

Development Application Guideline

Terms of Reference – Tree Preservation and Protection Plan



Description

A Tree Preservation and Protection Plan is a document intended to maintain, grow, and enhance Kingston's urban and rural forests, as well as its natural environment. This plan will outline areas and conditions on the site of the proposed development for preserving valuable tree cover and greenery while maintaining a high standard of amenity and aesthetics in the community. Tree preservation and protection in the initial stages of construction planning may mean preserving healthy trees but also planning for removal and pruning of unhealthy or unsafe trees. A Tree Preservation and Protection Plan should clearly identify each tree on the property and the rationale for either its preservation or removal. This Terms of Reference document is intended to be applied in conjunction with all other applicable guidelines, such as the City of Kingston's Site Plan Control Guideline and the City of Kingston's Subdivision Development Guideline and Technical Standards.

Rationale

A Tree Protection and Preservation Plan provides City staff with a basis on which to assess the proposed application's tree preservation and protection issues. It also analyses the overall urban forest canopy cover contribution. Providing continuous tree canopy enhances natural habitats and serves to connect links to open space and other natural areas within the City. Encouraging placement of trees near public and semipublic spaces for shade cover and aesthetics is a valuable feature for any urban area as it reduces the urban heat island effect, decreases urban air pollution, and provides for more enjoyable spaces. Furthermore, Tree Preservation and Protection Plans offer a measure of protection to species at risk, and to significant woodlands, as identified by the Central Cataraqui Region Natural Heritage Study (2006), or using criteria established by the Ontario Ministry of Natural Resources and Forestry.

The request for a Tree Preservation and Protection Plan follows the principles set out by the City of Kingston's Tree By-law, which regulates the removal, maintenance and protection of trees while promoting good forestry and arboricultural practices. Tree preservation is also in line with the goals and objectives of the Official Plan, which aim to achieve 30% minimum forest coverage in the urban area and doubling of the urban forest cover by 2025.

When Required

A Tree Preservation and Protection Plan may be required in support of the following types of applications where the proposal has the potential to impact trees:

- Zoning By-law Amendment
- Plan of Subdivision
- Plan of Condominium
- Site Plan Control
- Consent and/or Minor Variance Applications
- Or any other development application deemed appropriate by Council or delegate

When there are no trees involved with the application, the Tree Preservation and Protection Plan may not be required in full. For City of Kingston tree preservation plans, only trees of 15cm DBH (Diameter at Breast Height) or greater must be identified.

Applicable Legislation

The Planning Act gives Council the authority to request other information or material that it deems necessary in order to evaluate and make a decision on a proposed planning application.

Section 9.12.3 of the City's Official Plan contains a list of additional information (such as a Tree Preservation and Protection Plan) which may be required upon request.

The protection and preservation of trees in an urban environment and the promotion of green infrastructure is in keeping with the Provincial Policy Statement, which considers urban forest, woodlots, and the preservation of natural areas to be forms of green infrastructure:

1.6.2. Planning authorities should promote green infrastructure to complement infrastructure.

Qualified Persons

A certified tree expert must undertake the Tree Preservation and Protection Plan. This may include a Certified Arborist, a Registered Professional Forester, or other similarly qualified professional with experience in the field.

Required Contents

Refer to the City of Kingston's Tree By-law and Guidelines for Tree Preservation and Protection for best practices and recommended measures for the preservation of urban forest cover.

1. Introduction & Context

- 1.1. Provide a brief introduction to the development proposal or application as well as a short description of the site.

2. Tree Inventory

- 2.1. An inventory of tree species on the site should be compiled and should address species type, size, location, biological condition (e.g.: potential stress or illness), presence of at risk or significant species.
- 2.2. The inventory must include all private, City, and neighbouring trees (within 6m of the property lines).
- 2.3. A photo log of the site and its tree inventory may be included for greater clarity and detail.

3. Tree Preservation Plan

- 3.1. A plan or drawing of the site should be included. It should include:
 - All existing trees greater than 15cm DBH (Diameter at Breast Height), in addition to their removal or remain status.
 - Identification of Tree Protection Zones. Grading plans should take into consideration the tree protection zone(s).
 - Location and type of fencing or barriers required for protection of onsite trees.
 - Dominant soil types within the site should be identified.
 - Summary of its consistency with grading and infrastructure works on site as well as any proposed changes to grading for protection of trees.
 - Any areas of concern such as exposed roots, overhanging branches, or sensitive habitats.
 - Canopy spread.

4. Protection Measures & Mitigation

- 4.1. A discussion of the rationale for the removal or preservation of trees should be provided.
 - 4.1.1. Where trees are to be removed or reduced, a description of why and how they are to be removed. This may include mitigation measures for the loss of tree canopy such as pruning, soil restoration, or replanting.
 - 4.1.2. Where trees are to be retained, a description of the strategies to be used to preserve the trees should be provided. This may include watering, pruning, barriers, Tree Protection Zones, or any other protection measure.
 - 4.1.3. Refer to 'Guidelines for Tree Protection and Preservation' found on city website at www.cityofkingston.ca/trees.

5. Related Studies

5.1 If there are any existing tree species that are Species at Risk such as Butternut Trees, other studies such as a Butternut Health Assessment may be required.

6. Conclusion

6.1. Provide a brief summary of the Tree Preservation and Protection Plan and outline the key recommendations of the plan.

Submission Requirements

All development applications and accompanying studies and reports should be submitted through the City of Kingston's **DASH Development and Services Hub** which can be accessed online at: [City of Kingston DASH](#)

Additional Information

For additional information, please contact the City of Kingston Planning, Building and Licensing Services Department at:

1211 John Counter Boulevard, Kingston
613-546-4291 ext. 3180
planning@cityofkingston.ca

See the City of Kingston's Tree Bylaw and the Guidelines for Tree Preservation and Protection for more information: [Tree Bylaw and the Guideline for Tree Preservation](#)