



Tree Preservation 2024

Fees, Security & Benchmarking





Tree Preservation is seeking to implement fees for all Residential Grading & Servicing (RGS) applications.

- **Why?** Compensation for Tree Preservation Technician review time when reviewing Tree Assessment & Preservation Plans (TAPP) associated with Residential Grading and Servicing (RGS) applications, and when conducting pre-, during and post- site inspections.
- **What Kind of Fees?** Fee to cover TAPP review & inspections.
- **Why Now?** Updates to policies and procedures for tree review on development sites through By-law 2023-164.
- **What's Included?** Fees to be implemented in an equitable manner based on project scope and size, to include a base fee + per tree fee.
- **How?** Tree Preservation/Administration will begin accepting fee payments during RGS reviews, prior to Tree Permit issuance.



Benchmarking: Infill

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Vaughan: \$115 non-refundable application fee and removal fee of \$146 per tree 20cm DBH or greater

Newmarket: Review fee of \$100 per tree removed and Administration fee (based on the number of trees removed):

- \$100 for 1 tree removed
- \$300 for 2-4 trees removed
- \$1,000 for 5-10 trees removed
- \$5,000 for 11+ trees removed

Oakville: \$840 per tree removed, \$645 for a TPZ Encroachment Permit

Toronto: \$411 per tree removed

Burlington: Processing fee of \$51 + HST per application and removal fee (based on the number of trees removed):

- \$331.50 + HST for 1 – 3 trees removed
- \$229.50 + HST for 4th tree removed
- \$127.50 + HST for 5th tree removed

Ottawa: \$685 per tree to a maximum of \$3425



Benchmarking: Urban Design

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FEES FOR HERITAGE PERMIT APPLICATIONS (By-Law 2023-141, Effective September 28, 2023)

Major Heritage Permit Applications Residential Development (10 units or under)	Effective Date: September 27, 2023	Basis (plus HST)
New Construction¹		
Planning/Heritage Review	\$3,000	Per Unit
Urban Design – Tree Review	\$1,000	Per Unit
Additions and Alterations		
Less than 50 m ² of GFA	\$200	Per Unit
50 to 100 m ² of GFA	\$1,000	Per Unit
Greater than 100m ² of GFA		
Planning/Heritage Review	\$1,000	Per Unit
Urban Design – Tree Review	\$900	Per Unit
Residential Facade Alteration⁴	\$500	Per Application



By-Law 2002-276 Current Fee Structure

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<u>Tree Preservation By-law Permit Fees</u>	<u>Fee</u>	<u>Fee Basis</u>
Removal of First Tree	\$200.00	Per Tree
Removal of Each Additional Tree	\$100.00	Per Tree
Maximum Fee for Removal of Trees	\$5,000.00	
Tree Management Plan Review Fee	\$200.00	(TAPP review in addition to Per Tree Fee)
Confirm exemptions from permit applications (Tree preservation fees established by By-law 2008-97)	No Fee	



TAPP Review

Number of Trees On Site	\$500 Base Fee, \$20 Per Tree Fee
1-15 Trees	\$500
16-49 Trees	\$1480 (\$500 + (\$20 X 49))
50+ Trees	\$1500+
First Tree Removal Fee	\$200
Additional Tree Removal Fee	\$100/Tree

Staff support increasing base review fee, adding a per tree review fee, and maintaining the tree removal fees per the current By-law values.



Fees Recommendations

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TAPP Review & Tree Removal Fee

Small Site Example – 5 Trees (1 Removal)					
Current Fees		Proposed Fee (Option 2)		Proposed Fee (Option 3)	
Tree Management Plan Review	\$200	Base Review Fee	\$500	Base Review Fee	\$750
		Per Tree Review Fee	\$0	Per Tree Review Fee	\$0
Removal of First Tree	\$200	Removal of First Tree	\$200	Removal of First Tree	\$200
Removal of Additional Trees	\$0	Removal of Additional Trees	\$0	Removal of Additional Trees	\$0
Total	\$400	Total	\$700	Total	\$950
Medium Site Example – 20 Trees (7 Removals)					
Current Fees		Proposed Fee (Option 2)		Proposed Fee (Option 3)	
Tree Management Plan Review	\$200	Base Review Fee	\$500	Base Review Fee	\$750
		Per Tree Review Fee	\$20 X 20 trees = \$400	Per Tree Review Fee	\$10 X 20 trees = \$200
Removal of First Tree	\$200	Removal of First Tree	\$200	Removal of First Tree	\$200
Removal of Additional Trees	\$100 X 6 trees = \$600	Removal of Additional Trees	\$600	Removal of Additional Trees	\$600
Total	\$1000	Total	\$1700	Total	\$1750
Large Site Example – 97 Trees (20 Removals)					
Current Fees		Proposed Fee (Option 2)		Proposed Fee (Option 3)	
Tree Management Plan Review	\$200	Base Review Fee	\$500	Base Review Fee	\$750
		Per Tee Review Fee	\$20 X 97 trees = \$1940	Per Tree Review Fee	\$10 X 97 trees = \$970
Removal of First Tree	\$200	Removal of First Tree	\$200	Removal of First Tree	\$200
Removal of Additional Trees	\$100 X 19 trees =\$1900	Removal of Additional Trees	\$100 X 19 trees = \$1900	Removal of Additional Trees	\$100 X 19 trees =\$1900
Total	\$2300	Total	\$4540	Total	\$3820



Tree Preservation is seeking to implement securities for all Residential Grading & Servicing (RGS) applications.

- **Why?** To ensure TPZ barriers are properly maintained during construction, reduce violations (injury/removal without a permit) on construction sites, and to guarantee tree plantings are conducted/cash in lieu is paid post-construction.
- **What Kind of Securities?** Securities for Tree Preservation Zone (TPZ) barriers, trees to be preserved, and conditional tree planting requirements.
- **Why Now?** Stronger enforcement through updated Tree By-law 2023-164 that will ensure TPZ barriers are properly maintained, trees are preserved, and tree plantings are carried out post-construction/cash in lieu is paid.
- **What's Included?** Securities to be implemented in an equitable manner based on project scope/size and tiered securities.
- **How?** Tree Preservation/Administration will begin accepting Letters of Credit for tree preservation and conditional tree plantings prior to Tree Permit issuance.



Benchmarking: Urban Design

Strategic Plan – 2020 to 2026

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- The City of Markham's Urban Design Department collects securities for Tree Preservation Zone (TPZ) barriers, trees to be preserved, and conditional tree planting requirements on similar sized Heritage properties.
 - TPZ Barriers: \$5,000 or \$10,000 Per Site (Based on size and number of trees)
 - Conditional Planting: \$675 Per Tree
 - Tree Preservation: Appraised Value of Trees to be Preserved
- Security Recommendations for Tree Preservation reflect similar values to those in Urban Design



Benchmarking: Securities

Strategic Plan – 2020 to 2026

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Vaughan: Securities taken for tree planting requirements, trees to be preserved, and TPZ barriers on Site Plan and Subdivision Agreements. No securities taken for infill projects.

Richmond Hill: Securities taken for tree planting requirements for Site Alteration Permits (infills, swimming pools) and Site Plan/Subdivision Agreements.

Toronto: Securities taken for tree planting requirements on City property and for trees to be preserved on development sites.

Burlington: Securities taken for tree planting requirements and City trees to be preserved for infill projects and Site Plan/Subdivision Agreements. The City is reviewing the implementation of securities for private trees to be preserved.

Oakville: Securities taken for tree planting requirements on private property (non-development related).



Securities Recommendations

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	Amount (\$)	Length of Retention	Collection Use
TPZ Barrier Securities	Based on number of trees on site: 1 – 15 Trees: \$2500 16 – 49 Trees: \$5000 50+ Trees: \$10,000	Held until final Lot Grading Request is received.	If TPZ violations occur during construction, security may be retained (in partial or full) until remedial measures carried out to rectify infraction.
Conditional Tree Planting Securities	\$675 Per Tree (Indexed with Cost of Living Yearly)	Held until final Lot Grading Request is received or the property changes ownership and the planting conditions have not been fulfilled.	If trees are not planted within a given time frame, either 1 month post construction, or by next planting season, cash in lieu will be retained and provided to tree recovery fund.
Tree Preservation Securities	Based on Aggregate Caliper Value of Trees (capped at \$25,000)	Held for 2 years post-construction (if no violations have been identified) or up to 5 years post-construction if violations identified.	If preserved trees are removed during construction, security may be retained for value of tree(s) removed. If trees are injured during construction, security may be retained (in partial or full) until remediation measures carried out to rectify infraction and trees are exhibiting signs of recovery.



Appeal Fees

Background: Since 2019 appeal hearings and requests for appeal have increased.

- 2019 = 5, 2020 = 8, 2021 = 11, 2022 = 19, 2023 = 28
- Adjacent municipalities accept fees for appeals:
 - **Newmarket:** 1st Appeal Fee: \$61, 2nd Appeal Fee: \$688
 - **Oakville:** \$230 Appeal Fee
- Recommendation: Beginning in Q1 2024 staff request appeal fees before proceeding with 2nd inspection, report preparation, decision letter and scheduling of appeal.
- Staff will initiate 2nd inspection with payment of fees.
- Fee recommendation to be considered: \$154.