

# FORESTRY CHECKLIST AND FAQ FOR LOW DENSITY RESIDENTIAL PROPERTIES

## FORESTRY CHECKLIST AND FAQ

### When is a Forestry review required?

A Forestry review is required for all applications as part of the Pre-Building Approval Application process. Whether you are proposing exterior work at grade or proposing a secondary story renovation, regulated trees must be considered when planning your project. Information on how and where the construction activity will occur must consider the minimum tree protection zone of regulated trees. For more information on what is considered a regulated tree, what is a construction activity or how to identify what a minimum tree protection zone is, refer to the remainder of this document.

### Do I need an Arborist Report?

Is an Arborist Report required? Answer the questions below.	Select
Will the proposed <b>construction activity</b> occur within the <b>minimum tree protection zone</b> of a <b>regulated tree(s)</b> on the subject property?	
Will the proposed <b>construction activity</b> occur within the <b>minimum tree protection zone</b> of a <b>regulated tree(s)</b> on public property (e.g., within the municipal boulevard)?	
Will the proposed <b>construction activity</b> occur within the <b>minimum tree protection zone</b> of a <b>regulated tree(s)</b> that is within 6 metres of the subject property and/or public property?	
Will the proposed <b>construction activity</b> require the destruction and/or removal of a <b>regulated tree</b> ?	
<p><b>If YES to any of the questions above, an Arborist Report is required.</b>  <b>Arborist Reports must be prepared by a Qualified Tree Professional</b></p>	
<p>For definitions of the <b>bolded terms</b> above, please refer to Page 3.</p>	

## Do I need a Tree Protection Plan?

**YES** – A Tree Protection Plan is the minimum submission requirement for forestry staff to review any application involving exterior development. Complete the Tree Protection Plan Checklist to ensure your plan is acceptable. All Tree Protection Plans must be accompanied by a Tree Inventory Table.

If a qualified tree professional is preparing an Arborist Report, they must also prepare a Tree Protection Plan to accompany the report. If an Arborist Report is not required, a Tree Protection Plan is still mandatory for forestry review.

<b>Tree Protection Plan Checklist</b>	✓
Drawn to a metric scale of 1:100, 1:200, 1:250 or 1:300, and include a scale bar	
All existing and proposed structures and hard surfaces on the subject lot (e.g., existing patio, deck retaining wall, house etc.)	
A label and location of all tree(s) on the property and within 6m of the property lines by a survey point including municipal trees in front of or adjacent to the subject property. Trunk for each tree to be scaled to size	
A Tree Inventory Table that includes tree information such as tree sizes (diameter), species, ownership, and recommendation (provide separate tree inventory table as needed or include on site plan drawing) Refer to <b>What is a Tree Inventory Table?</b> on page 5 below.	
Legend that provides labels for all information included on the drawing. Include the elements on the drawing and do not include other elements that are not applicable	
Label and dimension <b>minimum tree protection zones</b> (circles) in accordance with City's <a href="#">Tree Protection and Preservation Specification SS12A</a>	
Label and dimension protective tree hoarding (fencing) and root protection (as required) in accordance with the City's Tree Protection and Preservation Specifications SS12A	
Label all mitigative work around trees as necessary (e.g., exploratory air-spade and root pruning etc.)	

Tree Protection Plan Checklist	✓
<p>Location of all associated <b>construction activities</b>, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Construction access route (with width measurements)</li> <li>• Construction material storage area(s)</li> <li>• Excavation area including limits of over-dig</li> <li>• Trenching / Boring</li> <li>• Servicing / Utilities</li> <li>• Fill placement</li> <li>• Grade and surface changes</li> </ul> <p>Provide as much detail as possible to assist with the review, e.g., areas to be accessed by foot, or areas where hand tools will be utilized instead of machinery.</p>	
<p><b>Note: The above checklist information may be included on your site plan or grading plan, or a separate Tree Protection Plan may be provided.</b></p>	

## Defined Forestry Terms:

### **Regulated Tree:**

1. Any tree of any size on public property (By-law No. 68-2013).
2. Any tree with a Diameter at Breast Height (DBH) of 20 cm or greater on private property (By-law No, 40-2022).
3. Any tree classified as endangered, threatened, or at risk as defined under the *Endangered Species Act, 2007, c.6* or the *Species at Risk Act, 2002, S.C. 2002, c.29*.
4. Any heritage tree pursuant to the *Ontario Heritage Act, R.S.O., 1990, c.O.18*.
5. Replacement trees installed as part of a condition on a previous tree permit.

### **Tree Protection Zone:**

The minimum distance from a **regulated tree** required to be protected to prevent injury to the tree, as per the City's [Tree Protection and Preservation Specification \(SS12A\)](#).

### **Construction Activity:**

An activity that includes but is not limited to excavation, building, trenching, demolition, boring, servicing, placement of fill, storage of soil, change of surface, storage of construction materials, changes to grade, storage of waste or equipment, and movement of vehicles and equipment for accessing the area where the work will be occurring.

## GENERAL – FREQUENTLY ASKED QUESTIONS

The Public Tree By-law 68-2013 Is applicable City wide including the rural planning area boundary. The Private Tree By-law 40-2022 is only applicable to the urban planning area boundary.

To locate which boundary you live in, please view Schedule B on the [Official Plan Online Map](#). Once there once there, search for your address by clicking the looking-glass icon.

- The Urban Planning Area Boundary is the area below the black dotted line.
- The Rural Planning Area Boundary is the green area above the black dotted line

For more information on the City's Tree By-laws, visit the Forest Protection and Tree Permits webpage: [www.burlington.ca/forestprotection](http://www.burlington.ca/forestprotection)

### What is a Tree Inventory Table?

A Tree Inventory Table (Table of Tree Details) must be submitted with all Tree Protection Plans. All the details for the tree(s) must be in one table. A row must be completed for every tree. Please see the example below for the minimum requirements to be included in each table.

Tree No. (as indicated on tree protection plan)	Tree species	Tree Protection Zone (m)	Diameter at Breast Height (1.37m above grade)	Tree Health (Good, Fair, Poor, Dead etc.)	Tree Structure (Good, Fair, Poor, Dead etc.)	Tree ownership (private, public, shared (boundary), neighbours)	Recommendation: Preserve, injure or destroy (remove)	Notes / Mitigative Measures
1	Norway maple	2.4	30cm	Fair	Fair	Private	Remove	Tree is in the footprint of proposed pool

## **What is a qualified tree professional?**

A qualified tree professional is one that has gained recognized certifications, qualifications and expertise in the care and management of trees. Recognized certifications and qualifications for qualified tree professionals include:

1. Registered Consulting Arborist (RCA) with the American Society of Consulting Arborists (ASCA);
2. Board Certified Master Arborist or Arborist Municipal Specialist with the International Society of Arboriculture (ISA);
3. Registered Professional Forester (RPF) as defined in the *Professional Foresters Act, 2000*, S.O. 2000, c.18;
4. Certified Arborist with the International Society of Arboriculture; or,
5. Qualified Tree Risk Assessor with the International Society of Arboriculture (ISA).

## **What information needs to be in a Consent Letter for injury and/or removal of a neighbouring or boundary tree?**

If your proposal involves the injury and/or removal of a neighbouring or boundary tree, you must provide a consent letter from that tree's owner(s). The consent letter must include:

- The name, address and contact details of all the owners and/or co-owners of the trees associated with the application.
- The exact details of the trees to be injured and/or removed in accordance with the application and arborist report and tree protection plan prepared (e.g., tree identifier, species name, size, and location etc.)
- A statement acknowledging the proposal for the tree(s) to be injured and/or destroyed/removed and acceptance of the proposal. For example, I/we understand and are agreeable /consent to the removal and/or injury of the tree as identified herein that adjoins property X and Y.
- Additional information can be included in the letter, which would be considered civil in nature and between both parties outside of the City's oversight.

### **When can I remove my tree protection?**

Tree protection must stay in place for the entire duration of the project. If you would like to remove your tree protection at any time during your project you must contact the Forestry Staff identified on your tree permit to discuss the reason for the request and to identify what exterior work remains (if any). Forestry staff will conduct an inspection of your tree protection before it is removed.

### **What if I am doing construction and don't have any trees on my property?**

A Forestry review is required for all applications as part of the Consolidated Pre-Building Permit Application process. Although there may not be a tree on the private side of the subject property, there may be neighbouring private trees, or there may be public trees in the boulevard or at the frontage of your lot. All regulated trees must be considered in the review of your project. For example, during the construction stage of your project or prior to, materials may be dropped off in the boulevard or stored in areas of the boulevard which would be a violation of the public tree by-law. Similarly, individuals may use areas as access to get to and from the project location that is within the minimum tree protection zone of regulated trees. At a minimum you may need to provide a Tree Protection Plan or information on the Site Plan that identifies how you will protect regulated trees during your project.

Please refer to the sections **Do I need an Arborist Report?** and **Do I need a Tree Protection Plan?** for minimum submission requirements.

If there are no regulated trees on your property, nor adjacent within 6 m or within the public boulevard adjacent, please fill out a Tree Declaration Form and submit it with your application. The Tree Declaration Form can be found on the [Forest Protection & Tree Permits](#) webpage. The form will be reviewed, and if it is determined there are trees that need to be considered additional submission documents may be required for your application to be deemed complete. [Email Service Burlington](#) for more information or contact by telephone at 905-335-7777.

# ARBORIST REPORT REQUIREMENTS

## What information needs to be in an Arborist Report?

**IMPORTANT:** All Arborist Reports must be completed by a qualified tree professional. Reports that are not prepared by qualified tree professionals will not be accepted. Arborist reports shall include but not limited to the following elements:

- The address of the subject site
- The author, contact information, and relevant qualifications (e.g., ISA, RPF)
- The date(s) that the assessment was conducted; ensure assessments were completed within the last year (365 days)
- An overview of the proposed work and explain what arboricultural work is to be undertaken for each tree(s) (e.g., tree to be injured, tree to be destroyed (removed), tree to be preserved and protected)
- Where applicable, a description of the trees to be removed including the specific reason(s) (e.g., new sanitary service)
- Where applicable, a description of the trees to be injured where construction activities will be in the minimum tree protection zone
- Mitigation measures to be completed and when to avoid negative impacts to trees when work is required in the minimum tree protection zone (e.g., exploratory air-spade and root prune)
- Tree inventory (table of tree details) (refer to the tree inventory section)
- A proposal for the replanting or replacing of trees that are to be removed
- Confirmation that the Tree Protection Zones established and maintained around any trees on the property are in accordance with the City's relevant policies, procedures, and specifications (SS12A)
- Where applicable the minimum frequency of site inspections by a qualified tree professional during proposed works
- Recommendations for post-construction care and/or monitoring (as required) for regulated trees and proposed replacement trees
- Where applicable a consent letter for the removal and/or injury of boundary tree(s) (those located along the shared property line) to be attached to the report document
- Where applicable a consent letter for the removal and/or injury of a neighbour tree(s) to be attached to the report document
- Where applicable any additional relevant information (e.g., legal survey, TRAQ form, pre-construction exploratory review etc.) to be attached to the report document

## **PROPERTIES WITHIN THE RURAL BOUNDARY**

### **Is an Arborist Report required when I live in the Rural Boundary?**

If you live in the rural boundary an Arborist Report may be required to document impacts to public trees. This will be based on the size and scale of the project proposed (e.g., a new home) and whether any construction activities will be near public trees. Details on the private trees would not need to be included the Report.

If you will be building a new home, or completing any servicing, landscaping, driveway resurfacing and/or widening, excavation, building, trenching, boring, change of surface, or changes to grade within the minimum tree protection zone of a public tree an Arborist Report is required. For more information, contact staff to discuss your project further at [city@burlington.ca](mailto:city@burlington.ca) or 905-335-7777.

### **Do I need a Tree Protection Plan when I live in the Rural Boundary?**

If you live in the rural boundary and your proposed construction project does not involve any work or construction activities within the municipal right-of-way, please identify that on your site plan. The information requested on the site plan does not need to be provided for private trees, but the plan should include the information for public trees if they are within 6m of the existing driveway. Please include a note on the Site Plan that no materials are to be delivered and stored in the municipal right-of-way and the construction access will be using the existing driveway.

If you live in the rural boundary and the equipment and machinery will access the property through the grassed area (softscape) within 6m of the public trees and/or if you are completing additional work such as landscaping, driveway resurfacing/widening, or any excavation, building, trenching, servicing, boring, change of surface, or changes to grade within 6 m of public trees, a tree protection plan is required that must demonstrate tree hoarding (fencing) and root protection (as required) in accordance with City's Tree Protection and Preservation Specification SS12A for the public trees. These projects may be subject to an Arborist Report.



## TREE REPLACEMENT REQUIREMENTS

### Is a Tree Replacement Plan required?

A Tree Replacement Plan is required when you are removing a private tree. A plan for replacement can be in the form of replacement trees or the payment of replacement trees (cash-in-lieu) or a combination of both.

There is no requirement to replant trees where a tree injury permit is issued, and no Tree Replacement Plan is required in this instance.

### How many trees do I need to replant?

The number of replacement trees is based on the tree size removed. Refer to the table below:

Trunk Diameter (DBH) of the Tree Removed	Compensation Ratio
20 – 35 cm	2:1
36 – 74 cm	3:1
Greater than or equal to 75 cm	4:1

If opting to replant, you must provide a Tree Replacement Plan. The Tree Replacement Plan must show the location where the trees will be planted, the species to be planted and the size of tree to be planted.

Replacement trees must be able to grow to a minimum of 4.5 m height at maturity

Replacement trees must be the following minimum sizes at the time of installation:

- 30 mm caliper if deciduous (broadleaf)
- 125 cm tall if coniferous (evergreen)

There will be a Replacement Tree Security deposit of \$250/Replacement Tree. Once the trees have been replanted and verified by staff, the deposit will be refunded.

Replacement trees must be maintained for a minimum of two years and will be considered a regulated tree under the private tree by-law moving forward.

### **Can I plant trees on another property?**

Replacement trees can be planted anywhere on your private property or on another private lot within the City's Urban Boundary as approved by staff. If planting on an alternate lot, that lot will need to be identified on the tree replacement plan. The permit holder will be responsible for paying the tree replacement security deposit, and ensuring the trees are planted. The permit holder will be responsible for notifying staff once the trees are installed to get their deposit refunded. Deposits will only be refunded to the payee of the deposit.

A letter of consent from the alternate property owner must accompany the tree replacement plan agreeing to the replacement trees and reference the number of trees, species, sizes, and location and acknowledging that that these trees are now regulated under the private tree by-law.

### **If I do not want to replant, what is my option?**

If there is no room for the replacement trees on your private lot or you opt to not replant, there will be a cash-in-lieu fee of \$250 per required replacement tree. This money will be used toward the planting of trees elsewhere within the City.

## **FORESTRY SECURITIES**

### **Will a public tree security deposit be required?**

Public tree securities are necessary to ensure the proper installation and management of tree protection measures, to ensure work has been completed in accordance with the approvals, and to ensure repair of any damage to or replacement of a City-owned tree. The security requirement is determined during the application review and is to be deposited prior to the issuance of any tree permit. If you had a site security deposit with engineering services, that refund must have been issued prior to the refund of your public tree security deposit request to ensure all outstanding matters at the frontage and site are complete and no further work is to take place.

### **Will a tree replacement security deposit be required?**

### **What are the accepted methods of payment for securities?**

Applicants will be provided with payment options once the securities have been calculated. Preferred payment methods are E-transfer or EFT/Wire Payments.

### **What is the process for release of securities?**

Contact Forestry staff identified on your tree permit to carry out a final inspection of the public trees once construction is complete, and/or once your tree replacements have been installed (as applicable). For any issues, please contact [city@burlington.ca](mailto:city@burlington.ca) or 905-335-7777 for assistance.