

MINUTES
WOODLOT COMMITTEE

July 10, 2007

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair B. MacDougall, Warden Jim Burns. Members: F. Foubister and G. Minielly. Also present were Deputy-Secretary-Treasurer M. Pauschenwein, Planner W. Nywening and Chief Building Official C. Nauta.

Absent

None.

Tree Preservation Plans

There was a discussion regarding tree preservation plans. At a previous Woodlot Committee meeting there were questions regarding the responsibility to enforce and implement tree preservation plans.

C. Nauta informed the Committee of the following:

The County of Lambton By-law for Woodlands/Woodlots does not apply to the injuring or destruction of trees on lands which are subject of approval of a site plan, a plan of subdivision or consents under the Planning Act. Further, it is a requirement of a site plan or subdivision agreement. If the By-law does not apply to lands subject of these approval and agreements then the County has no enforcement responsibility under the County By-law.

Where tree preservation is required as a result of a subdivision or site plan agreement those agreements are almost always entered into with the local Municipalities and as such the responsibility to enforce such agreement provisions lies with the Municipalities.

Where the difficulty lies is when planning and building services are being provided to the Municipality by County Planning and Building Staff. In most municipalities enforcement of the provisions of subdivision and site plan agreements is the responsibility of the Planning and Building departments. She would suggest that some discussion needs to occur between the Municipalities and their assigned Planner and Building Inspector to ascertain not only the tree preservation provisions, but how the term and conditions of the agreement will be enforced and administered. Ultimately the enforcement of the agreement when entered into with the member municipalities is the local municipality's responsibility.

Contact was made with the St. Clair Region Conservation Authority and it was stated that they do not have jurisdiction over tree preservation plans. They provide comments as a courtesy service only. It is not part of their agreement.

Replanting Policy

C. Nauta submitted a memo regarding the replanting policy. Currently, there is no official protocol in place when dealing with replanting issues with respect to the County of Lambton By-law 45 of 2003. The issue has been discussed at several Woodlot Committee meetings and it was decided to develop a policy to ensure consistence is maintained with each application.

J. Foubister queried #2 of the memo and recommended that the second line should read and/or. There was a discussion regarding ticketable offences.

#1: Minielly/Burns: That the memo regarding the replanting policy be approved with modifications and circulated to the local municipalities with a covering memo regarding ticketable offences and recirculated accordingly.

Carried.

C. Nauta explained some recent woodlot infractions and the subject of a new, updated woodlot by-law was discussed.

#2: Minielly/Foubister: That the Woodlot By-law be updated up to and including ticketable offences.

Carried.

Lambton Wildlife

C. Nauta submitted a memo regarding a letter she received from M. Boyd.

Lambton Wildlife has a program of native plant rescue to remove native plants from areas which are proposed to be developed, before they are destroyed by the development. With the permission of the land owner the plants are potted up and saved for their annual native plant sale.

They have requested that the County of Lambton Land Division Committee, when they grant permission for tree removal under the County's Woodlands Conservation By-law, notify the applicant that we have this service and request that they contact them well in advance of the tree removal, for them to have an opportunity to rescue the native plants which would otherwise be destroyed.

Three options were submitted for the Committee's consideration.

#3: Foubister/Burns: That option #2 be approved and that the information from Lambton Wildlife regarding native plant species be made available to the applicant for them to decide if they would like this process completed, prior to tree removal.

Carried.

In-Camera

#4: Foubister/Minielly: That the Chair declare the Committee go in-camera to discuss a matter subject to solicitor-client privilege.

Carried.

(Item dealt with in the Lambton County Council (CLOSED SESSION) minutes dated September 5, 2007.)

Open Meeting

The Chair declared that the Committee go back into open meeting.

Adjournment

The Chair declared the meeting adjourned.

Time: 9:40 a.m.

Bev MacDougall
Chair

Madeline Pauschenwein
Deputy-Secretary-Treasurer