

[Migratory Birds Convention Act](#) (1994, c. 22) protects the nests, eggs and the young of most bird species from harassment, harm or destruction. It is an offence to destroy active nests and/or eggs during bird nesting periods. Common nesting periods extend from April 15th to July 31st for most birds in southern Ontario. Nesting can also occur at other times as well.

More detailed information about nesting periods and how they are determined is available on the Government of Canada Environment and Natural Resources webpage: [General Nesting Periods of Migratory Birds](#).

Large scale clearing operations are prohibited during this period, unless appropriate monitoring is undertaken. Should tree removal during bird nesting season be unavoidable, or where birds may be suspected of nesting outside of typical dates, the property owner is required to conduct a nesting survey.

Nesting surveys will be undertaken by an ecologist or registered professional biologist. Detailed nest searches will be conducted immediately prior to (within two days) site alteration to ensure that no active nests are present. The presence of territorial birds during the breeding season may indicate that nests are actually present due to the difficulty of locating bird nests (i.e. cavity nests, conifer and grassland nesters). The Arborist report will include requirements for on-site monitoring by the ecologist/biologist to ensure any nests will not be damaged.

Arborist reports shall include reference to and recommendations with regard to the Wildlife Act and Migratory Bird Convention Act, 1994 (M-7.01-C.R.C., c.1035 General Prohibitions, Section 6) requirements to ensure conformance with provincial and federal regulations.

For additional information about the Migratory Birds Convention Act, contact:

Environment and Climate Change Canada

Public Inquiries Centre
Public and Indigenous Affairs and Ministerial Services Branch
ec.enviroinfo.ec@canada.ca

Telephone: 1.819.938.3860

Toll free (Canada): 1.800.668.6767

For more information, contact

Operations/Forestry: 905.668.3437 / pw.operations@whitby.ca
Planning and Development: 905.430.4306 / planning@whitby.ca

