




THE COUNTY OF HALIBURTON SHORELINE TREE PRESERVATION

 August 29, 2012

Shoreline Tree Preservation By-law

The Shoreline Tree Preservation By-law No. 3505 applies 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 Shoreline Tree Preservation By-law?

The Shoreline Tree Preservation By-law No. 3505 governs the removal or injuring of all trees with a diameter of 10 cm or more. Diameter is measured 1.37 metres from the ground.

How will I know if cutting would be allowed?

If you are not sure if the tree you wish to remove meets one of the exemptions in By-law No. 3505, 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.

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

No.



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

Yes. The Shoreline Tree Preservation By-law No. 3505 anticipates that there are certain situations where the removal of trees on the municipally owned shore road allowance is appropriate.

However, By-law No. 3505 does not change current obligations. Therefore, you still need to obtain permission from the local municipality prior to removing trees on the portion of the shore road allowance, owned by the local municipality.


Will I be able to apply for relief from the By-law?

Yes. By-law 3505 allows for relief to be granted. A written request for relief must be submitted to the County. The request is required to 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 By-law?

The following are exemptions to By-law No. 3505:

- ◇ 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 Shoreline Tree Preservation By-law No. 3505 for the details of these exemptions.

Are there other exemptions?

Yes there are other 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 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 can 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.

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 will be required to do to correct the violation – including, if necessary, ordering the offender to replant trees.

Anyone who contravenes the Shoreline Tree Preservation By-law No. 3505, and is found guilty of an offence, is subject to a fine under the Provincial Offences Act.

Once convicted of an offence under By-law No. 3505, a person is liable to a fine ranging from \$500 to \$100,000.

How would the By-law be enforced?

The County appoints designated officers for the enforcement of By-laws. These officers are responsible for performing inspections, issuing orders, and laying charges as required.