

**THE CORPORATION OF THE CITY OF BRANTFORD**

**BY-LAW NO. XX – 2010**

**A BY-LAW TO PROHIBIT OR REGULATE THE INJURY OR DESTRUCTION OF TREES ON PRIVATE PROPERTY IN AREAS OF THE CITY OF BRANTFORD**

**WHEREAS** Section 135 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes local municipalities to pass by-laws which:

- (a) require that a Permit be obtained to Injure or Destroy Trees; and
- (b) impose conditions to a Permit, including conditions relating to the manner in which Destruction occurs and the qualifications of Persons authorized to Injure or Destroy Trees.

**AND WHEREAS** City Council recognizes the ecological, economic and social benefits of trees in the City and is desirous of promoting these community benefits by best management of trees;

**AND WHEREAS** City Council has endorsed the recommendation from the Environmental Policy Advisory Committee to attain a 40% tree canopy cover for the City of Brantford;

**AND WHEREAS** City Council wishes to enact this by-law as part of its efforts to meet such target for canopy cover;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD ENACTS AS FOLLOWS:**

**DEFINITIONS**

1. In this by-law, the following definitions apply:
  - (a) “Applicant” or “Proponent” means the Person who submits an application to the City for a Permit to Injure or Destroy a Tree pursuant to the provisions of this by-law.
  - (b) “Application” means an application for a Permit to Injure or Destroy a Tree as set out in Article 7 of this by-law.
  - (c) “Arborist” means an expert in the care and maintenance of Trees and includes, without limitation, an arborist qualified by the Ministry of Training, Colleges and Universities, a Forest Technician or Forestry Technologist with an applicable college diploma and a minimum of two (2) years urban forestry experience, a certified arborist qualified by the Certification Board of the International Society of Arboriculture, a consulting arborist registered with the American Society of Consulting Arborists, a Registered Professional Forester designated pursuant to the Professional Foresters Act, 2000 S.O. 2000, c.18, as amended, (“Forestry Act”) or a Person with other similar qualifications as approved by the Director.

- (d) “Arborist's Report” means a technical report prepared by an Arborist or Registered Professional Forester which identifies the surveyed location, species, size and condition of a Tree, provides the reasons for any proposed injuring or destruction of the Tree, and describes Tree protection measures or other mitigating activities to be implemented.
- (e) “Business Day” means the days between and including Monday to Friday and do not include public holidays and week-ends.
- (f) “Crown” means the upper part of the tree, including branches and foliage.
- (g) “City” means the Corporation of the City of Brantford.
- (h) “Council” means the Council of the City.
- (i) “Cultivated Orchard” means land where fruit Trees are grown and maintained for the harvesting of their fruit.
- (j) “DBH” means the diameter of the trunk of a Tree at a point of measurement 1.4 metres above the ground. In the event that a Tree has been cut down and the remaining stump is less than 1.4 metres (4 feet, 7 inches) in height, the DBH shall be measured at the highest point..
- (k) “Destroy or Destruction” means to kill by cutting, burning, uprooting, chemical application or other means.
- (l) “Director” means the Director of Parks and Recreation for the City.
- (m) “Emergency Work” means work required to be done immediately in order to prevent imminent danger including Tree maintenance work necessary due to natural events, such as, without limitation, an ice storm, high winds, or lightening, as well as Tree maintenance work associated with emergency drain, utility and building repairs.
- (n) “Hazard or Hazardous” means destabilized or structurally compromised to an extent that such condition presents an imminent danger of causing property damage or injury to Persons.
- (o) “Injure or Injury” means to harm, damage, impair or fail to protect a Tree in accordance with all applicable legislation, by-laws or other policies, entirely or in part, and/or any acts which will harm a Tree's health or damage a Tree in any manner.
- (p) “Notification Form” means the document specified by the Director to be completed and submitted to the City for the removal of a Tree that requires notification for removal, but does not require a Permit.
- (q) “Officer” means an individual appointed by the City to enforce the provisions of this by-law, and includes a municipal by-law enforcement officer.
- (r) “Owner” means the Person(s) registered on title in the Registry Office or Land Titles Office as the owner of the land upon which a tree is situated, and includes the Owner of either property where the base of a Tree straddles a property line.
- (s) “Permit” means a Permit that can be issued pursuant to this by-law, to be known as a Permit to Injure or Destroy a Tree.

- (t) “Permit Holder” means the Owner or the Person in possession of the land upon which a tree is situated, and includes a lessee, a mortgagee in possession, or a Person in charge of such land, to whom a valid Permit has been issued under this by-law.
- (u) “Person” includes a company, a corporation, a partnership, an individual, and a person as defined in subsection 29(1) of the Interpretation Act, R.S.O. 1990, c. I. 11, as amended.
- (v) “Pruning” means the removal of a Tree branch or branches from a living Tree by cutting at a point outside the branch collar, but does not include the removal of more than one quarter of a Tree's leaf-bearing crown.
- (w) “Tree” means any perennial woody plant, which has reached or can reach a height of at least 4.5 meters at physiological maturity.
- (x) “Tree Farm” means land where Trees are grown and maintained for sale.

### **APPLICATION OF THE BY-LAW**

- 2. **This By-law applies to all lands within the geographic limits of the City, other than that portion of any lands that is subject to regulations made under Section 28 of the Conservation Authorities Act, R.S.O. 1990, c.27, as amended.**

### **PROHIBITIONS**

- 3. No person shall cause Injury or Destruction, or permit or cause to be Injured or Destroyed, more than three (3) trees, each with a DBH greater than 15cm and less than 30cm on a lot within one calendar year, without having first obtained a Permit to Injure or Destroy a Tree in accordance with this by-law.
- 4. No person shall cause Injury or Destruction, or permit or cause to be Injured or Destroyed, a Tree in the City with a DBH greater than 30cm on a lot, without having first obtained a Permit to Injure or Destroy a Tree in accordance with this by-law.
- 5. Where a Permit has been issued under the by-law, no Person shall Injure, Destroy, or permit or cause to be Injured or Destroyed, a Tree in the City unless they do so in accordance with the conditions of the Permit and any other supporting documentation relating to or provided in support of the issuance of the Permit.

### **EXEMPTIONS**

- 6. The prohibitions of this by-law do not apply in the following circumstances:
  - (a) the Injuring or Destruction of a Tree within a building or structure, a solarium, rooftop garden, and interior courtyard having a soil depth of less than 1.5 metres above a built substructure or a nursery
  - (b) the Injuring or Destruction of a fruit Tree that provides fruit for human consumption.

- (c) the Injuring or Destruction of a Tree in a Tree Farm that is being actively managed and harvested for the purposes for which such Trees were planted.
  - (d) the number of Trees with a DBH between 15cm and 30cm being Injured or Destroyed on a lot within one calendar year is three (3) or less, where the Owner shall notify the City by submitting a Notification Form at least three (3) Business Days prior to the proposed removal;
  - (e) the removal of a dead or diseased or Hazardous Tree, or a portion of such a Tree, where the Owner shall notify the City by submitting a Notification Form and an Arborist Report confirming the need for removal at least three (3) Business Days prior to the proposed removal, and is approved by the Director;
  - (f) the Injury or Destruction of Trees for Emergency Work, where an Arborist Report is submitted to the Director within three (3) Business Days of the completion of such Emergency Work.
  - (g) Pruning, which may be undertaken for the purposes of thinning the crown of a tree to increase light penetration and air movement, providing clearance for utility lines, buildings, pedestrians or vehicles or eliminating dead, hazardous or diseased wood.
7. In accordance with the provisions of the Municipal Act, 2001, the prohibitions of this by-law do not apply to:
- (a) activities or matters undertaken by a municipality or a local board of a municipality;
  - (b) activities or matters undertaken under a license issued under the Crown Forest Sustainability Act, 1994;
  - (c) the Injuring or Destruction of Trees by a Person licensed under the Surveyors Act to engage in the practice of cadastral surveying or his or her agent, while making a survey;
  - (d) the Injuring or Destruction of Trees imposed after December 31, 2002 as a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51 or 53, respectively, of the Planning Act or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;
  - (e) the Injuring or Destruction of Trees imposed after December 31, 2002 as a condition to a development permit authorized by regulation made under section 70.2 of the Planning Act or as a requirement of an agreement entered into under the regulation;
  - (f) the Injuring or Destruction of Trees by a transmitter or distributor, as those terms are defined in section 2 of the Electricity Act, 1998, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
  - (g) the Injuring or Destruction of Trees undertaken on land described in a license for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the

Aggregate Resources Act; or

- (h) the Injuring or Destruction of Trees undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land,
  - (1) that has not been designated under the Aggregate Resources Act or a predecessor of that Act, and
  - (2) on which a pit or quarry is a permitted land use under a by-law passed under section 34 of the Planning Act, 2001, c. 25, s. 135 (12); 2002, c. 17, Sched. A, s. 27 (3, 4).

### **APPLICATION REQUIREMENTS**

- 8. Any Person intending to Injure or Destroy a Tree within the limits of the City, through their own actions or through any other Person, shall apply for and obtain a Permit to Injure or Destroy a Tree in accordance with the provisions of this by-law, unless otherwise exempted by Sections 6 or 7.
- 9. A Person applying for a Permit shall submit the following to the Director:
  - (a) A completed application in the form attached hereto as Schedule 'A' which form may be amended from time to time by the Director;
  - (b) A completed application shall include:
    - (i) The names and addresses of the Owner of the Tree to be Injured or Destroyed, proposed Permit Holder and Applicant (if different);
    - (ii) The written consent of the adjacent property owner where 30% or more of a Tree's Crown overhangs the adjacent property.
    - (iii) The municipal address and legal description of the property where the Tree to be Injured or Destroyed is situated;
    - (iii) A statement as to the purpose for Injury or Destruction of Tree; and
    - (iv) Payment of the prescribed fee for such Permit as set in Schedule 'B' which may be changed from time to time by Council.
- 10. Notwithstanding Section 15 the Director may, in writing, waive the requirements for any of the application items listed in the section, after taking into consideration the nature and scale of the proposed Injury or Destruction to Tree(s).

### **SUPPORTING DOCUMENTATION**

- 11. An Applicant shall provide any other information, document, or plan that may be required by the Director to determine if the proposed work conforms to this by-Law and to any other applicable statute, regulation or by-law.
- 12. In reviewing an Application the Director shall confer with such Persons as considered

necessary for the proper review of the Application, the determination of whether or not a Permit should be issued, and the identification and establishment of any conditions that may be applicable for the issuance of such Permit.

13. Notwithstanding the issuance of a Permit pursuant to this by-law, the Permit Holder shall comply with all other applicable legislation, including but not limited to all other by-laws of the City.

### **ISSUANCE OF PERMIT**

14. The Director may issue a Permit where;
  - (a) The Director is satisfied that the Applicant has complied with or; will comply with all requirements of this by-law; and
  - (b) The Director shall make decisions as to whether or not a Permit will be issued, and whether any conditions will be imposed and become part of such Permit, by considering criteria, including but not limited to, the following:
    - (i) The species of the Tree;
    - (ii) The structural condition of the Tree;
    - (iii) The health of the Tree;
    - (iv) The location of the Tree;
    - (v) The protection of ecological systems and their functions, including the protection of native flora and fauna;
    - (vi) Erosion, sedimentation of watercourses, and flood control;
    - (vii) Impacts to surrounding properties, including loss of shade, vistas or privacy; and
    - (viii) The cultural or heritage value of the Tree.

### **TERMS AND CONDITIONS**

15. The Director may impose terms and conditions prior to the issuance of any Permit, which may include requirements for:
  - (a) an Arborist Report; and/or
  - (b) the submission of landscaping or restoration plans and associated maintenance plans to be filed to the satisfaction of the Director; and/or
  - (c) undertaking the Tree cutting work only under the supervision of an Arborist and in accordance with the provisions of any supporting documentation relating to such Permit being issued; and/or
  - (d) the planting of replacement trees, where the Director may require that:
    - (i) the replacement trees be planted at a ratio of three (3) replacement trees for each tree removed, and to be located in a location, size, and/or species to the satisfaction of the

Director; and/or

- (ii) the submission of a written undertaking and release to ensure that replacement plantings are carried out and maintained in accordance with landscaping and restoration plans approved by the Director; and/or
- (iii) monies or a letter of credit in a form satisfactory to the Director be delivered to the City to cover the costs of the replacement trees, and the maintenance of the trees for a period of two (2) years; and/or
- (iv) payment for each replacement tree not replanted be made into the City's tree planting reserve fund as specified by the Director where restoration planting is not physically possible on the site for which the Permit is being issued.

### **REFUSAL TO ISSUE PERMIT**

16. The Director shall refuse to issue a Permit where:

- (a) the Application requirements of this by-law have not been fulfilled;
- (b) an application for subdivision approval or consent related to lands on which the Tree is located has been submitted to the City and has not received draft approval or provisional consent.
- (c) a rezoning application, an application for site plan approval, or an application to amend the official plan related to the lands on which the Tree is located has been submitted to the City and has not received final approval.
- (d) the Tree is an endangered species as defined in the Endangered Species Act, R.S.O. 2007, or the Species at Risk Act, 2002;
- (e) approval would be in contravention of the Migratory Birds Act, 1994;
- (f) approval is inconsistent with an approved Tree preservation plan;
- (g) written consent is not obtained from adjacent property owner(s) where 30% or more of a Tree's Crown overhangs the adjacent property(ies).

17. In the event that the Director refuses to issue a Permit, the Applicant shall be informed in writing of the refusal by the Director and the reasons for such refusal. The Director may reconsider the Application if additional information or documentation required by the Director is subsequently submitted by the Applicant.

### **REVOCAION OF PERMIT**

18. A Permit may be revoked by the Director under any of the following circumstances:

- (a) If it was issued on mistaken, misleading, false, or incorrect information;
- (b) If it was issued in error;
- (c) If the Owner, Applicant, or Permit Holder requests, in writing, that it be revoked;

(d) If the terms of the permit under this by-Law are not complied with; or,  
If an Owner fails to comply with any provision of the Permit or this by-Law.

19. When a Permit is revoked, the Owner, Applicant, and/or Permit Holder shall immediately cease all operations being conducted under the authority of the revoked Permit.

### **INSPECTIONS**

19. The Director and/or Officer may, at any reasonable time, enter and inspect any land to determine whether the by-law, or a condition of a Permit is being complied with, provided that the power of entry does not allow the Director or Officer to enter any building.

### **TERM OF PERMIT AND PERMIT RENEWAL**

20. Any Permit issued pursuant to this by-law shall be valid for a period of one year from the date of issuance unless revoked in accordance with this by-law.
21. A Permit which has expired may be renewed by the Director prior to the date of expiry upon the making of a written request to the Director accompanied by a payment of one-half of the original Permit fee, provided that the proposed work which was the subject of the Permit has not been revised. A Permit that has been renewed in accordance with this section shall therefore be treated as a new Permit except that it shall not again be renewed.
22. No Permit shall be renewed where the Permit Holder is in breach of any of the terms of this by-law or of any of the provisions set out in such Permit.

### **TRANSFER OF SITE**

23. If the ownership of the Tree for which a Permit has been issued is transferred or changes while the Permit remains in effect and outstanding, the new Owner shall, prior to the commencement or continuation of any further work pursuant to such permit, provide to the City with a written undertaking to comply with all of the conditions under which the Permit was issued, in a form and content satisfactory to the Director, and failing the delivery of such undertaking, the Permit shall be deemed to be cancelled as of the date of the transfer.

### **CEASE AND DESIST ORDER**

24. In the event that an Owner or any other Person is in contravention of this by-law, or any term or condition of a Permit issued under this by-law, the Director or an Officer may make an Order directing that the Owner or such Person cease any or all of the work immediately upon making it safe.

### **COMPLIANCE WITH ORDERS**

25. Any Person to whom an Order is issued pursuant to section 24 of this by-law shall comply with the terms of such Order, within the time period set out therein for compliance.



## **ENFORCEMENT**

26. The administration and enforcement of this by-law, including all Permits issued hereunder, shall be performed by the Director and by those Persons designated as Officers by by-law of the City, as may be amended from time to time.
27. (a) The Director and Officers may, at any reasonable time, enter and inspect any land that is subject to a Permit to determine whether this by-law, an Order, a condition included within the provisions of that Permit issued pursuant to this by-law, or a Court Order relating to this by-law is being complied with.
- (b) For the purposes of an inspection under section 27 (a), the Director and any Officer may:
  - (i) require the production for inspection of documents or things relevant to the inspection;
  - (ii) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - (iii) require information from any Person concerning a matter related to the inspection; and
  - (iv) alone or in conjunction with an Arborist or other Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- (c) No Person shall obstruct the Director or any Officer in carrying out an inspection or exercising the powers or duties authorized pursuant to this by-law.
- (d) No Person shall fail to produce any information required by the Director or an Officer pursuant to section 27 (b) of this by-law.

## **SERVICE**

28. Any service required to be given pursuant to this by-law is sufficiently given if delivered personally to the Owner or if sent by registered mail to the Owner at the last known address of the Owner of the land as recorded in the tax rolls or other records of the City..
29. Where service is effected by registered mail, it shall be deemed to be made on the fifth (5) day after the date of mailing.

## **OFFENCE AND PENALTY**

30. Every Person who contravenes this by-law is guilty of an offence.
31. Every contravention of this by-law is hereby designated as a continuing offence.
32. Every Person who is convicted of an offence under this by-law is liable for one or more of the following penalties:

- (a) A maximum fine for an offence of \$100,000;
  - (b) The maximum fine for an offence as set out in subsection (c) or (d) below does not apply to special fines as provided for in section 33 of this by-law;
  - (c) In the case of a continuing offence, in addition to the penalty mentioned in section 32 (a), for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00, and the total of all daily fines for the offence is not limited to \$100,000; and
  - (d) In the case of a multiple offence, for each offence included in the multiple offence, the maximum fine shall be \$10,000.00, and the total of all fines for each included offence is not limited to \$100,000.
33. On conviction of an offence under this by-law a Person is liable to a special fine in accordance with Subsection 429(2)(d) of the Municipal Act. The amount of the special fine will be the minimum fine as provided for in Section 32 of the by-law to which may be added the amount of economic advantage or gain that the Person has obtained or can obtain from the contravention of the by-law and/or an order issued pursuant to Section 34 of this by-law. A special fine may exceed \$100,000.00.
34. Where a Person is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may order the Person to plant or replant Trees in such manner and within such period of time as the court considers appropriate, including any arboricultural treatment necessary to re-establish the Tree or have the Tree re-established.

### **SEVERABILITY**

35. If a court or a tribunal of competent jurisdiction declares any provision or part of a provision of this by-law to be illegal or unenforceable for any reason whatsoever, then that particular provision or provisions or part of the provision shall be severed and the remainder of this by-law shall continue to remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

**BY-LAW NO. 171-2002**

36.

1. By-Law 171-2002 of the City of Brantford shall be repealed effective on the coming into force and effect of this by-law.
2. Any Tree Permits and/or conditions issued in accordance with by-law 171-2002, prior to the passing of this by-law, shall remain in effect.
3. Despite section 36 (a) of this by-law, by-law 171-2002 of the City of Brantford shall continue to apply to proceedings in respect of offences that occurred before its repeal.
4. THAT this by-law shall come into force and effect upon the day of passing thereof.

**SHORT TITLE**

37. This by-law shall be referred to as the City of Brantford Private Tree By-law.

READ A FIRST TIME: xxx \_\_, 2010  
READ A SECOND TIME: xxx \_\_, 2010  
READ A THIRD TIME  
PASSED this XX day of XXX, 2010

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**SCHEDULE "A" TO BY-LAW XXX-2010  
THE CORPORATION OF THE CITY OF BRANTFORD  
APPLICATION FOR PERMIT TO IN JURE OR DESTROY A TREE**

DRAFT

**CORPORATION OF THE CITY OF BRANTFORD – Environmental Services Department**  
 100 Wellington Square, Brantford, Ontario N3T 5R7 – Phone (519) 759-1350  
**APPLICATION TO PERMIT THE INJURY OR DESTRUCTION OF TREES ON PRIVATE PROPERTY**

Rev. 1-2010	Under By-Law	Permit No.
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THE CITY OF BRANFORD HAS ENACTED BY –LAW XX THAT REQUIRES A PERMIT TO INJURE OR DESTROY TREES ON PRIVATE PROPERTY WITHIN THE CITY. A TREE PERMIT IS REQUIRED WHEN A TREE WITH A DIAMETER OF GREATER THAN 30CM (12 IN.) IS PROPOSED TO BE INJURED OR REMOVED, OR WHEN FOUR (4) OR MORE TREES WITH A DIAMETER BETWEEN 15 CM (6 IN.) AND 30 CM (12 IN.) ARE PROPOSEDD TO BE NJURED OR REMOVED, DUE TO OWNER’S DESIRE OR IN CONJUNCTION WITH A BUILDING PERMIT, POOL ENCLOSURE PERMIT, SITE ALTERATION PERMIT, OR A RESONING/OFFICIAL PLAN AMENDMENT..

THE APPLICATION SHALL BE ACCOMPANIED BY THE FOLLOWING:  
 1. THE APPLICATION FEE PER THE APPROPRIATE BY-LAW

<b>LOCATION</b>	ADDRESS OF SUBJECT PROPERTY: _____ POSTAL CODE: _____
<b>OWNER</b> (REGISTERED PROPERTY OWNER)	NAME OF: _____ MAILING ADDRESS (IF DIFFERENT FROM ABOVE): _____ _____ E-MAIL ADDRESS: _____ CONTACT PERSON: _____ PHONE: _____
<b>AGENT</b> (IF NOT OWNER)	NAME OF: _____ MAILING ADDRESS (IF DIFFERENT FROM ABOVE): _____ _____ E-MAIL ADDRESS: _____ PHONE: _____
<b>WORK PROPOSED</b>	NUMBER OF TREES BEING INJURED OR REMOVED: _____ 1. SPECIES: _____ SIZE (DBH): _____ 2. SPECIES: _____ SIZE (DBH): _____ 3. SPECIES: _____ SIZE (DBH): _____ 4. SPECIES: _____ SIZE (DBH): _____ 5. SPECIES: _____ SIZE (DBH): _____ 6. SPECIES: _____ SIZE (DBH): _____ 7. SPECIES: _____ SIZE (DBH): _____ 8. SPECIES: _____ SIZE (DBH): _____ 9. SPECIES: _____ SIZE (DBH): _____ 10. SPECIES: _____ SIZE (DBH): _____ <u>ATTACH SHEET FOR ADDITIONAL TREES</u>  REASON FOR TREE(S) BEING INJURED OR REMOVED: <input type="checkbox"/> TREE(S) INTERFERE WITH PROPOSED CONSTRUCTION ON PROPERTY <input type="checkbox"/> TREE(S) BLOCK SUNLIGHT <input type="checkbox"/> TREE(S) ARE DEAD, DYING, DISEASED OR HAZARDOUS <input type="checkbox"/> TREE(S) ARE INTERFERING WITH UTILITIES, DWELLING FOUNDATION, ETC. <input type="checkbox"/> INSTALLING POOL <input type="checkbox"/> OTHER (PLEASE SPECIFY): _____
<b>DRAWING/ SKETCH</b>	<u>A SKETCH OF THE SUBJECT PROPERTY IS REQUIRED AND MUST INCLUDE THE FOLLOWING:</u> <ul style="list-style-type: none"> <li>• THE LOCATION OF ANY BUILDINGS ON THE PROPERTY</li> <li>• THE LOCATION OF THE STREETS</li> <li>• THE LOCATION AND SIZE OF TREES BEING REQUESTED FOR REMOVAL THROUGH THIS PERMIT APPLICATION</li> <li>• THE LOCATION AND SIZE OF TREES BEING PROTECTED</li> <li>• THE PROPOSED LOCATION OF REPLACEMENT TREES</li> </ul>

SKETCH:



INDICATE NORTH

Large empty rectangular box for sketching.

1. HAVE YOU REMOVED ANY TREES IN THE LAST YEAR?  YES  NO

IF YES, HOW MANY TREES WERE REMOVED? \_\_\_\_\_

HOW MANY OF THESE TREES WERE BETWEEN 15CM DBH AND 30CM DBH? \_\_\_\_\_

HOW MANY OF THESE TREES WERE GREATER THAN 30CM DBH? \_\_\_\_\_

2. ARE THERE ANY OTHER DEVELOPMENT APPLICATIONS CURRENTLY UNDER REVIEW FOR SUBJECT PROPERTY?  YES  NO

IF YES, PROVIDE THE FILE NUMBER FOR: **BUILDING PERMIT** \_\_\_\_\_

**SITE ALTERATION PERMIT** \_\_\_\_\_

**POOL PERMIT** \_\_\_\_\_

**OTHER** \_\_\_\_\_

3. IS ANY PART OF THE TREE LOCATED ON AN ADJACENT PROPERTY?  YES  NO

IF YES, ADJACENT PROPERTY OWNER MUST SIGN BELOW TO GIVE PERMISSION FOR THE APPLICATION

I \_\_\_\_\_ OF \_\_\_\_\_ CERTIFY THAT:  
(PRINT NAME) (PRINT ADDRESS)

I HAVE READ AND UNDERSTAND THE ATTACHED INFORMATION SHEET AND I AM AWARED OF THE PERMIT PROCEDURES REQUIRED UNDER THE PROVISIONS OF THE PRIVATE TREE BY-LAW. I HEREBY CONSENT TO THE INJURE OR DESTRUCTION OF THE TREE(S) SHOWN ON THE PLAN ABOVE AND I CONSENT AND AGREE TO ALLOW THE CITY OF BRANTFOR EMPLOYEES TO ENTER ONTO MY PROPERTY TO INSPECT THE PROPOSED WORK FOR WHICH THIS PERMIT APPLIES TO.

ADJACENT PROPERTY OWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
(IF APPLICABLE)

I HEREBY GRANT THE CITY OF BRANTFORD PERMISSION TO ENTER THE SUBJECT LANDS TO INSPECT THE PROPOSED WORK FOR WHICH THIS PERMIT APPLIES TO.

OWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

OFFICE USE ONLY

REFUNDABLE DEPOSIT AMT: \_\_\_\_\_ RECEIPT NO.: \_\_\_\_\_

PERMIT FEE: \_\_\_\_\_ RECEIPT NO.: \_\_\_\_\_

## SCHEDULE "B" TO BY-LAW XX-2010

### FEES

- |    |   |                            |
|----|---|----------------------------|
| 1. | 1 to 3 Trees between 15cm DBH and 30cm DBH                  | No Fee (Notification Only) |
| 2. | 4 <sup>th</sup> Tree between 15cm DBH and 30cm DBH          | \$200                      |
| 3. | 5 <sup>th</sup> or more Trees between 15cm DBH and 30cm DBH | \$50 each                  |
| 4. | Any Tree over 30 cm DBH                                     | \$250 per tree             |

The fee is for processing, administration and inspection for a Permit and does not include any applicable taxes.