

## Forests Are Important...

Forests are an important resource; they provide us with a wide variety of benefits, including:

- ◆ contributing to the economy through the production of a variety of forest products, such as firewood, lumber, and maple syrup;
- ◆ providing opportunities for a wide variety of recreational and educational activities;
- ◆ conserving and improving soil;
- ◆ conserving and improving water quantity and quality;
- ◆ providing habitat for a wide variety of wildlife species;
- ◆ improving air quality through removal of pollutants and carbon sequestration and;
- ◆ protecting biodiversity.

It is important to protect these benefits by harvesting forests using sustainable forest management practices.

## Why a forest conservation by-law?

The forest conservation by-law is intended to encourage sustainable forest management practices and discourage over-harvesting. It recognizes that most landowners are excellent stewards of their properties and have the right to make decisions regarding the use and management of their forests. To some degree, the by-law protects landowners from loggers with poor logging practices.

## The by-law does not:

- ◆ prevent landowners from cutting wood on their own property for their own use (e.g. firewood)
- ◆ prevent landowners from gaining revenue from their woodland
- ◆ prevent landowners from practising good forest management

## General Application

In general, the by-law applies to:

- ◆ woodlands greater than one hectare (2.5 acres) in size, *not* single trees
- ◆ commercial cutting, *not* personal use
- ◆ indiscriminate clearing, *not* good forest management

## How does the by-law affect landowners?

◆ although it is not a requirement of the by-law, it is strongly recommended that landowners have their woodland marked by a qualified tree marker and have several loggers (whose references they have checked) make offers on the wood. This will go a long way toward ensuring that their woodland is harvested responsibly and that they get a fair price for the wood that is removed.

◆ for commercial cutting in a woodland landowners must obtain a Permit to Cut. **There is no fee for this Permit.** The

Permit form is available from the County Forest Manager's office and must be filed at least seven working days prior to the start of cutting.

◆ if there is a management plan for the woodland (e.g. under the Managed Forest Tax Incentive Program) and it is being followed, a Permit to Cut must still be obtained

◆ a "diameter limit" or "circumference limit" cut (cutting all trees that are bigger than the minimum circumference limits) is not a good forest management practice. In the long-term, it results in reduced diversity, quality, and productivity, since the best and fastest-growing trees are removed in each successive harvest, leaving only the poorer quality trees to grow further and as the source for future regeneration.

## Key Elements:

◆ **minimum circumference by species**  
The minimum circumference below which a tree cannot be cut under the by-law varies with the tree species and its growth and reproduction pattern.

◆ **minimum residual basal area**  
The concept of minimum basal area was first introduced in 1996 to ensure that in stands composed of large trees, not all trees would be cut even though they would all meet the minimum circumference requirement.

#### ◆ exemptions

There are a number of exemptions to the by-law, including cutting for personal use, cutting of Christmas trees and orchards, cutting by Ontario Hydro or other Crown agencies, and cutting in order to erect a building.

#### ◆ minor exemption process

If a landowner wishes to apply for an exemption to the by-law, they have to get an application form and instructions on the process to be followed from the County Forest Manager. The application must be submitted at least three months prior to the anticipated start of cutting. The process includes informing neighbours and various resource agencies of the landowner's intentions. County Council is ultimately responsible for deciding on the exemption.

#### ◆ fines

Violation of the by-law can result in a fine of more than \$10,000 and a replanting order.

## History

The first tree cutting by-law for Dufferin County was passed by County Council on November 28, 1947. At that time, the by-law fell under the jurisdiction of the *Trees Conservation Act* (1946). The by-law prohibited the destruction of trees below a certain size and established a three member Trees Conservation Commission of the County of Dufferin for enforcement. The penalty for violation of the by-law was a fine not exceeding \$500.00 or a term of imprisonment not exceeding three months.

Subsequent revisions and amendments of the by-law occurred in 1948, 1956, 1967, 1968, 1970, 1982, 1993, and 1996.

The current tree cutting by-law, renamed forest conservation to better reflect its purpose, came into effect in 2006.

## For copies of the by-law and more information:

County Forest Manager  
c/o Dufferin County Museum and Archives  
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Rosemont, ON L0N 1R0  
705-435-1881 or 1-877-941-7787  
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forestmanager@dufferinmuseum.com  
[www.dufferinmuseum.com/forest/treecutting.html](http://www.dufferinmuseum.com/forest/treecutting.html)

