

**THE CORPORATION OF THE  
MUNICIPALITY OF TEMAGAMI**

**BY-LAW 24-1784**

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**Being a By-Law to Establish a Tree Canopy and Natural Vegetation Policy**

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**WHEREAS** the *Municipal Act, 2021, S.O 2001, c25*, as amended, provides that every municipality shall establish policies with respect to the manner in which it will protect and enhance the tree canopy and natural vegetation in the Municipality;

**AND WHEREAS** Council of the Corporation of the Municipality of Temagami deems it necessary to adopt a Tree Canopy and Natural Vegetation Policy;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Temagami enacts as follows:

1. THAT the Tree Canopy & Natural Vegetation Policy attached hereto as schedule “A” and forming part of this by-law be approved;
2. THAT this By-Law shall come into force and effect as of the final passing thereof;
3. THAT the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first time this 14th day of November, 2024.**

**Read a second and third time and finally passed this 14th day of November, 2024.**

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Mayor

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Clerk



MUNICIPALITY OF TEMAGAMI POLICY MANUAL  
SECTION: PLANNING, BUILDING & BY-LAW  
SUB-SECTION: PLANNING  
POLICY TITLE: **TREE CANOPY AND NATURAL VEGETATION**  
SCHEDULE A TO BY-LAW 24-1784

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## **1. POLICY STATEMENT**

The preservation and enhancement of the tree canopy and natural vegetation in the Municipality of Temagami is central to maintaining the ecology, wildlife habitats, and the pristine wilderness experience for which the Temagami area is known and appreciated. In particular, vegetative buffers are beneficial in protecting the water quality that is a key feature of the area.

## **2. PURPOSE**

The purpose of this policy is to recognize the importance of the tree canopy and the preservation and enhancement of natural vegetation, together with their many environmental benefits; and to promote, on public and private properties within the Municipality of Temagami, best practices to minimize the removal, damage, and destruction of the tree canopy and areas of natural vegetation. This policy works in conjunction with the particulars in the Municipality's Official Plan and Zoning By-law with respect to forests, natural vegetation and vegetative buffers, but does not supersede them.

## **3. BACKGROUND**

Subsection 270 (1) (7) of the *Municipal Act, 2001* requires all municipalities to adopt and maintain policies with respect to the protection and enhancement of the tree canopy and natural vegetation.

## **4. SCOPE**

This policy applies to all municipal and private land within the Municipality of Temagami over which the Municipality has jurisdiction. It is recognized that the majority of land (approximately 96%) in the Municipality of Temagami is Crown land managed by the Ministry of Natural Resources (MNR). Nothing in this policy shall be interpreted as infringing on the MNR authority or the aboriginal rights of the Teme-Augama Anishnabai and Temagami First Nation. As appropriate, the Municipality will work with these other bodies to implement tree canopy and natural vegetations policies to the mutual benefit of all.

## **5. DEFINITIONS**

For the purpose of this policy, the following definitions shall apply:

*Infrastructure* – shall be as defined in the Provincial Policy Statement.

*Development* – shall mean the construction, erection or placing of one or more buildings or structures on land or making additions or alterations to a building or structure that has the effect of substantially increasing the size or usability thereof, or the change in use of a building, structure or parcel of land.

*Maintenance* - shall include all work or operations related to trimming, pruning, spraying, injecting, fertilizing, treating, cabling and bracing a tree in accordance with Good Arboricultural Practice.

*Municipality* - shall mean the Corporation of the Municipality of Temagami.

*Municipal Property* - shall mean property owned by the Municipality.

*Natural Vegetation* - shall mean the native plant life that grows naturally without human intervention.

*Tree Canopy* - shall mean all areas of coverage by plant material exceeding 1.5 metres (5 feet) in height, and in excess of 10 years maturity. The canopy includes the layer of leaves, branches and stems that cover the ground when viewed from above.

*Vegetative Buffer* – shall mean an area of dense vegetation intended to slow runoff and trap sediment adjacent to a riparian corridor, lake or steep slope.

*Waterfront Property* – shall mean a property abutting a waterbody or water course as defined in the Municipality's Zoning By-Law

## **6. TREE CANOPY AND NATURAL VEGETATION BENEFITS**

The preservation of natural vegetation and tree canopy has been a well researched topic and is understood to provide numerous environmental benefits to urban and rural areas alike, including the following:

- Creates shade, which lowers energy consumption for a community;
- Reduces air pollution;
- Offsets carbon emissions;
- Provides shelter for wildlife;
- Promotes water infiltration and recharging of groundwater;
- Protects water quality in lakes, rivers and streams;
- Prevents erosion by stabilizing banks and shorelines;
- Reduces flooding and assists in stormwater management.

In addition to its many environmental benefits, research has also linked tree canopy preservation to many social and economic benefits including increase in property value, improved interest in retail businesses, reducing infrastructure costs, and promoting overall community well-being.

## **7. THE VALUE OF PROTECTING AND RESTORING SHORELINE VEGETATION**

Trees and natural vegetation along and/or adjacent to shorelines help to stabilize shorelines and protect water quality. For instance, the roots of trees prevent erosion by keeping soil in place, while natural vegetation slows the velocity of rainfall, thereby resulting in reduced off-site movement of soil particles. Further, shoreline vegetation traps sediments and pollution, which helps to keep water clean and prevent algal blooms, excessive weed growth and loss of fish habitat. Moreover, studies have shown that well-vegetated shorelines aid in reducing the volume of floodwaters and areas which are susceptible to floodplain hazards, as the existing vegetation provides a barrier against the flow of moving water, while reducing the force and volume of floodwaters. Additionally, the Municipality of Temagami's Official Plan recognizes the importance of preserving shoreline vegetation on waterfront properties.

## **8. TREE AND VEGETATION MAINTENANCE AND PRESERVATION ON MUNICIPAL PROPERTY**

The Municipality shall foster interdepartmental coordination on tree issues and sharing of ideas and best practices for tree protection, maintenance, and planting.

The Municipality encourages the planting of trees and vegetation that are native to Northeastern Ontario. Native species that are best adapted to the local environment typically have higher survival rates and require less maintenance than introduced species, which often contribute little to the local ecosystem and may become invasive.

Wherever possible, planting should consist of native species, especially in proximity to natural areas. In some cases, however, a hardy, non-invasive, non-native tree is appropriate if it is better adapted to a particular site and has a better chance of survival over the long term. When planting other vegetation for decorative or landscaping purposes, the Municipality should give preference to native species that are best adapted to the local environment and that are not invasive.

Protecting trees through proper pruning and maintenance shall be the first consideration versus tree removal on Municipal properties. Tree maintenance shall be conducted in accordance with standards normally accepted in the nursery, landscape, and arborist trades.

## **9. TREE AND VEGETATION MAINTENANCE AND PRESERVATION ON PRIVATE LAND**

Property owners within the Municipality of Temagami shall be encouraged to take steps to preserve the tree canopy and natural vegetation on their property. If a property owner wishes to remove a tree located on their own property (i.e., not on municipal property), they are encouraged to replace the tree on their property at a location of their choosing (or if subject to Site Plan Control, as per the plan). The planting of native species is encouraged; and the clear-cutting of trees is strongly discouraged.

Furthermore, consideration should be given to where trees and vegetation are planted. Prior to planting a tree, property lines, utilities (power lines, buried water/sewer laterals or other 'hard' infrastructure)

should be considered. The location of a tree should take into context its future size as it relates to a building's foundation and roof.

The Municipality of Temagami shall use the policies and standards in its Official Plan to encourage the protection and enhancement of the tree canopy and natural vegetation.

Where Site Plan Control applies to development, preservation of the tree canopy and natural vegetation shall be addressed in the Site Plan Control Agreement as appropriate. Where the existing trees and/or vegetation cannot be maintained, the agreement may provide for the planting of appropriate trees and vegetation to maintain the tree canopy and any required vegetative buffer.

## **10. RESPONSIBILITY**

The Municipal Clerk shall be responsible for monitoring the application of this policy.

## **11. REVIEW**

This policy shall be reviewed at least once per term of Council and as required due to legislative changes.

Approval Date:		Resolution #:	
Amendment Date:		Resolution #:	
Amendment Date:		Resolution #:	
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