

Development and Woodlands in Designated Areas

When woodlands are located in areas that have been designated or recognized through provincial, regional and municipal planning documents, additional policies and guidelines may exist that must be considered as part of any development project. The Town of Whitby has policies related to the identification and protection of woodlands within the Town Official Plan (OP) and Secondary Plan documents, as well as guidelines to assist applicants with implementation of these policies. In addition, as part of its conformity exercise, the Town of Whitby has incorporated policies within the OP that reflect policies found with provincial plans such as the Oak Ridges Moraine Conservation Plan, Greenbelt Plan and Growth Plan for the Greater Golden Horseshoe that identify significant woodlands and provide appropriate policy context for development within the jurisdiction of these provincial documents. The original provincial plan should always be referenced when development is proposed within their jurisdiction as well.

Woodland Definitions

Within the Whitby OP, woodlands and significant woodlands are defined and specific policies applied in each context. The Whitby OP defines “Woodlands” as treed areas that provide environmental and economic benefits. Woodlands include woodlots or forested areas, other than a cultivated fruit or nut orchard or a plantation established for the purpose of Christmas trees. Woodlands vary in their level of significance at the local, Regional and Provincial levels. Woodlands may be delineated according to the Forestry Act definition or the Province’s Ecological Land Classification system definition for “forest”.

The Whitby OP defines “Significant Woodlands” that are off the Oak Ridges Moraine as an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. Significant woodlands will be identified using criteria established by the Ministry of Natural Resources and Forestry. Municipal approaches which achieve or exceed the same objective may also be used.

Provincial plans such as the Oak Ridges Moraine Conservation Plan and Greenbelt Plan provide their own definitions and technical guidelines to help identify boundaries of woodlands and significant woodlands within their jurisdiction. The provincial websites for each of these plans should be referenced for these definitions and technical guidelines.

<https://www.ontario.ca/page/oak-ridges-moraine>

<https://www.ontario.ca/page/ontarios-greenbelt>

Town of Whitby Woodland Related Policy

Within the Whitby OP and Secondary Plans, policies related to woodlands are found with sections such as Natural Heritage System, Environmental Protection Area, Core Woodlands and Conservation Lands. Woodlands are typically required to be protected and maintained in a natural state and owners are encouraged to promote restoration of forest edge and interior gaps through either active planting or passive natural succession processes.

The Whitby OP requires that woodlands and trees be preserved through measures including vegetation protection zones (VPZ's), the requirements of the [Town Tree Protection By-Law](#), the [Regional Woodland Conservation and Management By-law](#), and in accordance with the [Trees Act](#) and any other enabling legislation.

Reforestation and enhancement of the existing wooded and natural areas within the Municipality, including the establishment of connections and linkages within and adjacent to the Natural Heritage System is encouraged to assist in the achievement of the Region's woodland cover target and any applicable watershed plan targets. Stewardship by private landowners of woodlands is also encouraged through sustainable forest management practices.

The following activities are not permitted within protected woodlands:

- mowing or clearing of the over-storey, understorey or groundcover vegetation
- gardening, grading, sodding, fertilizing, composting or herbicide use
- dumping
- fencing that provides direct or gated access into woodlands from residential lots is not permitted

Vegetation Protection Zone (VPZ)

A Vegetation Protection Zone (VPZ) is often used as a mitigation measure to buffer woodlands from development. Outside the urban area boundary, the minimum VPZ for woodlands generally includes all land within 30 metres of the outer dripline of the woodland. For development within the Town of Whitby urban area boundary the minimum vegetation protection zone is generally 10 metres from the outer dripline of a woodland. VPZ's are discussed in more detail in the Whitby OP (5.3.7.8).

Lands within the VPZ are generally subject to the same development and site alteration prohibitions as the feature itself. The location and staking of the VPZ must occur prior to any site disturbance and be confirmed through an inspection with appropriate Town and CLOCA staff. The VPZ will be fenced in accordance with the Town's Tree Protection Fencing requirements and coordinated with requirements for sediment and erosion control fencing.

For more information, contact

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Silt control fabric shall be attached to Tree Protection fencing where there is potential for runoff from the disturbed development area to enter the VPZ.

Site Plan Development:

Site Plan Approval in the Oak Ridges Moraine and Environmentally Sensitive/Hazard Land Areas involves the review and approval of detailed drawings in accordance with the provisions of the Whitby OP, Zoning By-law and the Oak Ridges Moraine Conservation Plan. Site Plan Approval is intended to protect the environment. Guidelines outline the general requirements for a Vegetation Assessment as part of a comprehensive environmental report, such as an EIS.

Consultants will reference the information and requirements included in the [Site Plan Approval Manual for the Oak Ridges Moraine and Environmentally Sensitive and Hazard Land Areas \(2015\)](#).

Subdivision Development:

When more complex development such as a plan of subdivision is proposed within proximity (i.e. typically within 120 metres) to a woodland certain studies and reports may be required to be submitted as part of the development application. They may include:

- Environmental Impact Study or Natural Heritage Evaluation
- Vegetation feature map identifying vegetation communities, areas of high invasive species infestation (buckthorn, etc.), EAB infestation, areas of significant features and/or sensitivity (butternut)
- Identification of potential linkages and any recommended treatments, including mitigation measures that may be necessary to eliminate and /or rehabilitate any undesirable conditions
- Vegetation Management Plan summarizing key areas for recommended measures such as edge restoration, restoration plantings, invasive species management, and extent of vegetation protection zones, etc.
- Aerial photography of the protected areas must be included
- Recommendations for seed mix, application method and rates
- Recommendations for topsoil depths and mulch

The following matters may need to be addressed as part of woodland management within these reports and documents:

- Invasive species management and/or removal requirements including recommendations for removal methods and any associated measures

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- Opportunities for transplanting and / or conservation of existing biotic resources (topsoil, seedbanks, etc.) including any associated requirements for methods and recommended measures (including limits and depth of excavation, seed collection requirements, any requirements for supervision, storage, watering and placement requirements, etc.)
- Restoration / enhancement planting recommendations and requirements
- Edge protection / restoration planting recommendations and requirements (including seeding species, rates and method)
- Identification of and removal of hazard trees
- Opportunities for, methods and any associated additional requirements for bio-engineering on slopes to control erosion/encourage leaf litter accumulation
- Recommendations and methods for wildlife habitat enhancement- including basking logs, use of brush piles, bat roosting and/or bird nesting opportunities, hummocks and swales, etc.
- Resident information brochures

Vegetation Assessment and Woodland Evaluation:

Where proposed subdivision development includes woodlands, natural heritage areas, hazard lands or other environmentally sensitive areas, a **Vegetation Assessment** is generally required to be prepared in conjunction with the Environmental Impact Study (EIS) in support of the review and approval of a Draft Plan of Subdivision.

A Vegetation Assessment may also be required to include an evaluation of any woodland areas considered for dedication. A **Woodland Evaluation** will consider ecosystem functions and sensitivity, identifying:

- High quality areas of canopy and/or groundcover
- Areas of high urban tolerance/ opportunities for open space linkages (trails)
- Areas of significant infestation of invasive species
- Areas of existing and/or potential EAB infestation
- Areas of adverse seasonal conditions (flooding, erosion, etc.)

Unavoidable Removals:

Where woodland removals cannot be avoided, they are the responsibility of the developer. Removals required on woodlands adjacent to a subdivision development but not in the ownership of the developer shall first obtain the permission of the landowner prior to removal.

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- candidates for removal must be reviewed on site prior to removals with the project Arborist and representatives from CLOCA and the Town (Planning and Development Department and Operations: Forestry Division)
- removals are restricted to approved marked trees at or near woodland edges, or encroaching into vegetation protection zones, that are dead/dying, subject to wind-throw, where pedestrian access is required or where a tree has been identified as potentially hazardous, and endangering property or people
- removals will occur during dormancy, unless a hazardous condition has been identified that requires an immediate response
- removals will be supervised by an Arborist, an Ecologist, a Registered Professional Forester, or a previously approved equivalent
- removals are required to be performed by a contractor with a demonstrated skill in forestry work and/or tree removals
- removed trees will be bucked into 1.8 metre (6 foot) lengths and laid in a secure and stable position
- alternately, removed trees can be chipped and blown back into the woodland

Woodland edge tree removal activity will also be required to:

- remove fill and garbage and/or anything that does not occur naturally within or adjacent to a woodland
- avoid disturbance to fallen trees unless obstructing formalized walkways or presenting imminent hazard to pedestrians

Inspection Requirements:

As part of the requirements associated with a development application, Woodlands and Edge Management Areas are reviewed on site for potential hazards along the development limit. An inspection may also be required to confirm the limits of the woodland dripline prior to any site disturbance. Inspections typically include the following representatives:

- Planning and Development: Landscape Inspector
- Operations/Forestry Arborist
- CLOCA, where applicable
- Developer or representative (i.e. consulting landscape architect)
- Project ISA certified Arborist/forester/ecologist

As part of a development application, the dedication to the Municipality of valleylands and woodlands, as well as Major Open Space lands within the Former Lake Iroquois Beach, Greenbelt Protected Countryside or Oak Ridges Moraine is encouraged through the development approval process where such lands would contribute to the Town's Major Open Space System.

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