

Woodlands Conservation By-law
November 30, 2017 Public Meeting
Community Hall in Springford
6:00 PM - 8:00 PM

MEETING START TIME: 6:06 PM

- Deborah Goudreau welcomed attendees and introduced County Staff in attendance.
- Norwich Mayor and County Councilor Larry Martin also welcomed attendees and encouraged public feedback on the latest version of the draft By-law.

PRESENTATION

County staff provided a presentation regarding the Woodlands Conservation By-law (WCB) review process that began in the Fall of 2016 with a number of well attended public meetings. Staff also met with the County's Agricultural Advisory Committee in December 2016 and July 2017. Feedback from these meetings as well as information gathered through submissions via e-mail and the County's social media feeds (Facebook, Speak Up, Oxford!) was used in preparing a revised version of the By-law.

It was indicated that the presentation would primarily be an overview of the changes that have been made to the WCB since the Fall 2016 public meetings, but that comments and questions regarding any aspect of the By-law and By-law processes would be welcomed. While the By-law review is no longer in its 'initial' stages, there would continue to be ample opportunity to make comments and raise concerns before any final determination would be made on the WCB by Council.

QUESTION AND ANSWER SESSION

Ms. Goudreau introduced the Q & A session and opened the floor for questions and comments.

- A participant encouraged the County to drop the 20 tree limit for own use.

County staff responded that 20 trees can be low if the removal of small and defective trees are included, where you are using the trees to heat your home. The matter is still under consideration and comments will be taken under advisement.

- A question was raised regarding process for fence rows and doing tree counts in a woodland.

Staff responded that the intent of the revised draft By-law is to make matters such as fence rows simpler. If a fence row does not form part of a significant natural feature, even if it is technically attached, the fence row can be removed.

- A participant indicated some confusion regarding the proposed exemption for woodlands that were not recognized as ecologically important vegetation areas and whether a fence row would be considered as ecologically important.

Staff responded by and large, fence rows do not have any ecological significance, which is why the WCB was crafted with a view to providing simple exemptions for their removal.

- A question regarding the Notice of Intent provisions was raised, specifically regarding the provisions that required the By-law Officer to respond to an application 'in a reasonable time'. The current draft By-law does not define this.

The By-law Officer indicated that staff generally tries to get out to look at a property within a day or two of the request, particularly where the landowner has indicated that the matter is time sensitive. Staff indicated further that including a specific time frame in the By-law was an option that would be considered further.

- A question was asked regarding the status of ash trees within a woodland.

Staff indicated that ash trees are not counted in the basal area especially if they are dead standing and can be removed. As such, removing dead standing ash does not require permission under the provisions of the By-law.

- A question was asked regarding how much separation would be required for a woodland to be considered two separate features.

Staff noted that the previous draft WCB indicated the separation would have to be at least 30 metres, however, the most recent draft includes 20 metres, which means that all wooded areas separated by a municipal road allowance will be considered separate woodlands.

- A question was asked as to whether woodlands would be separated by individual tax role numbers (i.e. would woodlands be considered separately if on separate properties) and whether the basal area of the woodland would be calculated on the whole of the woodland regardless of property boundaries.

Staff indicated that woodlands would not be separated by property lines, but that with respect to calculating basal area, such area would typically be calculated in the immediate area where harvesting was taking place rather than the whole woodland.

- Regarding the 20 tree allowance, a question was asked whether trees had to be of a certain diameter when counting the 20 for harvest.

The trees taken as part of the 20 can be of any size.

- A question was asked whether a landowner could take 20 trees per year in order to eventually remove the woodland.

Staff indicated that this is not the intent of the By-law and that tree harvest under this provision must maintain the number of trees required for the woodland to be considered a

woodland in accordance with the WCB. Further, the 20 tree per year harvest should maintain the boundary of the feature.

- A comment was made indicating that a landowner needs to get a return on a woodlot.

The By-law Officer indicated that this was understood and that taking a few trees from the woodland was generally not an issue. The presence of large trucks full of trees with no Notice of Intent would be an issue. The intent of the By-law is to maintain the County's level of forest cover and to improve it where practical.

- A participant indicated that with respect to 'personal use', if a landowner were to allow a neighbouring property to remove trees from the landowner's property and there is no sale or other gain involved, is that a problem under the provisions of the By-law.

Staff indicated that this would generally not be of concern provided that the neighbour was not removing more than the 20 trees permitted by the By-law [taking trees beyond the 20 would be permitted, but would require a Notice of Intent]. Dead trees or dead standing trees would not be included in the 20 tree exemption and could be removed as the owner sees fit.

- A question was asked as to whether the definition of a 'log' was going to be reinserted into the By-law.

Staff indicated that the 'log' definition was taken out intentionally to remove confusion and that going forward, the By-law would rely on reference to trees instead of logs, pending Council approval.

- A question was asked as to who makes up the WCB Appeal Committee.

The Committee is made up of 7 lay members from around the County and is appointed by Council at the beginning of each Council term. The selection process attempts to include members having both urban and rural backgrounds that represent all areas of the County.

- A question was asked as to whether a landowner could mark and harvest their own plantation.

A landowner can mark and log their own woodland provided that the trees being harvested meet the diameter requirements and that a Notice of Intent has been obtained as per the WCB.

- With respect to the Reforest Oxford initiative, can a property owner approach the County and request that trees be planted on the property owner's lands and, if so, is there a cost associated with this.

Staff indicated that the County is always looking for potential partners for planting trees and that any landowner interested in this can contact the County for more information. Regarding cost, the County generally attempts to plant trees on private lands on a cost sharing basis and encourages landowners to investigate funding opportunities that may be available beyond the County, such as provincial grants.

It was also noted that where replanting is required via an application for exemption from the WCB, the County is open to arrangements where replanting occurs on other properties, whether or not owned by the applicant.

- A follow up to the above questions asked that if trees were planted on someone else's property, who would be responsible for the survival of the trees and what would happen if all of the planted trees died.

The commitment to the trees lies with the property on which they are planted. If the trees planted were to fail, replanting would occur as practical depending on available funding.

- A participant asked whether 10 acres of hazelnut trees are considered to be a woodland.

Staff responded plants considered to be crops are not governed by the By-law. Hazelnut trees or apple orchards are agricultural crops.

- A participant suggested that service level expectations be written into the By-law.

Staff responded that it is difficult to articulate meaningful provisions in this regard into a by-law. The County is committed to providing an excellent level of service and strive to provide that whether written into a by-law or not.

A follow up comment indicated that the ability to pay for a higher level of service should be available to landowners and loggers. There are many circumstances where the landowner would benefit from having a quicker 'turn around' on service requests and being able to pay for an elevated level of service would be a way to accomplish this.

Staff indicated that fees for elevated service were probably not necessary and that requests for expedited service could be arranged with the By-law Officer directly, as needed, without the need for additional fees.

- A participant indicated that it would be useful to have time frames for service built into the By-law to provide landowners with some expectation as to when the County will be responding.

Staff responded that such provisions will be considered for inclusion in the By-law before it is finally approved by Council.

CLOSING REMARKS

- Staff made closing remarks, thanking everyone for attending and providing their input.

MEETING ADJOURNED: 7:08 PM