For the purpose of this policy, the following definitions shall apply:

3.1 "Infrastructure" – shall be as defined in the Provincial Policy Statement.

3.2 "Development" – shall mean the construction or expansion of buildings and structures, or the construction of infrastructure.

3.3 "Maintenance": shall include all work or operations related to trimming, pruning, spraying, injecting, fertilizing, treating, cabling and bracing a tree in accordance with Good Arboricultural Practice.

3.4 "Municipality": shall mean the Corporation of the Township of North Kawartha.

3.5 "Municipal Property" - shall mean property owned by the Municipality.

3.6 "Natural Vegetation": shall mean the native plant life that grows naturally without human intervention.

3.7 "Tree Canopy": "Tree canopy" or "tree cover" – shall mean all areas of coverage by plant material exceeding 1.5 metres (5 feet) in height, and the extent of tree canopy in excess of 10 years maturity. The canopy includes the layer of leaves, branches and stems that cover the ground when viewed from above.

3.8 "Vegetative Buffer" – shall mean an area of dense vegetation intended to slow runoff and trap sediment adjacent to a riparian corridor, lake or steep slope.

3.9 "Waterfront Property" – shall mean a property abutting a waterbody or water course as defined in the Municipality's Zoning By-Law.

4.0 Scope:

This policy applies to all properties and development, on public and private lands, within the Township of North Kawartha. It is a resource which can be referred to and utilized as establishing guiding principles for shoreline, residential, commercial and public purposes.

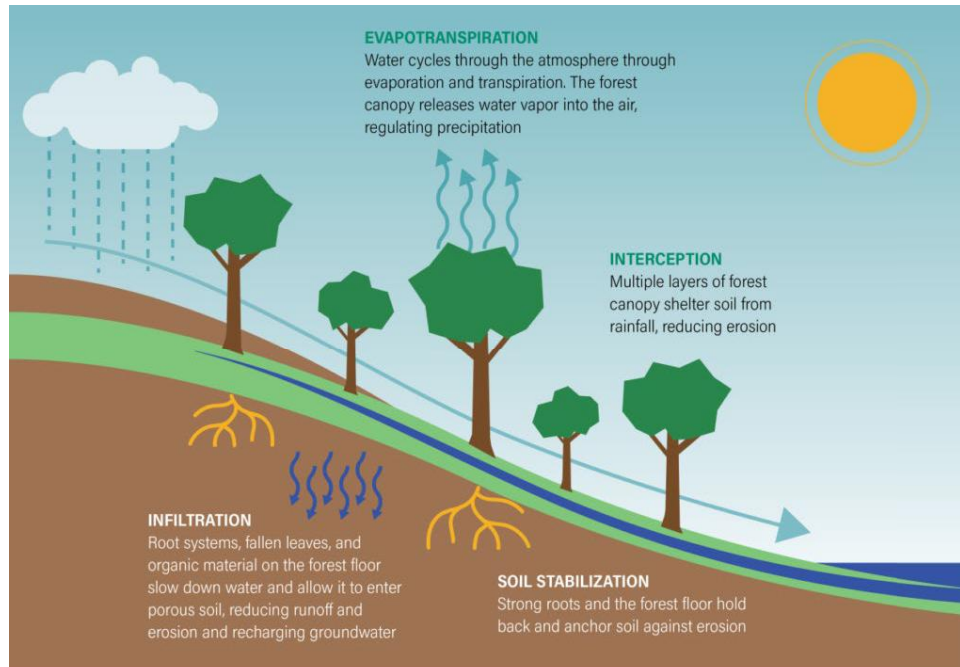
5.0 Tree Canopy and Natural Vegetation Benefits:

The preservation of natural vegetation and tree canopy has been a well-researched topic and understood to provide numerous environmental benefits to urban and rural areas alike, including the following:

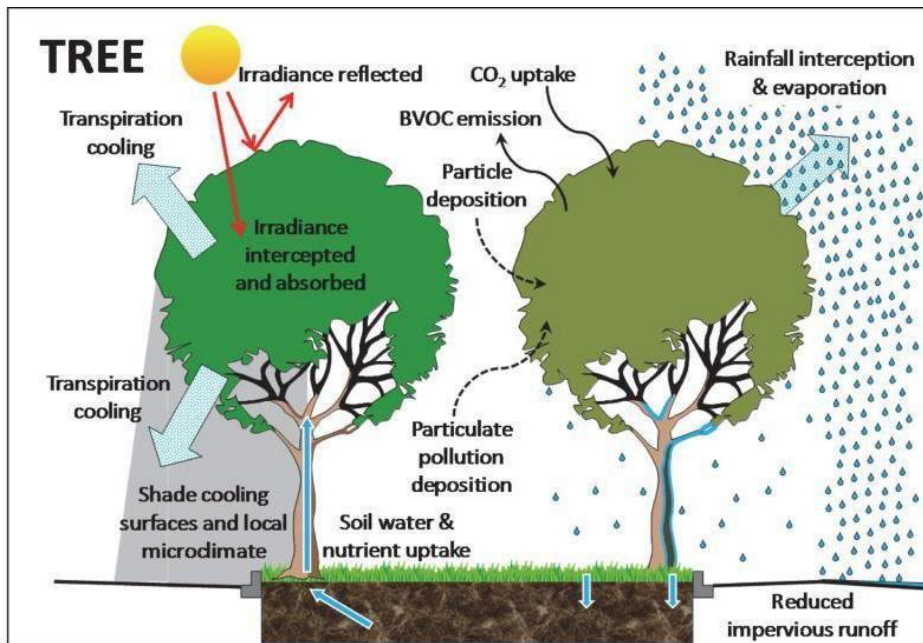
- Creates shade, which lowers energy consumption for a community;
- Reduces air pollution;
- Offsets carbon emissions;
- Provides shelter for wildlife;
- Promotes water infiltration and recharging of groundwater;
- Reduces flooding and assists in stormwater management;
- Prevents erosion by stabilizing banks and shorelines.

In addition to its many environmental benefits, tree canopy preservation research has also been linked to provide many social and economic benefits including increase in property value, improved interest in retail businesses, reducing infrastructure costs, and promoting overall community well-being.

The following diagrams from the World Resources Institute and Journal of Environmental Quality illustrates the importance of Tree Canopy preservation as noted above:



Source: Authors. Adapted from Qin and Gartner 2016.
22.11.28



6.0 The Value of Protecting and Restoring Shoreline Vegetation

Trees and natural vegetation along or adjacent to a shoreline help to stabilize shorelines and protect water quality. For instance, the roots of trees prevent erosion by keeping soil in place, while natural vegetation slows the velocity of rainfall resulting in reduced off-site movement of soil particles. Further, shoreline vegetation traps sediments and pollution, which helps to keep water clean and prevent algal blooms, excessive weed growth and loss of fish habitat.

Moreover, studies have shown that well-vegetated shorelines aid in reducing the volume of floodwaters and areas which are susceptible to floodplain hazards, as the existing vegetation provides a barrier against the flow of moving water, while reducing the force and volume of floodwaters.

Additionally, the Peterborough County Official Plan recognizes the importance of preserving shoreline vegetation on waterfront properties, as follows:

6.2.5.3 Seasonal Residential Policies

“The preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wet beach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality.”

Furthermore, the Township of North Kawartha recently developed a ‘Protecting and Restoring Healthy Shorelines Brochure’, which has been provided in the below illustration for reference. The brochure was designed to provide shoreline property owners with important information on tree protection and natural vegetation preservation when working on shoreline properties. Current and future residents in North Kawartha are encouraged to adhere to the recommendations outlined in the brochure when considering or proposing any work on privately-owned shorelines within the Township of North Kawartha.

It is further noted in this policy that no person shall in any way injure, remove, or destroy any trees on lands owned by the Township of North Kawartha, inclusive of lands located on a road allowance, whether the road allowance is opened or unopened; unless permission has been obtained in writing from either Township Council or Township Staff, as may be appropriate. Approval may be subject to conditions as deemed necessary.

6.1 North Kawartha's Protecting and Restoring Healthy Shorelines Brochure

North Kawartha Township strives to work with its ratepayers, associations, recreational users and various agencies to maintain and restore natural shorelines in order to protect the quality of water and health of our lakes.

The County Official Plan, Section 6.2.5.3 (h) states, "The preservation of naturally-vegetated shoreline is encouraged in order to minimize the destruction to the shoreline and wetland habitat, minimize visual impact on the water body, maintain wildlife habitats and corridors and improve water quality."

The North Kawartha Comprehensive Zoning By-Law 26-2013 provides for a balance of property owners' rights and the protection of our lakes. Development (renovation) of a non-complying main structure (i.e. main cottage) located in the 30 metre (100 foot) setback zone may be permitted if the application meets the specific requirements set out in the [Comprehensive Zoning By-Law #26-2013](#).

Other Sources of Information:

- Local Cottage Associations
- Federation of Ontario Cottagers' Associations (FOCA) - [Healthy Waterfronts: A Shoreline Owner's Guide](#)
- [Watersheds Canada](#)

What you can do to protect and restore healthy shorelines:

- Preservation of the natural vegetation
- Naturalization of degraded areas
- Enhancement with native species
- Restoration of cleared areas

Help your investment grow!

Recent studies demonstrate that property values decrease as water quality declines. The single most important thing you can do to protect the value of your waterfront investment is to maintain the water quality in your lake. Think of the natural vegetation on your property as a free shoreline insurance policy.

PROTECTING & RESTORING Healthy Shorelines

The Township of North Kawartha is fortunate to contain numerous unspoiled lakes that are enjoyed by all of our residents, recreational users and wildlife. Maintaining water quality and healthy lakes is essential.

The North Kawartha Strategic Plan 2019-2022 Vision is of "A united and healthy community connected to our natural heritage."

This pamphlet is designed to provide shoreline property owners with important information when working on shoreline properties. Please read carefully before applying for a building permit.

Sample of Native Trees, Shrubs and Plants

Trees

- White Pine
- Red Pine
- White Birch
- White Cedar
- White Spruce
- Red Oak
- Sugar Maple

Shrubs

- Alternate Leaf
- Dogwood
- Nannyberry
- Chokeberry
- Fragrant Sumac
- Creeping Juniper
- Serviceberry

Plants

- Canada Anemone
- Helen's Flower
- Black-eyed Susan
- False Sunflower
- Switchgrass

Thank you to The Environment Council for Clear, Ston(e)y and White Lakes and North Kawartha Lakes Association

Q2-2022

Needs Improvement

Healthy

The Ribbon of Life Ninety percent of all lake life is born, raised and fed in the area where land and water meet. The shallow water and the first 10 to 15 metres of shoreland forms a ribbon of life around lakes and rivers that is essential to the survival of many species. This rich and complex habitat supports plants, micro-organisms, insects, amphibians, birds, mammals and fish.

Unaware of the importance of shoreline vegetation, many landowners clear their shorelines and transform them into urban landscapes. They destroy the cattails, bulrushes and other native species. They also build retaining walls, docks and boathouses. These changes destroy the balance of the aquatic and shoreline ecosystems. They also alter the wildlife habitat, natural beauty and character of our lakes and rivers.

Natural shoreline vegetation plays an important role in preventing soil erosion. Plant roots anchor the soil, preventing shoreland from being washed away by currents, waves and rain. The roots of mature trees reach down to the upper levels of the water table. Dogwood and meadowsweet roots form a web that extends a half-metre downward. These native species are far more effective in protecting properties from erosion than the roots of grasses, which only reach 8 centimetres below the surface.

By preventing erosion and runoff, natural shoreline vegetation also improves water quality. When soil and excess nutrients are washed into the water, fish spawning beds can be destroyed, dissolved oxygen is depleted and the growth of algae and aquatic plants is encouraged. Shoreline vegetation also improves water quality by shading and cooling shallow water. All of these changes in water quality can lead to rapid eutrophication - the aging of a lake. Eutrophication of a lake ultimately changes the kinds and numbers of species that can live there.

Best Practice A healthy buffer zone, or the ribbon of life as it is called, is potentially the most important factor in protecting the quality of water of our lakes for future generations to enjoy. As a best practice, every waterfront property owner should strive to maintain 75% of the buffer zone in its natural state focusing all cottage activities, structures and viewing corridors on the remaining 25%.

1. Cleared maintained lot - lacks shade and privacy; loss of native plants leads to more erosion, runoff and work for you!
2. Runoff - flows over solid surfaces, accelerating erosion; pollutants and excess silt degrade habitat for aquatic life.
3. Chemical fertilizers and pesticides - degrade water quality, are hazardous to your health, can be deadly for fish and other wildlife.
4. Lawn to the water's edge - lacks deep roots required to stabilize bank.
5. Hardened shoreline - can deflect erosion downstream, eliminates "natural filtering" of pollutants and sediment, degrades habitat.
6. Artificial Beach - requires ongoing sand replacement, reduces water quality, degrades aquatic habitat.
7. Old 2-stroke engine - dumps 24 - 40% of fuel, un-combusted, into water and air.
8. Solid crib dock - destroys aquatic habitat, alters currents, can deflect erosion downstream.
9. Malfunctioning septic system - allows phosphorus and bacteria to leach into adjacent waterways.
10. Harmful household chemicals and cleaners - damage septic system and degrade water quality.

1. Prune trees rather than removing them; plan low maintenance native trees and shrubs to reduce erosion and absorb runoff.
2. Replace solid surfaces with porous materials where possible; redirect runoff into settling areas, away from the water's edge.
3. "Mow it high and let it lie" - leave grass 8 cm (3 in) high to retain moisture; mulch clippings for fertilizer.
4. Start a buffer - leave some grass uncut along the water's edge; restore with deep rooting native plants.
5. "Soften" your shoreline - improve erosion protection with native trees, shrubs, grasses and aquatic plants.
6. Create a "dry land" beach above the high water mark; let imported sand erode away naturally and native plants grow back.
7. Use an electric outboard, or a four-stroke engine.
8. Remove solid dock. Install a pipe, cantilever or floating dock.
9. Care for your septic system by having it pumped out and upgrade it when necessary. Consult an expert.
10. Use environmentally-friendly products, or alternatives like baking soda and vinegar.

7.0 Tree Maintenance and Preservation: Recommendations

In accordance with the contents of this Tree Canopy and Natural Vegetation Policy and the Protecting and Restoring Healthy Shorelines Brochure, property owners within the Township of North Kawartha shall take steps to preserve the tree canopy and natural vegetation on their property. If a property owner wishes to remove a tree located on their own property (i.e., not on municipal property), they are encouraged to replace the tree on their property at a location of their choosing. The planting of native species is encouraged; and the clear-cutting of trees is strongly discouraged.

Furthermore, consideration should be given to where trees and vegetation are planted. Prior to planting a tree, property lines, on-site sewage systems, FireSmart safety, utilities (power lines, buried water/sewer laterals or other 'hard' infrastructure) should be considered. The location of a tree should take into context its future size and root system as it relates to a building's foundation and roof.

The Township of North Kawartha shall use the Peterborough County Official Plan to encourage the protection and enhancement of the Township's tree canopy and natural vegetation, in the Plan's mission, principles and objectives, and with specific standards within the general development criteria to which all land use applications will be subject.

8.0 Disclaimer, References and Relevant Legislation

This policy does not take precedence over any by-laws, resolutions, plans or agreements of the Municipality.