

**TOWN OF GEORGINA – OPERATIONS AND INFRASTRUCTURE
POLICY NO. OID-01**

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|---|--|--------------------------------|-------------------------------|-----------------------------|
| Subject: TREE PRESERVATION AND CONSERVATION POLICY | Authority, Ref. & Sec. | | | |
| Policy Classification: | Pages: 14 | Year 2016 | Month 07 | Day 13 |
| Recommended/Approved by: Director of Operations and Infrastructure | Contact Position for Inf. Landscape Architectural Planner | | | |

Background

The Tree Preservation and Compensation Policy detailed herein, establishes the Town of Georgina’s policy for the preservation, protection and enhancement of *Significant trees* within Secondary Plans, *Woodlots*, *Hedgerows* or forests which specifically respects the development approval process permitted through the Planning Act. This policy applies to lands subject to applications for official plan amendment, draft plan of subdivision, site plan approval, respective amendments (permitting new construction only) and consent.

It is the intent of this policy to educate and increase awareness within the development industry of the importance of tree preservation and protection for the health of the community by:

- Encouraging the preservation of existing trees in the design of development plans prior to the submission of *Development Applications*;
- Encouraging the ongoing protection of trees during development activities on properties subject to *Development Applications*;
- Encouraging no net loss of trees through the planting of replacement trees; and
- Encouraging the planting of additional trees to enhance development properties and streetscapes beyond the requirements of boulevard trees.

Within the York Region Significant Woodland Study, (November 2005) the Town of Georgina’s canopy cover was estimated at 39.3%, the highest of all York Region Municipalities. Of this, 38.4% of the tree canopy cover was identified as significant woodland.

Strategic Plan Linkages

The Town of Georgina strives to meet community expectations and has identified the environment as an economic engine within the 2009 Socioeconomic Mission and Strategic Plan.

The Tree Preservation and Compensation Policy will assist in achieving the Community Vision through the protection of land, air and water resources thus promoting the protection of Georgina’s environmental character. Tree preservation and retention of single and *Woodlot* trees is considered vital to ensuring the environment can be maintained as an economic engine.

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Official Plans

The 2010 York Region Official Plan identifies a 25% tree canopy cover target for the entire Region. Further to this, the Town of Georgina Official Plan identifies a Greenlands Systems Context and Components Purpose. The purpose of the Greenlands System is to preserve, protect and enhance the natural environment and encourage restoration of the quality and integrity of the ecosystems and natural processes, in order to improve the quality of life, maintain healthy communities, and promote environmentally *sustainable* resource use.

In the consideration of *Development Applications* in which there is a net loss of trees, the Town will require this loss to be compensated by the developer with the replacement of trees in a location to be determined by the Town.

1.0 General Policy

- 1.0 All *Significant trees*, as identified in Section 2.0 herein, situated in the Town of Georgina and subject to a *Development Application* may not be removed, injured, pruned or destroyed in any way without approval by the Director of Operations and Engineering of the Town of Georgina. Reference made to a tree herein, refers to any part of a tree, including the root system.
- 1.1 Notwithstanding 1.0 above, no tree identified as an endangered species (eg. Butternut) may be removed, injured, pruned or destroyed in any way without the permission of the Ministry of Natural Resources.
- 1.2 Tree pruning or root cutting of any tree located on a municipal boulevard or municipal park may only be done by Town of Georgina staff, qualified *Arborist* or other qualified professional as approved by the Town of Georgina, authorized staff of the Regional Municipality of York, an authorized public utility, including Hydro One, or the Lake Simcoe Region Conservation Authority, unless appropriate written authorization has been given by or a legal agreement has been executed with the municipality.
- 1.3 Trees that are identified to be preserved on the lands subject to a draft plan of subdivision or site plan approval or respective amendment(s), or consent application, must be protected by adequate fencing to the satisfaction of the Town. Recommended fencing shall be installed as shown in *Standard Detail 1-G, Temporary Tree Protection* and must adhere to the requirements as noted in *Standard Detail 2-G, Tree Protection Notes*. The Town of Georgina may request in special circumstances that temporary chain link fence and/or other rigid or substantial fencing such as plywood hoarding be used for specimen trees and to the satisfaction of the Director of Operations and Engineering during the course of construction of the project.
- 1.4 Tree protection fencing shall be installed at the outer edge of the *Tree Protection Zone* (TPZ) as identified in *Standard Detail 1-G, Temporary Tree Protection*.

Where temporary tree protection cannot be installed to the requirements of Detail 1-G, a minimum *Tree Protection Zone* must be determined by a qualified *Arborist* and will be generally governed by a ratio of 6cm radius per 1cm DBH as measured from the base of the tree and to the satisfaction of the Town *Arborist*.

- 1.5 Any tree to be protected must be identified on a *Survey* and/or a *Tree Inventory* and within a tree preservation and protection plan, prepared by a *Qualified tree professional*, as defined in the Glossary as a certified *Arborist*, registered Professional Forester, a qualified ecological consultant, or a Landscape Architect, qualified in determining the tree species, size, health and preservation requirements. (Refer to Section 3).
- 1.6 Anyone failing to adhere to the following policies and specifications detailed herein, will be financially responsible for any damage to or destruction of any trees, prior to, during and upon request by the owner for release of securities, approximately one year after the completion of the construction stage, and in the case of subdivisions, up to the assumption of the roads by the Corporation of the Town of Georgina. (Refer to Section 5).

2.0 Identification of Trees to be Protected and Preserved

All trees to be preserved and protected must exhibit good biological health and condition for long-term survival. All trees to be preserved and protected shall be: native, some exotic but non-invasive species or identified on the Town's most current Recommended Plant List.

- 2.1 *Significant trees* are defined as a mature, small or large, tree specimen located on or within 6.0 metres of the property line of the lands subject to a *Development Application* described herein. The distance to the property line shall be measured from the trunk of the tree. (Refer to Glossary for definition of small or large trees).
- 2.2 A *Significant tree* may also possess the following additional characteristics:
- *Significant trees* of a rare or heritage/native species
 - Any tree of historical or cultural significance
 - *Celebration Trees* of any size
 - A *Special status tree*
- 2.3 Additional trees to be preserved and protected include:
- Trees located within a woodland area
 - Trees forming a *Cluster of Trees* (consisting of 5 or more trees and containing at least one *Significant tree*)
 - *Significant trees* defining a *Hedgerow* (consisting of 5 or more trees)
 - *Endangered species* as determined by the Ministry of Natural Resources

3.0 Submission Requirements

The *Arborist* Report is a written report on existing vegetation that outlines the present conditions of the site and makes recommendations on the preservation of trees in consideration of the development proposed.

This document will be required and always accompanied by a Tree Preservation Plan. Two (2) copies of each document will be submitted for the review of the Town *Arborist* and the Department of Operations and Engineering - Parks and Facilities Division.

The following information will be required upon submission of a *Development Application* to the Town of Georgina Operations and Engineering Planning Department, as described above:

3.1 **Arborist Report and Plan**

- 3.1.1 A *Survey* serving as a base plan signed and sealed by an Ontario Land Surveyor.
- 3.1.2 A *Tree Inventory* comprised of a *Survey* and shall include information regarding the geo-referenced location, size (measured using *dbh* and height), species, and condition within 6 metres of the outside edge of construction and must be completed by a *qualified tree professional*.
- 3.1.3 The *Arborist* report is required to provide a general site description including:
 - location
 - soil description
 - present land use
 - adjacent land uses
 - drainage
 - zoning
 - topography

In the case of *Woodlots*, groups or stand of trees, it is not necessary to identify, to give a condition description or to give a priority rating for individual trees. These items should be treated as units or blocks and can be covered by general statements.

- 3.1.4 All trees and units shall be given a condition description using the following terms:
 - Dead, poor, fair, good. Any specific notes should also be included with the conditions, Example: split trunk, specimen, girdled trunk, etc.
- 3.1.5 All trees and units shall be given a survivability rating for preservation using the following:

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- High, medium, and low. The rating shall be based on the factors which affect the survivability of the tree: vigor, age, condition, species, site conditions and anticipated modifications.
- 3.1.6 Recommended methods of tree preservation such as hoarding, construction of wells, specialized paving, shall be described and/or explained by the use of drawings in the report.
- 3.1.7 Provide replacement tree obligations and cash-in-lieu calculations in a legend in the Report and Planting Plan. Replacement tree planting and cash-in-lieu calculations are based on Tree Compensation Section 4.0.
- 3.1.7 The *Survey, Tree Inventory* and/or the Tree Preservation, Protection and Replacement Plan may be submitted as one drawing/plan at the discretion of the applicant's *qualified tree professional*.
- 3.1.9 The report shall be submitted in the following format and shall include:
- Sheet size - 21.5 cm x 28 cm (8 1/2" x 11")
 - Bound
- 3.1.10 Title to include:
- *Arborist* Report
 - Subdivision Name
 - Site Plan File Name
 - Date

3.2 Tree Preservation, Protection, and Replacement Plan

- 3.2.1 A Tree Preservation, Protection, and Replacement Plan for treed lands within 6 metres of the outside edge of construction shall include information regarding:
- Trees to be preserved and protected including tree protection fencing locations.
 - proposed lot and block layout
 - road patterns
 - zoning limits
 - building envelopes
 - existing and proposed grades
 - catch basins
 - easements
 - individual trees or groupings of trees to be preserved or removed
- 3.2.2 The following information will need to be included:
- Species(common and botanical name)
 - Condition

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- Size
- Health
- Vigor
- Defects: Decay, cavities, wounds, hazards, bark inclusion, cracks etc.
- Insects and disease
- Location (If this has bearing on the size and condition of the tree)
- Maintenance plan for trees to be preserved and protected; the preservation plan will include items that will mitigate any adverse effect of the proposed construction. Items that could be included but are not limited to:
 - Pruning (Cleaning, Thinning, /Reduction etc. to BMP for arboriculture)
 - Fertilization
 - Mulching
 - Aeration
 - Watering
 - Other
- Protection could include the installation of wood or stone mulch over the root zone for protection in addition to the tree protection fencing.
- If trees are to be moved, specific instructions will need to be added to ensure the survival of the transplanted tree(s)

3.3 Post-Submission: Tree Preservation, Protection and Replacement Plan

- 3.3.1 The Town shall retain the services of a *qualified tree professional* to undertake a peer review of any tree preservation, protection and replacement plan submitted, as required.
- 3.3.2 The Town shall be reimbursed by the applicant at cost for the services rendered by the Town's consultant.
- 3.3.3 The Town's qualified tree consultant shall, using best efforts, review and provide written comments to the Town's Operations and Engineering Department for consideration within 2 weeks of the date of receipt by the Town's *qualified tree professional*.
- 3.3.4 No tree removal shall take place prior to a decision by the approval authority on applications for official plan, zoning, draft plan, site plan, consent or minor variance.
- 3.3.5 Only emergency tree removal will be considered by the Town's Operation and Engineering Department if an imminently hazardous tree condition exists and must be removed immediately. Approved emergency tree removals must be approved in writing by the Town's *qualified tree professional* and are subject to compensation.

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- 3.3.6 No site works shall take place that may result in the damaging or destroying of trees identified as *Significant trees* on the Tree Preservation, Protection and Replacement Plan, prior to the approval by the Director of Operations and Engineering.
- 3.3.7 The Tree Preservation, Protection and Replacement Plan shall set out and identify the trees to be removed, preserved, protected and replaced. A recommendation of the action to be taken for each specific tree shall be included in table format for all existing tree species inventoried.
- 3.3.8 Replacement trees shall be protected by the implementation of a 2 year Warranty and by the implementation of a 2 year Tree Maintenance Program. Every replacement tree and planted boulevard tree shall be cared for by the applicant/developer as recommended and/or approved by the Town's *Qualified tree professional*, in the case of a plan of subdivision, 2 years after the assumption of the roads by the Town of Georgina.
- 3.3.9 The Town may also require the posting of securities for the purposes of tree preservation based on the value of the trees to be preserved within the Tree Preservation, Protection and Replacement Plan. Securities shall be calculated for trees which are identified to be preserved, protected and replaced as per the "Guide for Plant Appraisal" 9th (or latest) edition, published by the International Society of Arboriculture, or other recognized appraisal guide or method. The amount of the security deposit shall be 100% for individual trees to be protected. In the case of Woodlands to be protected, the value of the security deposit shall be based on the 6m woodland buffer as described in section 3.2.1 and calculated at \$50/ linear meter up to a maximum of \$50,000, to be preserved within the entire Tree Preservation, Protection and Replacement Plan. Generally, the Town shall hold securities for tree protection up to final assumption of all the works, as contemplated by the subdivision/condominium agreement, or in the case of site plans, final inspection for the release of securities by the Operations and Engineering Department. There may be special circumstances where a special clause may be included in a subdivision/condominium or site plan agreement, or as a condition of approval of a consent application to allow for the release of securities three years after the occupancy permit is issued, upon confirmation by the Town that the trees to be protected and preserved exhibit vigorous health and have not sustained any damage as a result of site development activities.
- 3.3.10 The Town will require replacement trees to be planted as agreed to in the appropriate agreement or as required in the decision made by the Director of Operations and Engineering.
- 3.3.11 A *Qualified tree professional* must undertake revisions to the Tree Plan that are required by the Town as a result of the Town's peer review, at the expense of the applicant/owner/developer, and must receive approval by the Director

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of Operations and Engineering Department, prior to approvals respecting the issuance of any municipal permits.

- 3.3.12 Should there be any disagreement between the review and assessment made by the Town’s consultant and the plans submitted, the applicant may request a decision by the Town of Georgina Council.
- 3.3.13 The Director of Operations and Engineering and/or Council, may request the submission of a Tree Enhancement Plan (which may be made in combination with a Tree Preservation, Protection and Replacement Plan) as part of the Tree Management Strategy to achieve the environmental goals of the Official Plan and/or Strategic Plan.

4.0 Tree Compensation

Trees that have been identified to be preserved and protected in an approved Tree Preservation, Protection and Replacement Plan which cannot be preserved or protected due to development constraints can be removed. The Town will allow the use of a combination of methods to calculate tree replacement and Cash in Lieu requirements.

Tree compensation shall be required on all trees recommended for removal and greater than 20cm diameter at breast height. (dbh)

[Note: Invasive trees are to be included in any tree replacement calculations or financial compensation requirements of this policy.](#)

4.1 Replacement Tree Ratio:

- 4.1.1 The intent and preferred approach of the policy is to plant replacement trees on the subject lands if there is adequate soil volume of minimum 30 cubic metres per tree.
- 4.1.2 If development precludes re-planting then the Town’s second most preferred approach of the policy is to provide other locations outside of the proposed development to offset the loss of trees on site.
- 4.1.3 Ratio tree planting replacements shall be as follows:
- 1:1 Ratio Replacement – 1 New tree planted for every 1 tree removed. Species Description: Invasive or pioneer trees including but not limited to Poplar, Ash, Scots Pine, Elm, Manitoba Maple, Norway Maple, White Cedar, Siberian Elm, Boxelder, Hawthorne and American Beech.

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- 4.3.2 Efforts should be made, to the satisfaction of the Director of Operations and Engineering, to maintain native, heritage, culturally significant, historic or Celebration Trees that cannot be preserved or protected and/or trees that have been damaged or destroyed after submission of an approved tree plan with trees of the same species and size or replacement equivalent.

5.0 Compliance

It is the intent of this Tree Preservation and Compensation Policy to ensure that adherence to the policy is maintained on all new development sites in the Town of Georgina and to protect and preserve *significant trees* as identified in a tree plan. However, it is recognized that alternate methods of compliance are required in order to balance growth and development within the Town. As such, the Town has identified two alternate methods for calculating replacement value for trees that need to be removed or have sustained damage as a result of construction and/or development.

- 5.1 The owner/applicant shall provide financial compensation to the Town for damaged or destroyed trees that have been identified as trees to be protected or preserved in a tree plan submitted as part of a Development Application. Compensation shall be calculated based on the replacement methods identified in Section 4.0 Compensation.
- 5.2 Trees that have been identified in an approved tree plan as trees to be preserved or protected and have been damaged or destroyed as confirmed by the Department of Operations and Engineering (after receiving Council approval of the official plan amendment, draft plan of subdivision approval, consent approval, or site plan approval and prior to the Town's assumption of a subdivision, receipt of the final and binding notice of a consent application, or request for release of securities in the case of a site plan approval), shall be replaced on public property at the ratio rate identified in Section 4.1 Replacement Tree Ratio and planted at a location satisfactory to the Director of Operations and Engineering in consultation with the Director of Planning and Building. Funding for the purchase and planting of replacement trees shall be derived from drawing upon the letter of credit. Should the letter of credit be insufficient to cover the replacement plantings, the owner/applicant shall be contacted by the Director of Operations and Engineering or his or her designate, to work out an acceptable replacement method to achieve the required replacement plantings.
- 5.3 Trees identified in an approved tree plan to be preserved or protected, that sustain damage or are destroyed after the Town has no obligations for approvals, shall be valued as based in Section 4.2 Cash-in-Lieu of tree Planting and the current owner/applicant shall be responsible for the financial requirements and direct payment to the Town accordingly.
- 5.4 Replacement trees are recommended to be planted a minimum of 4.5 metres from any building, fence, walkways or permanent structure that may interfere

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with the growth of the tree. However, it is understood that site specific consideration is necessary due to planting constraints as approved by the Director of Operations and Engineering.

6.0 Effective Date

This policy shall come into effect after approval of the policy by the Town of Georgina Council and shall apply to all new official plan bylaw amendment applications, draft plan and site plan applications and amendments and consent applications, revisions or amendments submitted to existing applications being processed, and shall be applied to all development approvals including extension to draft plan of subdivision conditional approvals.

Glossary of Terms

Arborist: a person who is a specialist or expert in the area of the care and maintenance of trees and includes an *Arborist* qualified by the Ontario College of Trades, an *Arborist* / BCMA certified qualified by the International Society of Arboriculture, a consulting *Arborist* registered with the American Society of Consulting *Arborists*, a registered professional forester or a person with other similar qualifications as approved by the Commissioner.

Caliper: the diameter of a tree measured 30 cm above ground level.

Celebration Tree: a tree native to Ontario, planted by the Town of Georgina, in a municipal park, representing a living dedication, commemorating the life and in memory of a deceased person(s), also referred to as a memorial tree

Cluster of Trees: a group of 5 or more trees comprising a maximum area of less than 0.2 hectares (0.5 acres)

Condition of Tree: is based on factors identified in the ISA methodology for determining condition. For the purposes of this policy, the condition of a tree shall be described as excellent, good, fair, poor, dead/dying, or maintenance recommended.

dbh: the diameter of a tree at breast height; the diameter of the tree measured 1.4 metre above ground level.

Development Application: an application requiring approval of the Planning Department for which a *Tree Inventory* and Tree Preservation, Protection, and Replacement Plan are required, specifically, applications for draft plan of subdivision and site plan approval and respective amendments, and consent.

Exotic Specimen: a tree specimen introduced from another country that is not native to the place where it was observed/found.

Hedgerow: a fence or defining boundary formed by a row of closely planted shrubs or trees and comprising a minimum of 5 plants

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Heritage/Cultural tree: a successional or legacy tree having *Natural Heritage* or cultural significance.

Historic tree: a tree associated with a notable local or regional historical event, person, structure, or landscape.

Invasive specimen: a tree specimen having the tendency to disrupt and/or invade a *Natural Heritage* area through natural succession as identified by a *qualified tree professional*.

Landmark tree: a tree that marks a locality, an event of historical significance and is designated for protection and preservation.

Mature Tree: a perennial woody plant having obtained a diameter at breast height (1.4 meters) of at least 30 cm and/or a mature height of 10 metres and over.

Native tree: a tree growing naturally in Canada, being indigenous to the area.

Natural Heritage: *Natural Heritage* is all living organisms, natural areas and ecological communities which we inherit and leave to future generations (<http://www.mnr.gov.on.ca/MNR/nhic/glossary.cfm#P>).

Qualified tree professional: a person, including an *Arborist*, a registered professional forester, a qualified ecological consultant, or a landscape architect, who through related training and on-the-job experience, is qualified to determine the size, species and health and *Condition of Trees*, and having at least 5 years of practical tree care experience working as a practitioner.

Rare tree: a distinct tree specimen, seldom occurring or found in the local area. A *Rare tree* specimen may be also attributed to clear cutting events that have reduced the population of the species to approaching extinction since the occurrence of human settlement of the area, as identified by the *Natural Heritage* Information Centre of the Ministry of Natural Resources. It may be an endangered species as determined by a Species at Risk (SAR) assessment conducted by the Ministry of Natural Resources.

Significant tree: a *Special status tree*, or a mature tree specimen located on or within 6m of the property line of the lands subject to a *Development Application* described herein.

Special status tree: regardless of size, a tree that may be described as or have a heritage, historic, landmark, legacy, memorial, celebratory or special interest significance that should be protected and preserved.

Survey: a detailed map of an area of land, including its boundaries, area, and elevation, using geometry and trigonometry to measure angles and distances prepared by an Ontario Land Surveyor.

Tree Enhancement/Management Strategy: a long term strategy recommending phased tree plantings and *Woodlot* management practices in addition to the minimum requirements of the tree preservation, protection, and replacement plan.

Tree Inventory: a list of trees on the property and within 6 meters of the boundary of the property, including information regarding location, species, condition and size.

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Tree Protection Zone (TPZ): a space which includes both the root and canopy area of a tree at the tree crown drip line. Temporary fencing is typically installed at the perimeter of the TPZ to prohibit construction access to prevent damage to trees.

Tree Maintenance Program: a program to ensure the health, safety and vigor of the trees identified to be maintained, either original plantings or existing trees to be cared for, replaced if necessary, pruned, pest and fungus control, removed, storm damage repaired, staked for a period as recommended by the applicants consulting *Arborist* and approved by the Town

Woodlands: any wooded area comprised of a dense growth of trees having a minimum area of 0.2 hectares (0.5 acres), including forest, *Woodlots* and riparian areas.

Woodlot: any wooded area of up to 0.2 hectares (0.5 acres), not having less than: 400 trees of any size per acre; 300 trees measuring more than two inches in diameter per acre; 200 trees measuring more than five inches in diameter per acre; or 100 trees measuring more than eight inches in diameter per acre. (York Region Significant *Woodlands* Study, November 2005).

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Recommended Plant List for Replacement Plantings

| Deciduous Species | Coniferous Species |
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| American Beech** ¹ | White Cedar** |
| Northern Catalpa ¹ | European Larch |
| Horse Chestnut ¹ | Red Pine** |
| Kentucky Coffee Tree** ¹ | White Pine** |
| Common Hackberry** | Scotts Pine |
| Hickories** | Blue Spruce |
| Linden (various specimen) | Norway Spruce |
| Shademaster Locust** | White Spruce** |
| Sugar Maple** | Tamarack** |
| Varieties of Silver Maple** | Fir** |
| Burr Oak** | Gingko |
| Red Oak** | |
| White Oak** | |
| London Plane | |
| Tulip Tree** | |
| Black Walnut** | |
| Weeping Willow | |
| Black Willow | |
| Globe Maple ² | |
| Hedge Maple ² | |
| Crabapple ² | |
| Japanese Tree Lilac ² | |
| Hawthorne ² | |
| Serviceberry ² | |

Notes:

This list is not exhaustive and serves the purpose of providing examples of recommended replacement trees. You may consult with Operations and Infrastructure Department staff for consideration of additional tree species.

** - denotes *Native trees*

¹ - examples of large trees

² - examples of small trees

Cross-References

Georgina Official Plan
Draft Plan of Subdivision Submission Requirements
Site Plan Approval Submission Requirements
Region of York Tree Bylaw #TR-0004-2005-036