




COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	July 5, 2023
SUBJECT:	Improvements to the Permit to Remove or Injure Trees on Public Property (ES23013) (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Cynthia Graham Director, Environmental Services Public Works Department
SIGNATURE:	

This Communication Update aims to provide an information on recent improvements to the Public Tree Permit.

Following the enactment of the updated Public Tree Preservation and Sustainability Policy in 2017, Forestry implemented a permitting process for all construction, demolition, landscape, or any other work that is in proximity to a Public tree. A Public Tree is a tree that lives with greater than or equal to fifty (50) per cent of its trunk diameter measured at ground level on public property and are located on; city-owned road allowance, park, or cemetery. Tree protection is a critical consideration when reviewing building permits and site plans. Implementing a review process for public tree removal requests was a significant milestone for Forestry's mission to protect and grow the urban forest canopy. In response to recent feedback, Forestry staff, in consultation with staff from Legal Services, Planning and Engineering Services in Public Works have made improvements to the conditions of the Permit to Remove or Injure Trees on Public Property.

Upon receipt of applications to injure and/or remove a Public tree(s), an Urban Forest Health Technician completes a review of site conditions and performs any required tree health assessments, tree risk assessments, and tree appraisals for all public trees within the applicant's project scope. The application is reviewed by the technician and correspondence with the applicant is completed where required to mitigate impacts to public trees, this often includes alternative design or construction considerations and suitable tree protection for public trees that are to be preserved. Once the review is

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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complete the technician will approve or deny the permit based on their evaluation. Where permits are approved and issued, the permit conditions have now been updated, as of June 2023, to require the applicant to retain and protect the tree until work that directly impacts the tree's integrity begins. Under this condition, the applicant must not remove trees more than 30 days before such work begins. This condition will ensure that the tree's life is prolonged and that the tree(s) can continue to provide environmental benefits until no longer feasible. Additionally, where Public tree removals have been approved, the permit holder is now required to post the Permit in a visible location onsite five days before the removals occurring.

Where tree removals are permitted, and replacement trees are required to be planted post-construction, soil protection zones will now be required where feasible. Feasibility will be determined by Forestry staff after reviewing site conditions and construction plans, and after the location for replacement trees is established. Soil protection zones will be implemented in the same way as tree protection zones. They will maintain the integrity of the parent soil by limiting the impacts caused by construction traffic and grading. Parent soil provides an optimal growing environment for young trees. Tree and soil protection details are now to be included as part of the Tree Management Plan submitted by the applicant.

Lastly, stump grinding was clarified in the policy and requires that all public tree stumps are removed to 30 centimetres below grade and reinstated with topsoil and seed to ensure all stump removal activities are performed consistently and following the City of Hamilton Forestry standard.

For further information please contact Robyn Pollard, Manager of Forestry and Horticulture by phone at (905) 546-2424 Ext. 3919, or by email at Robyn.Pollard@hamilton.ca

APPENDICES AND SCHEDULES ATTACHED

[Appendix A - \(ES23013\)\(City Wide Tree Permit Update\).docx](#)



Hamilton

Public Works Department, Environmental Services Division
Forestry and Horticulture Section
 100 King Street West, 14th Floor
 Hamilton, Ontario L8P 1A2
 905-546-2424 ext. 1312
 UrbanForest@Hamilton.ca

For Inspections Please Call:
905-546-2424 Ext 4407
Or Email: UrbanForest@Hamilton.ca

PERMIT
TO REMOVE OR INJURE TREES ON PUBLIC PROPERTY
 BY-LAW NO. 15-125

PERMIT # TBD-2023

Permit Issued to:

FILE:

PERMISSION TO WORK IN CONJUNCTION WITH THE FORESTRY APPROVED TREE
 MANAGEMENT PLAN IN RELATION TO THE ABOVE NOTED FILE

CONDITIONS OF APPROVAL

- (A) All public trees, as defined by the By-law, and soil protection areas shall be protected using the Tree Protection Zone specified in the attached City of Hamilton documents including "Tree Hoarding – Streets", Schedule "A", Retention and Protective Requirements, of the Public Tree Preservation and Sustainability Policy and the approved Tree Management Plan in relation to the above noted file.
- (B) All public trees, as defined by the By-law, identified for removal shall be deemed to be protected until the time of such removal. Approved tree removals must take place NOT more than 30 days prior to activities that directly impact the tree's integrity and warrant the tree's removal.
- (C) Permitted tree removal activities shall be completed in its entirety, including site remediation and cleanup, within 48 hours of the commencement of the removal. Under no circumstances shall any part of the tree be left unattended in an unsafe condition.
- (D) Tree removal work must be completed by a certified Arborist with the International Society of Arboriculture (ISA) and must have a valid Tree Cutting Service License with the City of Hamilton.
- (E) All stumps created through tree removals shall have the stump(s) removed to 30cm below existing grade and soil and seed must be applied to reinstate the grade.
- (F) All debris shall be removed and disposed of off-site.
- (G) The approved tree permit shall be posted in a clearly visible location for the duration of activities in accordance with the permit conditions of approval. Permits with approved tree removals shall be posted in a clearly visible location onsite five (5) days prior to any removals.

The permit is valid for a period of 3 years from the Date Issued. Failure to comply with the permit is a contravention of the Hamilton Public Tree By-law No. 15-125, as amended. Amendments and extensions to this permit may only be issued by the undersigned or a person designated in his/her place within 30 days prior to expiration. This permit is non-transferable.

Issued By:

Urban Forestry Health Technician
 FOR DIRECTOR OF ENVIRONMENTAL SERVICES

Total Permitting Fee: \$

Date Issued: