



THE COUNTY OF HALIBURTON SHORELINE TREE PRESERVATION

 May 2012

Draft Shoreline Tree Preservation By-law

Subject to the approval of County Council, the Shoreline Tree Preservation By-law will apply to all lands, in the County of Haliburton, that are within 30 metres of a watercourse. The goal is to minimize the destruction of trees, in order to protect our water resources and sustain a healthy natural environment.

What is the Draft Shoreline Tree Preservation By-law?

The Draft Shoreline Tree Preservation By-law proposes to govern the removal or injuring of all trees with a diameter of 10 cm or more. Diameter is measured 1.37 metres from the ground.

Would I need a Permit to remove a tree on my property?

No.

How will I know if cutting would be allowed?

If the Draft By-law is approved, and you are not sure if the tree you wish to remove meets one of the exemptions in the approved By-law, you can consult a professional, such as an Qualified Arborist or Qualified Tree Marker, to confirm that the tree needs to be removed.

As support for your decision, it is recommended that you take pictures prior to the removal or pruning of trees.



Will I still need written permission to remove a tree on the municipal shore road allowance in front of my property?

Yes. You still will not be allowed to remove trees on the shore road allowance, owned by the local municipality, without written permission. However, if the Draft By-law is approved, the County of Haliburton would be responsible for providing written permission following consultation with the local municipality.

If the shore road allowance has been purchased from the local municipality, written permission from the County of Haliburton would not be required.

Will I be able to apply for relief from the By-law once it is approved?

Yes. The Draft By-law allows for relief to be granted. A written request for relief would be submitted to the County. The request would identify the nature and extent of the relief; include a site plan/diagram and describe the proposed removal/cutting.

County Council would make a decision on the application for relief. You are encouraged to consult with a Qualified Arborist or Qualified Tree Marker in the preparation of the request for relief.



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What exemptions are allowed under the Draft By-law?

The following are proposed exemptions to the By-law:

- ◇ work on any tree(s) with a trunk diameter of less than 10 cm, as measured at 1.37 metres from ground level;
- ◇ hazard tree removal;
- ◇ removal of dead, dangerous, diseased or severely injured trees or stumps;
- ◇ emergency work removal;
- ◇ pruning or removal of trees in accordance with professional practices;
- ◇ removal authorized or permitted under a municipal building permit;
- ◇ removal of any tree within 5 metres of a dwelling or septic system;
- ◇ removal of trees for a driveway provided it is no more than 5 metres in width; and
- ◇ removal of trees for a pathway to the water provided it is no more than 5 metres in width.

Refer to Section 3 of the Draft Shoreline Tree Preservation By-law for the details of these exemptions.

Are there other proposed exemptions?

Yes there are other proposed exemptions for:

- ◇ trees removed by the County or a Lower-tier Municipality or a local board of the County or Lower-tier Municipality
- ◇ trees removed under an approved site plan, plan of subdivision or development permit.
- ◇ trees that are in woodlots and woodlands regulated by the County Forestry By-law No. 3196.



Are there any limitations on the proposed exemptions?

Yes. If there are steep slopes on your property, stumps and root systems must remain in order to stabilize the soil and ground cover.

In areas adjacent to spawning beds no trees of any size could be removed, except under a written plan prepared by a Qualified Arborist or Qualified Tree Marker.

What would I do if I suspected that a tree was being removed illegally?

Contact the County of Haliburton, in writing, at Box 399, 11 Newcastle St., Minden ON K0M 2K0 or by email.

Once the By-law is in effect, County Enforcement staff could order an owner or any other person to stop the injury or removal of a tree. The written notice order also provides information on what the owner would be required to do to correct the violation – including, if necessary, ordering the offender to replant trees.

Anyone who contravened the Shoreline Tree Preservation By-law, and was found guilty of an offence, would be subject to a fine under the Provincial Offences Act.

Once convicted of an offence under the By-law, a person would be liable to a fine ranging from \$500 to \$100,000.

How would the By-law be enforced?

The County would appoint designated officers for the enforcement of the By-law. These officers would be responsible for performing inspections, issuing orders, and laying charges as required.