

# Tree Protection By-law Declaration

## Part 1 – General Information

### When to Submit this Tree Declaration Form

This Declaration Form is required to be submitted to Toronto Building with every building permit application to construct or demolish and with every application made to the Committee of Adjustment.

To minimize impact to trees, it is recommended that owners or their representatives discuss their construction proposals with a qualified arborist **at the design stage of a project**.

### What is the Purpose of this Declaration Form?

The purpose of this Declaration Form is:

1. To educate building permit applicants and Committee of Adjustment applicants about steps that must be taken under [Chapter 813, Trees](#), and [Chapter 658, Ravine and Natural Feature Protection](#), of the City of Toronto Municipal Code to protect trees during the course of construction and to ensure that the required permits to injure or destroy trees protected under the by-laws are obtained where applicable.
2. To provide notice to the City of Toronto's Urban Forestry of proposed work on private property that might impact trees protected under Chapter 813, Trees, and Chapter 658, Ravine and Natural Feature Protection, of the City of Toronto Municipal Code.

**This form is NOT an application for a permit to injure or destroy a protected tree. It is intended to clarify when such a permit is required.**

### Relationship to the Building Permit

**The issuance of a building permit by Toronto Building for proposed construction or demolition does NOT constitute the permission required to injure or remove a protected tree and does not in any way authorize the injury or removal of a protected tree.** The building permit is separate and distinct from any permits required and issued by the City's Urban Forestry to injure or remove a protected tree.

### What Constitutes a Protected Tree?

1. Trees of all sizes located within area protected under [Chapter 658](#), Ravine and Natural Feature Protection, constitute protected trees ("Protected Ravine and Natural Feature Trees"). The protected areas are defined in [maps](#) found in Chapter 658.

Refer to these maps when answering the questions in Part 2 regarding the impact to Protected Trees.

2. Trees of all sizes located on the City's road allowance constitute protected trees under Article II of [Chapter 813, Trees](#) ("Protected City-Owned Trees").

3. Under Article III of Chapter 813, Trees, the following trees on private property outside the Ravine and Natural Feature protection areas constitute protected trees ("Protected Private Trees"):

- i. Trees with a diameter of 30 cm or more measured at 1.4 m above the ground; and
- ii. Replacement trees regardless of their diameter.

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## When is Permit Required from Urban Forestry?

Where construction activity is proposed, a permit to injure or remove a tree is required where any of the following occur:

- i) Construction activity within a [Tree Protection Zone](#) of a Protected Tree
- ii) A Protected Tree will be removed as a result of construction activity and/or
- iii) Proposed construction activity will result in the placement of fill or changes to grade within the Tree Protection Zone or within ravine and natural feature protected area.

"Construction activity" includes but is not limited to: building, construction, demolition work, excavation, trenching and boring, any utility installation work, placement of fill or surface treatment, storage of construction materials or equipment, storage of soil, construction waste or debris, landscaping and movement of vehicles and equipment.

Refer to these definitions when answering questions in Part 2 regarding the impact to Protected Trees.

## What are Tree Protection Zones?

Tree Protection Zones This chart shows <u>minimum</u> required distances for determining a tree protection zone (e.g. for a 40 cm diameter tree, all construction activity must be kept at least 2.4 m away from Protected City-owned and Protected Private trees, and 4.8 m away from Protected Ravine and Natural Feature trees). Tree protection distances are to be measured from the outside edge of the tree base.	Trunk Diameter (DBH)*	Minimum Protection Distances Required	
		City-owned and Private Trees	Ravine and Natural Feature Trees
<b>Note:</b> <b>Urban Forestry may require a larger Tree Protection Zone for some trees, depending on site conditions.</b>	< 10 cm	1.2 m	1.2 m
	10-29 cm	1.8 m	3.6 m
	30-40 cm	2.4 m	4.8 m
	41-50 cm	3.0 m	6.0 m
	51-60 cm	3.6 m	7.2 m
	61-70 cm	4.2 m	8.4 m
	71-80 cm	4.8 m	9.6 m
	81-90 cm	5.4 m	10.8 m
	91-100 cm	6.0 m	12.0 m
* diameter measured at 1.4 m above the ground. To measure a tree's DBH, measure the circumference of the trunk at 1.4 m above ground level and divide the number by π (3.1416).			

Refer to the above table when answering the questions in Part 2 regarding the impact to Protected Trees.

## What are the Standards for Tree Protection Barriers?

Tree protection barriers must be installed in accordance with the City of Toronto's [Tree Protection Policy and Specifications for Construction Near Trees](#).

## Failure to Comply with the By-laws

A failure to comply with [Chapter 813](#) and/or [Chapter 658](#) may result in enforcement action including but not limited to the issuance of an Order to Comply and prosecution. Further, contravention inspection fees are applied to each Protected Tree that has been injured, removed or destroyed without a permit from Urban Forestry. If contravention inspection fees are not paid within 90 days of the issuance of an Order to Comply, Urban Forestry will collect the contravention inspection fees by adding them to the tax roll for the property as per section 441-9 of [Chapter 441, Fees](#), of the City of Toronto Municipal Code. Further, if convicted of an offence under these by-laws, you may be liable for: 1) a minimum fine of \$500.00 per tree to a maximum fine of \$100,000.00, and 2) a special fine of \$100,000.00

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## Part 2 – Project Information

### The Proposed Construction's Impact on Protected Trees

Property Address (Street Number, Street Name)
Date Application to Construct or Demolish Filed with Toronto Building
Work Description

### Property Owner Information

<input type="checkbox"/> Private Individual	<input type="checkbox"/> Corporation / Partnership (for corporation/partnership representative please insert business contact information)	
First Name	Last Name	
<input type="checkbox"/> Check this box if first Name and Last name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your Single Name.		
Single name		
Street Number	Street Name	Suite/Unit Number
City/Town	Postal Code	Province
Telephone Number	Mobile Number	
Email		

### Impact to Protected Trees

1. Will the proposed construction activity occur within the Tree Protection Zone of a:	
- Protected Ravine and Natural Feature Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Protected City-Owned Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Protected Private Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will the proposed construction activity require removal of a:	
- Protected Ravine and Natural Feature Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Protected City-Owned Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Protected Private Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Will any proposed construction activity result in placement of fill or changes to grade within a Ravine/Natural Feature Protected Area or within a Tree Protection Zone of a:	

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- Protected Ravine and Natural Feature Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Protected City-Owned Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Protected Private Tree?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>4. If you answered "YES" to any of the above questions, then you are required to submit an application to Urban Forestry to injure or destroy Protected Trees under the related tree protection bylaw:</b></p> <ul style="list-style-type: none"> <li>○ <b>Article II of Chapter 813, Trees in the case of Protected Private Trees</b></li> <li>○ <b>Article III of Chapter 813, Trees in the case of Protected City-Owned Trees; or</b></li> <li>○ <b>Chapter 658, Ravine and Natural Feature Protection in the case of Protected Ravine and Natural Feature Tree</b></li> </ul>	
<p>Have you already submitted an application to Urban Forestry to injure or destroy a Protected Tree?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, on what date was the application submitted? Date:</p>	
<p>5. Will an application to the Committee of Adjustment be made or has an application to the Committee of Adjustment been made?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, have you obtained Urban Forestry clearance in connection with the Committee of Adjustment application?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, on what date did you receive Urban Forestry clearance?</p> <p>Date:</p>	

<b>Part 3 - Declarations of the owner</b>
<p>I, (property owner's name)</p> <p>declare the following:</p>
<p>I am the owner of the property referred to above.</p>
<p>I have read and I understand the information regarding the protection of Protected Trees set out in this Declaration Form and in Chapters 813, Trees, and Chapter 658, Ravine and Natural Feature Protection;</p>
<p>I understand that as the owner of the subject property, I am responsible for all construction activity on the property;</p>
<p>I understand that it is unlawful to injure or destroy a Protected Tree without a permit from Urban Forestry;</p>
<p>The information provided in Part 2 of this Declaration Form is true and accurate; and</p>

## Tree Protection By-law Declaration

Where the answers to the questions in Part 2 indicate that a permit is required from Urban Forestry to injure or destroy a Protected Tree, I will make the necessary permit applications.

Property Owner's Signature:  
(where a corporation,  
I have the power to bind the corporation)

Date

Parks, Forestry and Recreation collects personal information on this form under the legal authority of the Toronto Municipal Code, Chapter 658, Ravine and Natural Feature Protection and Chapter 813, Trees, Article II, Trees on City Streets and Article III, Private Tree Protection. 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 the Manager of Tree Protection and Plan Review, Parks Forestry and Recreation, 18 Dyas Road, Toronto, Ontario, M3B 1V5, or by telephone at 416-392-0724.