

Urban Forestry Ravine and Natural Feature Protection - Parks, Forestry & Recreation Division

On October 3, 2002 City Council passed the harmonized Ravine By-law. This by-law replaced and expanded the areas of the previous ravine by-laws of East York, Scarborough and Toronto, and added protection to the ravine areas of the former cities of Etobicoke, York and North York. The By-law was amended in May 2008 to include woodlands and the forested portions of the Lake Iroquois shoreline. The purpose of the By-law is to promote the management, protection and conservation of ravines and associated natural and woodland areas and to prohibit and regulate the injury and destruction of trees, filling, grading and dumping in defined areas.

Why are ravines and natural features important to the residents of Toronto?

Ravines and natural features are important features in Toronto's landscape, providing spectacular views and corridors of wildlife habitat. They convey and provide storage of storm and melt waters and they serve many important ecological functions. The By-law protects trees and the landform. Trees offer habitat, and protect against erosion. Changes to natural landform may cause environmental impacts that negatively affect the natural system. Specific contributions of these features are as follows:

- Vegetation on slopes may be critical for preventing surface erosion of soil;
- Changes to grade and removal of vegetation on slopes or at the base of slopes may undermine slope stability;
- Vegetation provides habitat, food sources and safe corridors for wildlife, particularly migratory birds;
- Well-vegetated ravines contribute to reducing storm flows whereas loss of vegetation or changes in grade can alter the pathways and volumes of stormwater to the ravine, which may result in increased erosion and/or flooding;
- Vegetation in ravines helps to improve the quality of our lakes and streams by trapping soil sediment that would otherwise destroy fish habitat and create silt deposits at the mouth of rivers where they enter Lake Ontario;
- Dumping of fill or refuse may destroy native vegetation;
- Air quality improvement, moderation of climates, and noise level attenuation.

The costs associated with maintaining erosion control structures, dredging channels and harbours and repairing damaged infrastructure in floodplains represent a significant tax burden to the public. It is therefore in the public interest to prevent damage by maintaining the natural features that function to prevent erosion and reduce stormwater flows.

When is a permit required?

A permit is required when a proponent wishes to injure or destroy a healthy tree of any size, or to place or dump fill or alter the grade (where not subject to TRCA fill regulation) in defined areas as identified in Schedule "A" attached to the By-law. This means that where development is proposed on property within or partially within the ravine protection area mapped on Schedule A of the By-law, the applicant will be required either to sign a guarantee that there will be no injury or destruction of trees, or placing or dumping of fill or alteration of grade (where outside of TRCA jurisdiction); or to apply to Forestry for a permit under the By-law. Forms and applications are available at all Planning or Building customer service counters and from Urban Forestry through the website www.toronto.ca/trees/ravines. Completed forms should be sent to the **City of Toronto, Urban Forestry Ravine and Natural Feature Protection 355 Lesmill Road, Toronto, M3B 2W8, Fax 416-392-6658**. The application form lists the submission requirements.

Please note that applications, which are incomplete due to a lack of, or inadequate information, cannot be processed.

Fax Alert: Sending personal information by fax is not a secure means of transmission. It is recommended you complete and return the Permit Application form by regular mail to: Urban Forestry Supervisor Ravine and Natural Feature Protection, Parks, Forestry & Recreation Division, 355 Lesmill Road, Toronto, ON M3B 2W8. Call 416-392-1888 for assistance.

You do not require a permit under the following conditions:

1. For grade changes within areas that are fill regulated by the Toronto and Region Conservation Authority (a permit application must be made with TRCA).
2. For removal of a dead tree.
3. For a tree that represents an imminent hazard to persons or property. Individuals removing such hazards are required to report to Urban Forestry on the conditions making the tree imminently hazardous. Urban Forestry will provide clearance.
4. For the proper arboricultural pruning of a tree, provided that it will not harm the health of the tree. Examples of reasons for such pruning include the following:

- Pruning to encourage the natural form of the tree species;
- Pruning to remove dead limbs;
- Pruning to maintain structural stability and balance of a tree.

It may be detrimental to tree health to prune to reduce the shading effect of tree branches or to improve a view and such action is not acceptable under the City of Toronto tree by-laws.

5. For the following circumstances:
 - Pruning according to proper arboricultural standards to clear tree limbs and branches interfering with structures;
 - Pruning of tree branches that interfere with utility conductors, as certified by Urban Forestry;
 - To injure or destroy trees which are involved with emergency work which includes drain repairs, utility repairs and structural repairs to a building of an emergency nature; work to prevent soil erosion, slipping of soil.
6. For cultivation or tilling of garden beds as long as such work does not alter or create slopes at greater than 10 percent.
7. For placing of soil involving an amount of less than five cubic metres for the purposes of maintaining existing manicured areas.

What happens next?

Urban Forestry shall review all complete Permit Applications and is authorized to issue Permits, with conditions, to injure or destroy trees and/or place or dump Fill or Refuse or alter the Grade of land in the following circumstances:

- When trees cause or are likely to cause structural damage to load-bearing structures.
- Where site plan approval, subdivision approval, consent or Committee of Adjustment approval under the *Planning Act* has been obtained, and tree injury or destruction or the placing or dumping of fill or the alteration of the grade of land is required based on plans approved by the Ontario Municipal Board, City Council, or a final and binding decision of the Committee of Adjustment.
- Where a building permit, front yard or boulevard parking permit or permission for driveway widening has been obtained, and tree injury or destruction or the placing or dumping of fill or the alteration of the grade of land is required in order to facilitate construction in accordance with an approved permit or permission.
- Pruning of tree roots according to proper arboricultural standards causing minimal damage to the trees, provided that such pruning takes place under the direction of an Arborist and is approved by Urban Forestry.
- In Areas of By-law Protection where a Schedule B or C Municipal Class Environmental Assessment process has been completed.

All Permits may be issued with conditions, as described in the By-law.

Only City Council may authorize the injury or destruction of trees and/or the placing or dumping of Fill or Refuse or the alteration of the Grade of land where the tree is a Heritage Tree or the tree(s) are healthy and the management of the trees or forest cover does not meet the criteria of the Ravine and Natural Feature Protection By-law.

Applicable Definitions:

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 Training and Adjustment Board Apprenticeship and Client Services Branch, a certified arborist 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 General Manager.

DESTROY - To remove, cut down or in any other way injure a tree to such an extent that it is deemed to be an imminent hazard or it becomes necessary to remove the tree.

FILL - Earth, sand, gravel, rubble, rubbish, garbage, or any other material whether similar to or different from any of these materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower, or in any way, effect the contours of the ground.

GEOTECHNICAL REPORT – A report that refers to soil stability and conditions related to erosion and/or slope instability, prepared by a Geotechnical Engineer, Geological Engineer, Hydrologist or related professional.

GRADE - A defined elevation of land that has been established as a result of geologic, hydrologic, or other natural processes or by human alteration; that defines ravines, depressions, hills, stream channels, eskers and steepness of terrain.

IMMINENT HAZARD - Where a tree has been destabilized or structurally compromised, the supporting roots have failed or are cut or a main stem has cracked and is in immediate danger of breaking causing potential damage or injury to life or property.

INJURE - A. Not protecting trees in accordance with the City's "Tree Protection Policy and Specifications for Construction Near Trees" or other standards set by the General Manager.
B. Any act or omission which will harm a tree's health in any manner.

IMPORTANT NOTES:

- Applications will undergo preliminary review to determine their completeness but cannot be processed if incomplete.
- If your proposed development requires Site Plan Approval or a Building Permit the application will be reviewed concurrently, although issuance of the permit will be made only after Site Plan Approval or conditional upon a Building Permit being issued.

General Instructions:

In order to ensure acceptance of your application, please check this list to make sure your submission meets all City requirements as follows:

- 1) a completed **Application form**.
- 2) 1 copy of the **Owner's Authorization** form, if the owner has not signed the application form.
- 3) 1 copy of the most recent **Zoning Notice** for the proposed construction, if applicable.
- 4) 1 copy of a recent legal **Plan of Survey** or a plan drawn to a suitable scale of the site, showing the limit of the protected area as described in the Ravine and Natural Feature Protection By-law and associated maps.
- 5) 1 copy of a **Site Plan**. Where applicable, information to be shown on the Site Plan is as follows:
 - the footprint of existing building(s),
 - the outline of the proposed building(s) including any decks and underground foundation extensions,
 - the property line based on survey information,
 - existing and proposed grades at the perimeter and within the site itself, including the grades for all exterior landscaped areas,
 - any existing or proposed easements,
 - all building entrances,
 - all driveways and paved areas for vehicles,
- 6) 1 copy of **Landscape/Forest Restoration Plans**. Where applicable, information shown on these plans must include:
 - all existing and proposed hard-surface landscape elements, including sidewalks, driveways, fences, retaining walls, steps, decks, patios and swimming pools
 - cross-section details for all hard surface elements proposed to be located within the protected ravine area of the lot or less than 10 metres from the top-of-bank of the ravine
 - all proposed soft landscaping features, including planting details and plant lists
 - all existing and proposed lighting
 - all existing trees. Note those trees, if any, which are proposed for removal, indicating species and size (dbh: diameter at breast height)
 - all proposed replacement trees, if any, indicating species and size (dbh: diameter at breast height)
- 7) 1 copy of **Grading Plans**, where applicable.
- 8) 1 copy of a **Geotechnical Report** outlining soil conditions, slope stability, proposed drainage, construction sediment/drainage control plan, and measures to be taken to protect the stability of the ravine slope.
- 9) 1 copy of a **Forestry/Arborist Report** providing: details and conditions of any existing trees, on the site and adjacent properties, within 10 m of any construction activity; a tree protection plan for trees to be retained; tree pruning requirements; and, a maintenance plan for newly planted trees and shrubs through 2 year warranty period.

Tree information must be submitted by a qualified Arborist or Forester. Grading plans must be certified by a qualified Grading Consultant. Design of structures in the ground that could impact slope stability must be approved by a qualified Geotechnical Engineer, where such plans are required to support the application.

All plans shall be prepared to the following specifications:

- folded individually to 215 mm x 350 mm (8.5" x 14") or 215 mm x 278 mm (8.5" x 11") with the title block exposed;
- drawn at and dimensioned in an appropriate scale, in metric;
- municipal address, names of adjacent streets, project name, applicant's name, name of firm preparing plans;
- drawing title and number, preparation date, dates of any revision, north arrow.

The applicability of the Ravine and Natural Feature Protection By-law can be determined from the Property Data Maps at Building Division Counters in each Planning District. The applicant should have it marked on their survey or other plan drawn to a suitable scale of the site. This service costs \$65 (subject to change) and can be requested of City of Toronto, Works and Emergency Services, Surveys and Mapping Services, 18 Dyas Road, 1st Floor, Toronto. Call 416-392-7665 to arrange a suitable time for notation of the ravine limit on your survey.

Please submit your application to: City of Toronto, Parks, Forestry & Recreation Division,
Urban Forestry Ravine and Natural Feature Protection
355 Lesmill Road, Toronto, Ontario, M3B 2W8.

If you have any questions regarding this application, please call 416-392-1888.



OWNER'S AUTHORIZATION TO SUBMIT AN APPLICATION

Urban Forestry Ravine and Natural Feature Protection - Parks, Forestry & Recreation Division

To be used for the following applications:

Check appropriate statement(s)

_____ Permit to injure and/or destroy trees under Municipal Code Chapter 658, Ravine and Natural Feature Protection By-law.

_____ Permit to place or dump fill or alter the grade of land under Municipal Code Chapter 658, Ravine and Natural Feature Protection By-law.

I/We.....
name(s) of owner(s).

authorize.....
(name of agent or person authorized to sign the application form)

to act as my agent and sign the application form to the City of Toronto, Parks, Forestry & Recreation Division, on my behalf, in respect of the premises known as:

.....
(addresses of property concerned)

.....
Signature(s) of owner(s)

.....
Signing Officer(s), office held and corporate seal (if applicable)

.....
Date

(If making more than one application, please note that a separate copy of this form with original signatures is needed for each application)

The personal information on this form is collected under the authority of the City of Toronto Act, 1997 and the Municipal Act, 2001 s. 135. The information is used to process your application and notify you of meetings related to your application. Questions about this collection can be directed to Urban Forestry Supervisor Ravine and Natural Feature Protection, Parks, Forestry & Recreation Division, 355 Lesmill Road, Toronto, ON M3B 2W8. Telephone number: 416-392-0343.