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TREE BY-LAW A NEW REGIONAL FOREST CONSERVATION BY-LAW

The Transportation and Works Committee recommends:

- 1. The presentation by Ian Buchanan, Manager of Natural Heritage and Forestry Services be received; and**
- 2. The recommendations contained in the following report, September 22, 2004, from the Commissioner of Transportation and Works be adopted:**

~. RECOMMENDATIONS

It is recommended that:

1. Regional Council authorize staff to prepare a draft Forest Conservation By-law in accordance with the principles and procedures as set out in this report.
2. Regional staff be directed to circulate the draft Forest Conservation By-law for a 60-day public review and comment period, and report back to Council on the results of the final consultation.
3. The Regional Clerk circulate this report to local municipalities, and they be requested to consider passing resolutions to delegate authority to the Region to make the by-law applicable to woodlots from 0.2 hectares to 1 hectare in size.

2. EXECUTIVE SUMMARY

This report outlines the proposed content of a new Regional Tree By-law. The report responds to substantive and procedural issues which have arisen from time to time, and also recommends revisions consistent with the Municipal Act, 2001. The Regional Municipality of York will continue to promote good forestry practices through both the administration of the new Tree By-law, and through educational and stewardship initiatives.

The current Tree By-law was enacted in 1991 under the Trees Act (now repealed). The new by-law will be enacted under the Municipal Act, 2001. Changes from the existing Tree By-law are highlighted in Table 4. The following are the key elements or changes in the proposed by-law:

- Restriction of the Region's jurisdiction to woodlands greater than one hectare (currently 0.2 hectares) in accordance with the Municipal Act.
- Expansion of Regional tree protection abilities and powers through agreements with local municipalities. The Region can protect woodlands less than one hectare in size

through an agreement with the local municipalities. Through this arrangement, the Region's by-law would apply to woodlands greater than 0.2 hectares (0.5 acres) in size (as it does today under the existing by-law).

- Exemptions – statutory exemptions and exemptions included for (a) personal use of up to five cords of wood per 12-month period, and (b) building permits involving the clearing of less than one hectare of forest.
- More effective administrative instruments, including a permit system for tree cutting activities. The current by-law does not provide for permits, but allows Council to consider tree clearing activities and grant minor exceptions. Proposed permit system comprises the following 3 categories of permit:
 - **Good Forestry Practices Permit (1A)** – permit fee \$25.00.
 - **Harvest Permit (1B)** – permit fee \$250.00.
For permits 1A and 1B staff would be delegated the authority to issue permits for sustainable harvest activities (e.g. selective thinning of woodlots. Under the existing Tree By-law sustainable harvest occurs with no approval required from the Region. Staff currently audit these harvest activities to ensure compliance with the existing by-law.
 - **Special Permit (2A and 2B)** – permit fee \$500.00, staff review, with decision by staff for 'minor' tree clearing of less than 0.2 hectares of forest (2A), and a Council decision on all other proposed 'major' tree clearing applications (2B), similar to the Minor Exception review process under the existing by-law.
- A right of appeal to the Ontario Municipal Board in accordance with the Municipal Act. Under the current By-law Council decisions on Minor Exceptions are final.
- Enhanced enforcement tools and penalties; including the ability to use a 'set fine' process for ticketable offences, and "stop work" order provisions.

Public review and consultation has been ongoing for the past year. To complete the consultation process, it is recommended that a draft by-law be released for comment prior to enactment. It is proposed that the new Tree By-law entitled a "Forest Conservation By-law" be drafted, released for the 60 day public comment period, and then updated accordingly. The final draft would be submitted for Council endorsement in February 2005, for enactment in April 2005 following a communications campaign.

The new by-law will demonstrate the Region's continuing commitment to protecting our significant forest resources and supporting our natural environment. The by-law will promote good forestry practices, provide better tools for more effective forest management and advance the protection of the Region's 39,000 hectares of diverse woodland habitat.

3. PURPOSE

Staff were requested to review and update the current Tree By-law consistent with the Municipal Act. This report presents:

1. Background information on forest protection and Tree By-laws.
2. An outline of comprehensive public review and consultation, including a summary of input from the public forums.
3. The intent, proposed changes and the principles guiding the delivery of the new Forest Conservation By-law.

4. BACKGROUND

The Region has a strong commitment to the protection of its diverse environmental resources and natural heritage. Through the goals of Vision 2026, the sustainable natural environment policies in the Regional Official Plan, the implementation of the Greening Strategy and the administration of the Tree By-law, the Region has demonstrated leadership in the protection, restoration and enhancement of the natural environment.

4.1 Forest Sustainability

Ontario is a very large and diverse province. According to the State of the Forest Report (Ministry of Natural Resources, 2001) 65% of Ontario's 107.6 million hectares is covered by forest. Almost 88% of the forest is public or "Crown" owned, while 12% is private land. Each year, approximately 20,000,000 cubic metres of wood is harvested from Crown lands, which represents a substantial contribution to the local and provincial economies.

Private forested lands are also increasingly important and valuable. Each year, approximately 20% of the wood harvested and processed in Ontario comes from private lands. These forests tend to be located closer to population centres and are therefore also important "public" resources because they contribute to clean air and water, wildlife habitat and recreational opportunities. Forested land is also in high demand for expanding urban areas. Across southern Ontario, an estimated 4,400 hectares of forested lands were permanently converted to urban use between 1991 and 1996. As a result of these various pressures, many municipalities and landowners are concerned about the sustainability of private forests. York Region has approximately 39,000 hectares of forest. This covers about 18% of the Region (or about 22.5% of the land base). The Regional Forest includes about 2,000 hectares or 18 forest tracts, which are publicly owned and managed by York Region.

There are many tools available to the private landowner to assist in the sustainable management of their forests, including the Managed Forest Tax Incentive Program, the

Ontario Stewardship Program, and direct services offered by municipalities, local conservation authorities, forest companies and private consultants. There are also many non-governmental organizations that promote education and awareness of good forestry practices. York Region has an important strategic role to implement sustainable planning and regulation of these lands, through the official municipal planning process, and through the enactment and operational update of the Tree Cutting By-law.

The Regional Official Plan protects significant natural features through the sustainable natural environment policies and the identification and protection of the Regional Greenlands System. York Region has had a Tree By-law in place since 1991. We have demonstrated leadership in terms of the protection of forest resources through the administration of the Tree By-law. In addition, protection, restoration and enhancement of the natural environment occurs across a broad range of partnerships. This includes the implementation of the Greening Strategy, and the application of the overall guiding principle of no net loss of forest cover or function.

4.2 History of Tree Cutting By-laws

Over the past 56 years, Ontario's municipalities have had the authority to regulate the harvest of trees on private lands through various statutes. Councils of counties and townships in southern Ontario were empowered to pass Tree By-laws through the Trees Conservation Act in 1946, then the Trees Act in 1950, and finally the Forestry Act in 1998. In addition, local municipalities with a population of greater than 10,000 could prohibit the cutting of trees under the Municipal Act.

As a result, by 2001 there were 24 municipalities with Tree By-laws passed under the Forestry Act, and approximately 12 local municipalities with Tree By-laws passed under the Municipal Act. However, these provisions were not applicable to all municipalities and, in particular, were not applicable to many municipalities in northern Ontario.

The Region's Tree By-law was enacted by Regional Council in 1991 under the Trees Act. The 1991 Tree By-law has been recognized as being one of the most successful Tree By-laws in the province. The Municipal Act, 2001 provides Tree By-law powers to all municipalities.

4.3 Forest Cover

In southern Ontario over the past 200 years, the landscape has been altered from a predominantly forested landscape to one dominated by a wide variety of agricultural, industrial and urban land uses. Over 70% of the original woodlands have been lost in southern Ontario. In York Region by the early 20th century, many areas had lost over 90% of their original forest cover.

It is recognized that woodlands provide a variety of important environmental and economic benefits. These benefits include erosion prevention, water retention, provision of wildlife habitat, recreation and the sustainable harvest of woodland products.

York Region has approximately 39,000 hectares of forests, which represents about 18% of the entire Region, or 22.5% of the land base (Table 1). For context, Durham Region has 19-22%, Peel Region has 15% (State of the Environment, 1998), and Halton Region has approximately 25% (Significant Woodlands Evaluation, 2002) forest cover. It should be noted the methodology and criteria used to calculate forest cover may vary between jurisdictions. The Region is currently undertaking a significant woodlands study to verify the status of the forest cover.

Table 1
Regional Forest Cover by Local Municipality

Municipality	Municipal Land Area (ha)	Municipal Forest Cover Area (ha)	% of Forest Cover Within Each Municipality	% Contribution of Municipal Forest Cover to Overall Region Forest Cover
Aurora	4,916	858	17	2
East Gwillimbury	24,514	7,500	31	19
Georgina	28,627	10,830	38	28
King	33,154	7,665	23	20
Markham	21,153	1,297	6	3
Newmarket	3,591	340	8	1
Richmond Hill	9,942	1,227	13	3
Vaughan	27,534	3,259	12	9
Whitchurch-Stouffville	20,685	5,928	29	15
TOTAL		38,904 ha		100%

4.4 Regional Official Plan Context

The Region's Natural Heritage framework referred to as the Greenlands System includes a variety of forest resources. The Regional Official Plan includes a number of policies and objectives specific to the protection and restoration of our forests. These include:

The Sustainable Natural Environment goal:

"To conserve and improve the natural environment for this and future generations so that it will sustain life, maintain health and provide an improved quality of life."

The objectives in terms of Forest Resources are:

- To protect forested areas of Regional significance and to encourage reforestation to provide environmental, social and economic benefits to the residents of York Region.

- To increase forest cover to a minimum of 25% of York Region's total land area from the current 18%.

The advancement of a Forest Conservation By-law is intended to help meet these goals and objectives.

5. ANALYSIS AND OPTIONS

As part of the overall review of the Tree By-law, staff were asked to consider an update to the by-law consistent with the Municipal Act. Tree Cutting By-laws under the Municipal Act have generally been referred to as Forest Conservation By-laws. This reflects the natural heritage or ecosystem based intent of the administration of the by-laws.

In order to ensure consistent administration of the current by-law, a policy framework and a set of principles were adopted by Regional Council in 2003. These principles guided staff and Council in evaluating applications for minor exceptions under the by-law. Applications were reviewed by reference to criteria which took into account the environmental impact of proposed tree cutting. In addition, special criteria and principles were developed to guide the review of applications for agricultural use in recognition of the unique nature of many such applications. The administration of the new Forest Conservation By-law will rely on the screening process, principles, guidelines and policy framework endorsed by Council.

The following sections summarize the issues and discussions to date. We provide the legal framework, identify the content of a Forest Conservation By-law, highlight the changes and outline the public review and consultation process.

5.1 Legal Framework

The Municipal Act introduced some amendments to the scope of Municipal Tree By-law powers. The key amendments affecting the Region are as follows:

- Regional by-laws can only regulate woodlands which are one hectare or more in area. This is a change to the Region's existing jurisdiction over areas 0.2 hectares (0.5 acres) or more. "Woodlands" continue to be defined according to tree density (number of trees per hectare) as set out in the Forestry Act.
- The Region may, by agreement, assist area municipalities by assuming the tree by-law powers of a local municipality, and therefore broaden its regulatory power to smaller areas and even to individual trees.
- The Region can implement a permit system which can be wholly administered at the staff level.

- An applicant for a permit may appeal to the Ontario Municipal Board for the Region's failure to issue a permit, or if the applicant objects to any conditions attached to a permit.
- The Region has access to enhanced enforcement tools and penalties; including the ability to use a set fine process for ticketable offences, and "stop work" order provisions.
- The minor exception process has been eliminated.

Municipalities will also have the power to impose and enforce conditions on how trees in a woodland are harvested, or to establish the qualifications of persons involved with woodland management. They may require a permit be obtained prior to the commencement of any forest cutting operations.

While the provisions for Tree By-laws set out in the Municipal Act, 2001 can help regulate the destruction or injuring of trees, this may not result in a healthier forest if used alone. Many consider them as a measure of last resort, and prefer to ensure private land forest sustainability through the use of long-term forest management planning, qualified tree marking services and advice from professional foresters, forest technicians, and biologists. In the administration of the Tree By-law, the Region has a long-standing appreciation for the philosophy of "education before legislation". Greening Strategy initiatives such as stewardship, public education and awareness, are critical to the overall protection of forest resources.

5.2 Consultation

This section presents the past and present review and consultation schedule (Table 2), and provides an update on what was heard at the public open houses last fall.

Table 2
Review and Consultation Schedule

Stakeholder	Purpose	Timing
Internal Review Transportation and Works, Legal, Planning	Develop and rationalize the draft by-law	June 2003 - present
Peer Review Forestry Consultant, Provincial By-law Steering Committee	Rationalize the draft by- law	Ongoing e.g. Annual Provincial Forest Conservation By-law general meeting Fall 2004.
Local Municipalities Council and staff e.g. Municipal Foresters Meetings.	Harmonization and communication	June 2003 to present
Public • Open houses (3) Georgina, King and Whitchurch-Stouffville • Web site • Final mail out and review (60 day)	Feedback	• Fall 2003 • January 2004 to present • October/November/ December 2004
Committee and Council • Initial Report • Current Report • Final report	Feedback and endorsement	• June 2003 • October 2004 • February/March 2005
Forest Conservation By-law	Enactment	April 1, 2005

The Region hosted a series of public information sessions in the Fall of 2003 as follows:

- Tuesday, September 16, 6:30 - 9:00 pm, Townhall, Georgina.
- Thursday, September 18, 6:30 - 9:00 pm, Latcham Hall, Whitchurch-Stouffville.
- Wednesday, September 23, 6:30 - 9:00 pm, Community Centre, King.

The information sessions were attended by over 50 participants. The forum allowed for the review of materials, and included a staff presentation, a question and answer period and a panel discussion with staff from Forestry, Planning and Legal Services. The public were provided a copy of a draft Tree By-law which included information on a series of available approaches to the administration of a Tree By-law under the Municipal Act.

Highlights of the consultation included:

- 25% of all comments involved an interest in increased forest cover protection.
- 23% of comments related to the proposed exemptions, with the majority of input looking for support of a reasonable personal use exemption.
- 15% of comments related to ensuring Regional compliance and enforcement capabilities.
- 15% of comments related to questions around the appeal process to the Ontario Municipal Board.

Other items that were discussed included; support for harmonization of the Regional role in woodland protection with local municipalities, and how we deal with agricultural tree clearing activities. Education and outreach were also recognized as an integral tool for forest cover protection in York Region.

To complete the consultation, it is proposed that a final draft of the by-law would be posted for comments on the Region's web site for a 60-day period. In addition, all individuals who attended the public forums would receive a copy via mail. This step would conclude the public consultation.

5.3 General Content

The by-law includes a statement of the locally determined intent and purpose.

Intent: To prohibit or regulate the destruction of trees in woodlands in York Region.

Purpose: To sustain a healthy natural environment and promote good forestry practices.

The following is a general outline of the key components of the proposed by-law:

5.3.1 Tree By-law Harmonization

Under the Municipal Act, the new Forest Conservation By-law will allow the Region to prohibit or regulate the destruction of trees in woodlands greater than one hectare (2.5 acres). The legislation now enables local municipalities to regulate tree cutting in woodlands less than one hectare.

The Region is proposing that in partnership with the local municipalities, and at their request, the Region would assume local powers to regulate tree cutting in woodlands between 0.2 hectares (0.5 acres) and one hectare (2.5 acres). Once the new Forest Conservation By-law is in place, local municipalities will be advised of individual permit applications as part of the review process.

The intent is for local municipalities to evaluate their needs and define tree protection which best suits their purposes. The Town of Aurora has a new Tree By-law in place, and the Town of Markham, Town Newmarket and the Township of King are currently reviewing or advancing the development of Tree By-laws under the new Municipal Act.

Under the Oak Ridges Moraine Conservation Act, 2001(ORMCA), local municipalities with lands on the Oak Ridges Moraine may be required to pass Tree By-laws. The Ministry of Municipal Affairs and Housing has initiated consultation with both Regional and local municipalities to ensure this occurs in a consistent and timely manner. An initial workshop and information session was hosted at York Region in March 2003. However, there has been no further information on requirements pursuant to the ORMCA from the province. It is anticipated that the Region's woodlot protection harmonization efforts with local municipalities will reflect the intent of the ORMCA.

Consultation with local municipalities has been included in the review of the draft Forest Conservation By-law at a number of different levels. Meetings have been held with local municipal planning staff, and staff associated with tree management and protection (Parks, Legal, Forestry etc.). In addition, updates have been provided at other forums including meetings with Environmental Advisory Committees, Regional Forestry Forums, and a Securement Working Group meeting. To date, the Region has received a positive response to our approach with the harmonization of Tree Cutting By-laws to ensure forests are protected with practical tools in a coordinated fashion across the landscape.

5.3.2 Exemptions

Most of the statutory exemptions which applied to the existing by-law are carried forward in the new legislation. These include: activities undertaken by a municipality or a local board, activities conducted under the Surveyors Act, or according to a Planning Act approval.

In addition, staff propose the following additional exemptions:

- Exemptions for building permits which affect less than one hectare (2.5 acres) of woodland.
- Exemptions for personal use, for the equivalent of five cords of wood per 12-month period.

5.3.3 Decision Authority and proposed Permit structure

A permit application system is proposed where an application must be made to obtain a permit to cut. The Act allows the permit system to be fully administered by staff, with no Council involvement, if Regional Council elected to delegate this function. In consideration of the practical administration of the by-law, delegation of approval authority options were reviewed including:

- (i) All applications going to Regional Council, with staff preparing a report for Transportation and Works Committee. Regional Council approving or denying permits as appropriate.
- (ii) All applications reviewed by staff and approved or denied as appropriate. Under this scenario, all decision making is delegated to staff.
- (iii) Applications with no or minor impacts to forests being reviewed and approved or denied by staff. Applications involving 0.2 hectares or greater clear cutting of forests being approved or denied by Regional Council.

Option (iii), with administration and approval authority delegated to staff for applications with minimal negative, or positive impact to the Regions forest cover, and Regional Council approving or denying applications with major negative impacts to the Regions forest cover, was determined to be the preferred approach.

The following permit structure is proposed. There will be two types of permit application:

1. Good Forestry Practices

- **1A. Good Forestry Practices Permit** – For sustainable selective harvest activities. Where the services of a Registered Professional Forester (R.P.F.) have been secured to prescribe and direct the harvesting activities. A harvest prescription is written, the woodlot is marked and the trees are cut according to the prescription. Staff review the application and issue a permit with conditions. A nominal administration fee of \$25 is proposed in light of the landowner investing in the services of a R.P.F, and that staff will not be conducting a detailed assessment.
- **1B. Harvest Permit** – For sustainable selective harvest activities. Where a woodlot is marked in accordance with good forestry practices and/or where the basal area and minimum circumference limits are met as set out in the by-law. Staff review the application in accordance with the by-law and the decision tree screening process, and issue a permit with conditions. A permit fee of \$250 is proposed to offset staff time and administration costs.

It is proposed the administration of both of the above permits be delegated to staff. As noted above, appeals are to the Ontario Municipal Board (OMB) for refusal to issue a permit or if an applicant objects to any conditions imposed.

2. Special Permit (A and B)

- This permit would be available to consider tree destruction activities not consistent with good forestry practices e.g. clear cutting. Staff will review the proposal in accordance with policies adopted by Council, particularly with reference to the special criteria and principles developed for agricultural applications.

Staff are proposing that for Special Permit applications:

2A Less than 0.2 hectares of forest clear cutting proposed - where an application is submitted affecting less than 0.2 hectares (0.5 acres) of forest, staff are delegated the ability to approve or deny an application, or request further review by Council.

2B More than 0.2 hectares of forest clear cutting proposed - on all applications proposing clearing of more than 0.2 hectares (0.5 acres) of forest, staff will prepare a report for the Transportation and Works Committee. Regional Council will then approve or deny a permit as appropriate.

A permit fee of \$500 is proposed to offset staff time and administration costs.

In summary, under this overall permit regime, staff would be delegated the decision making authority for approving sustainable harvest activities e.g. selective thinning of woodlots (Good Forestry Practices Permits - 1A and 1B). Under the existing Tree By-law sustainable harvest occurs with no approval required from the Region. Staff currently audit these harvest activities to ensure compliance with the existing by-law. In addition, staff would be delegated the authority to approve or deny Special Permit applications proposing 'minor' tree removal (clear cutting affecting less than 0.2 hectares of forest - Special Permit 2A). Similar to the existing Tree By-law Minor Exception process, Regional Council will approve or deny Special Permit applications (Special Permit 2B) which propose to clear cut more than 0.2 hectares of forest.

In order to implement the proposed permit fees, a public meeting is required under the Municipal Act. This will be done as part of the 60-day review period outlined in Section 5.7. Table 3 provides a summary of the proposed permits and administration.

Table 3
Forest Conservation By-law Permits and Process

Permit Type	Activity	Requires (Application Form Indicating)	Permit Fee	Decision
1A. Good Forestry Practices Permit	Good forestry practices – selective harvest e.g. thinning.	Registered Professional Forester (R.P.F.) to undertake a forest inventory, write a prescription and ensure the woodlot is marked accordingly.	\$25	Staff
1B. Harvest Permit	Good forestry practices - selective harvest e.g. thinning.	Woodlot to be marked in accordance with good forestry practices, or based on the basal area and minimum circumference limits as set out in the by-law.	\$250	Staff
2. Special Permit (A and B)	Not consistent with good forestry practices. e.g. clear cutting.	Identification of scope and extent of tree clearing or other works to be undertaken. May be supported by an Environmental Impact Study (EIS).	\$500	A - Clear cutting of less than 0.2 ha trees – Staff. B - Clear cutting of more than 0.2 ha of trees – Regional Council.

5.3.4 Appeal Process

The appeal process to the OMB is prescribed under the Municipal Act. The Board may confirm the Region's decision or may require the Region to issue a permit and may attach appropriate conditions. There is no further right of appeal from the OMB decision.

5.3.5 Penalties and Enforcement

The ability of the municipality to appoint a by-law officer and the legislated fines are included under the Act. By-law officers will have the ability to impose stop work orders and have a schedule of ticketable fines. Ticketable fines will be used for minor offences such as cutting trees without a permit.

5.4 Changes to the Existing Tree By-law

Key differences between the existing Tree By-law and a proposed Forest Conservation By-law under the Municipal Act are presented in Table 4.

Table 4
Existing Tree By-law Compared to a Forest Conservation By-law

Provisions	Existing Tree By-law (Trees Act)	Proposed Forest Conservation By-law (Municipal Act)
Woodland Protection	> 0.2 ha (0.5 acres)	> 1 ha (2.5 acres) by York Region > 0.2 ha (0.5 acres) < 1 ha ¹ by York Region in agreement with local municipalities
Notification/ applications	Minor Exceptions (Regional Council)	Permits (staff/ Regional Council)
Appeal Process	None	Ontario Municipal Board
Enforcement Tools	Charges	- Charges - Ticketable fines - Stop work orders
Penalties	\$5,000 per occurrence 3 months imprisonment - Replant court order	\$10,000 or \$1,000 per tree - Subsequent conviction \$25,000 or \$2,500 - Replant court order

¹ In York Region 681 ha (1.7% of all woodlands) of woodlots are between 0.2 and 1 ha.

NOTE: > means greater than, and < means less than

5.5 Communication and Promotion

It is proposed that following enactment and release of the Forest Conservation By-law, a communications campaign would help further inform the public. Information would be posted on the Region's website, fact sheets and brochures would be developed and distributed. In addition, meetings would be coordinated with agricultural associations, logging associations, environmental groups and other interested parties on an ongoing basis.

5.6 Relationship to Vision 2026

Vision 2026 through the Enhanced Environment, Heritage and Culture goal identifies the following action area: Securing a Green York Region.

The development of a Forest Conservation By-law supports several Vision 2026 goal statements:

"In 2026, York Residents will continue to value and embrace the Region's unique natural heritage (land, air, water) and cultural heritage (sites and buildings important to our history, faiths and cultures)."

"In 2026, York Region will have grown at a pace that supports healthy communities, economic vitality, sustainable natural environment and effective human services."

A Forest Conservation By-law will further strengthen the Region's commitment to the natural environment and therefore support Vision 2026.

5.7 Next Steps

Following Council direction, it is proposed that:

- The draft by-law be finalized consistent with Council direction - October 2004.
- The draft by-law be posted on the web and circulated to the interested parties, for a 60-day review period - October, November, December 2004.
- Staff report back to Council with any changes and for Council endorsement of the by-law, February /March 2005.
- Communications campaign including media releases, release of Fact Sheet etc. - February/March 2005.
- The Forest Conservation By-law be enacted April 1, 2005.

6. FINANCIAL IMPLICATIONS

To assist in the communication of the new by-law and its implications to landowners, a Forest Conservation By-law booklet, pamphlets and information sheets will be developed. A communications strategy will also be considered. Information transfer is critical to the effective implementation of a new by-law, and is consistent with the Region's "education before legislation" philosophy. Funds to develop and promote these products are included in the proposed 2005 Business Plan and Budget (approximately \$8,000).

It is anticipated with the staffing adjustments made in 2004, the existing Forestry staff compliment, including dedicated clerical support, will be able to administer the proposed by-law. Once a new Forest Conservation By-law is in place, it is proposed the workload will be monitored for a one-year rationalization period. After this review period, an assessment will be considered and any necessary adjustments will be made as part of the budget and work planning process for 2006.

7. LOCAL MUNICIPAL IMPACT

It is anticipated the uptake of the harmonization agreements by local municipalities will be attractive as it represents the status quo in terms of the protection of 0.2 hectares (0.5

acre) woodlots and above. Regional staff will assist in the development of a standard by-law, which will define the terms and conditions of the local agreements.

Staff will coordinate communications activities with local municipal staff as necessary to ensure duplication is avoided, and the interests in tree and forest cover protection is secure.

8. CONCLUSION

As the population of the Region expands, the demands for forest protection and restoration are increasing. The public is becoming increasingly sensitive to both the needs of the environment, and the accountability of agencies responsible for their protection.

The development and administration of a Forest Conservation By-law linked to the Regional Official Plan and the promotion of good forestry practices is expected to help demonstrate the Region's commitment to protecting forest resources and the natural environment.

The refinement of our Tree By-law to a Forest Conservation By-law within a sound and complimentary policy and administrative framework, will provide more effective tools, raise the profile of forest management, and advance forest cover protection in York Region.

The Senior Management Group has reviewed this report.