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PROPOSED TREE PROTECTION BY-LAW

General Approach

The proposed By-law protects two categories of trees from injury or destruction without a permit:

1. **Trees within the Tree Protection Area** – the Tree Protection Area is explicitly defined by a schedule located within the Tree Protection By-law (Schedule D). In general terms, the Tree Protection Area defines those lands that are treed, within, adjacent to, or in close proximity to the City’s natural heritage system. However, regardless of this general description, any trees on lands shown as Tree Protection Area defined on Schedule D of the By-law will be protected. These areas are explicitly mapped to provide clarity for property owners and for administration and enforcement of the By-law. Trees of all sizes are protected within these areas.
2. **Distinctive Trees** – these are trees that are 75cm or more in diameter, located anywhere within the Urban Growth Boundary, outside of the Tree Protection Area.

With the exception of identified exemptions, trees within the Tree Protection Area and Distinctive Trees cannot be injured or destroyed or removed without a permit.

As part of this general approach, there are a number of **exemptions**, including but not limited to (note: the specifics of the below are important and are identified in the By-law):

- Activities undertaken by the City of London.
- Activities undertaken by, or under order of, a Conservation Authority under the Conservation Authorities Act.
- Activities under a license issued under the Crown Forest Sustainability Act.
- Trees injured or destroyed for cadastral surveying under the Surveyors Act.
- Trees injured or destroyed under a condition to the approval of a site plan, a plan of subdivision, a consent or a community planning permit under the Planning Act.
- Trees injured or destroyed for constructing or maintain a transmission system or distribution system under the Electricity Act.
- Trees injured for a pit or quarry under the Aggregate Resources Act or expansions to existing pits.
- Where a tree is a Noxious Weed as defined in the Weed Control Act.

It is important to understand that, according to the By-law, **permits are not required** for such things as:

- Pruning in accordance with good arboriculture practices.
- Injury or destruction of trees within a building, a solarium, a rooftop garden or an interior courtyard.
- Actively managed, cultivated orchards, tree farms, or plant nurseries.
- A tree that is an immediate threat to public health and safety.
- Normal farm practices as defined in the Farming and Food Production Protection Act.
- Lands subject to federal or provincial regulation e.g. railroad corridors have been excluded.

The proposed Tree Protection By-law protects trees within identified Tree Protection Areas and large Distinctive Trees located outside of those Tree Protection Areas. There are several exemptions and activities that do not require a permit.