

Q & A

1. Why is a Tree By-law necessary?

The purpose of a Tree By-law is to promote tree conservation, to protect environmentally sensitive areas, and to prevent clear cutting of woodlands, which sometimes happens as a prelude to development. The Halton Tree By-law is intended to balance public interests with a private landowner's right to the enjoyment and use of forest resources on their property.

2. When was Halton's Tree By-law passed?

Halton Region's first Tree By-law was adopted by Regional Council in 1983, over 25 years ago. The Tree By-law worked reasonably well, until changes both in legislation and in community perspective on the importance of forest resources, required changes to the by-law.

Regional Council, as part of the review of Halton Region's Official Plan (2001-2004), asked staff to prepare a new, more effective Tree By-law based on new legislation. After exhaustive public consultation, Regional Council adopted the new Halton Tree By-law 121-05 which came into effect January 1, 2006. Regional Council believes this by-law effectively balances public interests with private landowner rights.

3. How does the current Tree By-law affect my right as a landowner to make use of the forestry resource on my property for my own use such as fire wood, fence posts, barn boards, etc.?

Under the Tree By-law 121-05, you may harvest up to 24 cubic metres of wood a year for your own use as long as you follow good forestry practices which does not include cutting trees all at the same location.

The by-law also regulates cutting trees in sensitive areas (such as floodplains, wetlands, environmentally sensitive areas, and areas of natural and scientific interest, collectively called Greenlands in the Region's Official Plan, now included in the Natural Heritage System).

If you are a farmer, you are entitled to remove trees as part of normal farm practices, such as clearing saplings along the edge of a farm field next to a woodlot. The removal of dead trees is not regulated by the by-law.

Finally, if you submit a forest management plan to the Region, you can also harvest wood based on that plan by simply notifying the Region prior to the harvesting. This will also help Regional staff to respond to questions from your neighbours or passers-by when the harvesting is in progress. None of these activities require a permit.

4. What qualifies as a Woodland?

A treed area or woodlot is considered to be a woodland based on the number and size (diameter) of trees and the total area. For example, if there are more than 500 trees in a hectare all with diameter greater than 12 cm (approximately 4.75”), that area would qualify as woodland. This would mean the trees are no farther than about 5 m (approximately 16.5’) apart, if they are uniformly spaced within the area.

The minimum treed area to qualify as a woodland is 0.5ha (1.2ac). Contact Halton Region Forestry staff to determine whether a treed area qualifies as woodland under the by-law. Staff will carry out a woodlot area determination and sample-plot measurements for tree density.

Note: Please keep in mind that woodlots extend across property boundaries and that total woodlot size is not limited to property boundaries.

5. When do I need a Permit to cut trees?

You need a permit only if you harvest over 24 cubic meters of wood product in a calendar year or if you do not harvest according to normal farm practices or if you plan to harvest without an approved Forest Management Plan (see Q3).

There are two types of permit. One is the Harvest Permit for thinning a woodlot to improve its health and promote growth - whereby you have a professional forester write a prescription for cutting and marking of trees. You then must submit a Harvest Permit Application to the Region prior to the cutting. There is no fee involved and a Harvest Permit approval can be given relatively quickly after a review of the proposed prescription by the Region’s Forester to ensure that the tree cutting is in accordance with good forestry practices.

The other permit is a Special Council Permit, for which there is an application fee of \$500, as well as the submission of a professionally prepared report to describe and support the cutting. Regional Council will consider the merit of the application and decide to either grant or refuse the permit.

6. How does the current Tree By-law promote tree conservation?

Tree By-law 121-05 is legislation which restricts clear-cutting, while allowing landowners to enjoy and use the resource. In promoting tree conservation, there is also a complementary program to raise awareness and encourage landowners to be good stewards of woodlots.

A number of programs are now available to assist landowners wishing to take an active role in the management of their forest resources. These programs include information brochures, landowner contacts, annual workshops, an information hotline, and the Woodlands Stewardship Program which provides subsidies for preparing Forest Management Plans, and the purchase and planting of nursery stock, and offers free tree-marking services.

For more information, contact

Halton Region

Dial 311 or 905-825-6000

Toll free 1-866-4HALTON (1-866-442-5866)

TTY 905-827-9833

www.halton.ca

E-mail: stewardship@halton.ca

