



Minutes
Special General Committee
July 11, 2017
Meeting Number 14

Finance & Administrative Issues

Chair: Deputy Mayor Jack Heath
Vice Chair: Councillor Colin Campbell

Community Services Issues

Chair: Councillor Alan Ho
Vice Chair: Councillor Alex Chiu

Environment & Sustainability Issues

Chair: Councillor Valerie Burke
Vice Chair: Councillor Karen Rea

Building, Parks, & Construction Issues

Chair: Councillor Colin Campbell
Vice Chair: Regional Councillor Nirmala Armstrong

Alternate formats are available upon request.

Attendance

Present:

Mayor Frank Scarpitti (arrived at 10:50 am)
Deputy Mayor Jack Heath
Regional Councillor Jim Jones (arrived at 9:20 am)
Regional Councillor Joe Li
Regional Councillor Nirmala Armstrong
Councillor Valerie Burke
Councillor Alan Ho
Councillor Don Hamilton (arrived at 9:14 am)
Councillor Karen Rea (arrived at 9:30 am)
Councillor Colin Campbell
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community & Fire Services
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Kimberley Kitteringham, City Clerk
Raymond Law, Manager of Business and Technical Services
David Hunt, Tree Preservation Technician
Christopher Alexander, Manager of By-Law Enforcement & Regulatory Services
Jody Parsons, Court Administration Coordinator
Josh Machesney, Legislative Coordinator
Shirley Marsh, Senior Planner, Urban Design
Laura Gold, Council/Committee Coordinator

Regrets:

Councillor Amanda Collucci
Councillor Logan Kanapathi

The General Committee meeting convened at the hour of 9:04 AM with Deputy Mayor Jack Heath in the Chair and Councillor Alan Ho Chaired Community Services related items.

1. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

**2. DEPUTATIONS
- CITY OF MARKHAM
TREE PRESERVATION BY-LAW 2008-96 (2.0)**

1. Annette Reid

Annette Reid spoke about how the City's Tree By-Law 2008-96 protects the City's tree canopy over human health issues, such as allergies. Ms. Reid has suffered from allergies from the seedlings from her neighbour's Corkscrew Willow tree since it was planted about 15 years ago.

2. Paul Andre Larose

Paul Andre Larose spoke in support of building Markham's tree canopy, but felt it should be done without imposing too great of a burden on homeowners. He provided the following feedback on the proposed amendments to the Tree Preservation By-Law:

- Should consider the burden the tree is causing to the homeowner or their neighbours (e.g. health issues that are caused by the tree, or the impact the tree is having on the home's foundation);
- Should consider who will pay for the cost of removing a tree that is causing issues to a homeowner's neighbour;
- Should consider the aesthetic value of a tree;
- Should provide guidelines on where to plant trees;
- Should identify types of trees that are permitted and not permitted to be planted;
- Should consider the number of trees per lot, considering the lot size (e.g. a new homeowner should be able to remove trees from their property if it has too many trees);
- Should expand the City's canopy through education rather than enforcement.

A Committee Member suggested that residents should require a permit to plant a tree. Catherine Conrad, City Solicitor suggested that requiring a permit to plant a tree may make it more challenging to meet the objective of increasing the City's canopy and recommended against over regulating.

3. Andrew L.B. Gordon

Andrew Gordon asked the City to protect a 176 year old tree that he has been caring for since he purchased his property many years ago. He suggested placing an easement on his property and/or he was willing to donate the tree and its bunker to the municipality.

Councillor Burke thanked Mr. Gordon for caring for the tree over the years and for supporting Markham's green infrastructure. The General Committee asked staff to look at options to protect the tree.

Brenda Librecz, Commissioner of Community & Fire Services reported that City does not currently have a process for protecting trees of heritage significance, advising that staff are looking at creating a program in the future. Staff will look at options to protect the tree and will report back to the General Committee on the matter.

4. Evelin Ellison

Evelin Ellison, spoke on behalf of the Trees and Residents for Urban Environments Group in favour of the staff recommendations to strengthen the City's Tree Preservation By-law. The group believes that the by-law helps promote a greener community and a healthier environment.

5. Christiane Bergauer-Free

Christiane Bergauer-Free suggested that the proposed amendments to the Tree Preservation By-Law should be stronger to protect Markham's tree canopy. The following feedback on the by-law was provided:

- Should include mature hedges;
- Should have the same rules for all areas of Markham with respect to tree removal;
- Should include the removal of trees in site plans and in-fill housing;
- Should increase the cash compensation for trees that cannot be replaced to a fee greater than \$600;
- Suggested the caliper method does not consider the true value of the tree being removed.

6. Peter Miasek

Note: This deputation was made after the Staff presentation.

Peter Miasek provided a deputation on behalf of the Unionville Residents Association (URA). The ratepayers association generally supported the proposed amendments to the Tree Preservation By-Law, but provided the following feedback:

- Questioned the financial impact of switching from the appraisal method to the caliper method for the compensation of trees that cannot be replaced and asked staff to provide a response to the inquiry;
- Suggested the cash in lieu rate of \$300 and \$600 per tree is low and noted that it has not been changed for many years;
- Questioned if the City should suggest which type of trees residents should plant;
- Suggested that a sign that a tree permit has been applied for should be posted prior to the removal of the tree, excluding the emergency removal of a tree;

- Suggested that a more assertive word than “encouraging” be used to support building designs that preserve trees;
- Suggested that staff develop penalties for licensed tree companies/arborist that do not comply with the City’s amended Tree Preservation By-Law if approved by Council.

**3. PRESENTATION ON CITY OF MARKHAM
TREE PRESERVATION BY-LAW 2008-96 (2.0)**
[Presentation](#)

Brenda Librecz, Commissioner of Community & Fire Services, Shirley Marsh, Senior Planner, Urban Design, and Raymond Law, Manager of Business and Technical Services, provided a presentation entitled “Tree Preservation Workshop”.

Discussion

Committee Members provided the following feedback on the proposed amendments to the Tree Preservation By-Law:

- Suggested that more freedoms be added (e.g. providing residents with the right to remove a tree within 10 feet of their home);
- Questioned if older healthy hedges that provide privacy should be permitted to be removed;
- Questioned the distance a tree should be permitted to be planted from a fence or building;
- Questioned how the by-law could address removing a tree for health related reasons;
- Suggested that the public be educated on the types of trees that should be planted, where trees should be planted, and on the impacts a newly planted tree may have on their property and their neighbours’ properties in the future;
- Suggested that objectives be set with respect to how many trees should be planted per lot, considering lot size.

Commissioner Librecz reported that the City is currently providing public education on the planting of new trees.

The General Committee requested that staff obtain public input on the proposed amendments to the Tree Preservation By-Law at a Development Services Public Meeting in the fall and by placing a notice requesting feedback on the City Page in the Markham Economist & Sun.

It was also requested that a second workshop on the proposed amendments to the Tree Preservation By-Law be held in late September or early October, 2017 and that the new appeal process for tree removal decisions, and the compiled public feedback be included as part of the workshop.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Alex Chiu

- 1) That the deputations be received; and,

- 2) That the presentation entitled “Tree Preservation Workshop” be received; and,
- 3) That a workshop on the proposed amendments to the Tree Preservation By-Law be held in late September or early October, 2017.

Carried

4. COMMUNICATIONS

None.

5. ADJOURNMENT

Adjournment

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

That the General Committee meeting adjourn at 11:15 AM.

Carried