



**Municipality of Port Hope**

56 Queen Street  
Port Hope, ON  
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**REPORT TO:** Works and Engineering Committee

**FROM:** Jeanette Davidson, Director, Works and Engineering

**SUBJECT:** PHAI Tree Removal / Replanting Process

**DATE:** November 2, 2021

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**RECOMMENDATIONS:**

That a Resolution be presented to Council to amend the Municipal Tree Planting and Protection Policy to include the attached PHAI Tree Removal / Replanting process as a new Schedule V.

**BACKGROUND:**

The Municipal Tree Planting and Protection Policy currently provides standards and planting guidelines to ensure viability of new plantings. These guidelines include things such as optimal distance between plantings, selection of indigenous species, consideration of utilities and other undesirable impediments to successful tree growth and a compensation formula for trees removed. The Policy was last updated by Resolution 15/2021 approved by Council on March 16, 2021.

The Port Hope Area Initiative (PHAI) is currently exempt from the approved Tree Policy. Notwithstanding the exemption, the PHAI continues to observe the current Municipal Tree Planting and Protection Policy in its survey work and restoration designs.

An issue arises when compliance with the Tree Policy creates a gap between the number of trees surveyed to exist on the property, and the requirement to replace trees in the same volume. The Tree Policy may not support the same number and / or species of trees being replanted due to potential for crowding, planting in appropriate locations to encourage strong growth or other Tree Policy considerations.

In many cases, the PHAI survey of existing trees pre-remediation will inventory all vegetation that meets the Tree Policy definition of a tree in terms of its size.

This often includes “scrub trees”, trees that are not indigenous to the area, invasive species, undesirable vegetation, and dead trees or trees in poor health. Staff have worked with Canadian Nuclear Laboratories (CNL) to develop a PHAI Tree Removal / Replanting Process to mitigate the impacts of municipal tree removal that is required to fulfill Canada’s obligation to remove LLRW; and to establish a robust, reasonable, and proactive approach to tree replanting following remediation on municipal property and an alternative compensation program specific to the PHAI.

Where municipal trees removed cannot, for good reason, be replanted, these trees would be logged in a “Tree Bank” spreadsheet with associated nursery pricing including labour costs to plant them, plus a 10% mark-up will be allocated to the Municipality in lieu of a two-year warranty. The trees and their associated funds that are added to the “Tree Bank” will be available for future planting considerations by the Municipality of Port Hope.

The intent is for CNL to follow the landscaping plan and restore trees / shrubs as per the plan unless there are reasons presented that preclude the 1:1 replacement of trees. MPH will review the Remediation & Restoration plan submitted by CNL for MPH properties and will also review the addition of trees to the “Tree Bank”. Once confirmed, the funds in the “Tree Bank” will be transferred to MPH twice yearly during the year that site restoration occurs.

The PHAI Tree Removal / Replanting Process includes the concepts of selective tree removal strategies consistent with industry best practice; the need for removal; a proactive replanting program where tree removal cannot be avoided; and instituting a PHAI “Tree Bank” program. The “Tree Bank” would use a spreadsheet to track each municipal site under remediation, the number of trees not replaced on that site; assign a replacement dollar value to those trees not being replaced on the mean average of current year quotes from reputable No. 1 Grade nurseries; include an additional 10% mark-up in lieu of a two-year warranty typically applied by CNL to sites under warranty by their contractors.

The spreadsheet would be administered by CNL, and consensus built between CNL and MPH staff per municipal site. CNL will prepare a summary document of the Tree Bank twice per year with payment to the Municipality. The Municipality would then draw on these funds at its leisure to replenish / replace trees on municipal property, which could be in parks, boulevards or other public spaces.

#### **RESOURCE IMPLICATIONS:**

With the “Tree Bank” approach, in the majority of cases, the Municipality may see a very high tree bank volume for replacement at its discretion on public lands. This alternative compensation approach will provide a reconciliation twice a year, January, and July.

Using the virtual tree bank, CNL and MPH will come to consensus on the number of trees per municipal site to be replanted and trees to be banked. The compensation for the value of the trees in the virtual bank will be remitted to the Municipality twice per year and recommended to be placed in a dedicated Tree Planting Reserve in order to meet the Federal governments' request for transparency in the program and ensuring that the funds garnered through the Tree Bank Program are used specifically to procure and maintain new tree plantings.

**CONCLUSION:**

The changes being recommend in the form of an additional Schedule V clarifying PHIA Removal and Replanting processes does not change any clean up criteria or the approach to consideration of what trees are to be removed. This addition to the policy simply identifies a formalized system for determining the number of trees to be replaced or banked when removal is required.

Staff recommend that a resolution be prepared for presentation to Council to amend the Municipal Tree Planting and Protection Policy by including a separate appendix instituting the PHAI Tree Removal / Replanting Process and the Tree Bank Program.

Respectfully submitted.

Jeanette Davidson  
Director, Works and Engineering

Attached: Draft Schedule V