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# Application to Permit the Injury or Destruction of Trees

This is not a permit, it is only the application.

**\* DENOTES MANDATORY FIELD – INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE REJECTED**

Is this application related to a <i>Building Permit Application</i> or <i>Pool Permit Application</i> ? *	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Please contact the Tree Preservation Technician at <a href="mailto:ocustomerservice@markham.ca">ocustomerservice@markham.ca</a>
Is this application in related to a <i>Site Plan Control</i> or <i>Subdivision Approval</i> ? *	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Please contact Urban Design Group at 905-477-7000 ext. 2520
Is the tree(s) located in a <i>woodland</i> or <i>woodlot</i> ? (as defined in common terms on Page 3) *	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Refer to term 'Woodland' and 'Woodlot' on Page 3. Please contact York Region's Forestry at 905-830-4444, Ext. 5258
Is the tree(s) located in a tree <i>Nursery</i> ? (as defined in common terms on Page 3) *	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Refer to term 'Nursery' on Page 3. Nurseries and cultivated orchards do not require a Tree Permit.
Is the <i>Diameter at 1.37 meters</i> high less than 20 cm (as defined in common terms on Pg. 3) *	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Refer to term 'Diameter at 1.37 meters' on Page 3. Trees under 20 cm in diameter do not require a Tree Permit.
Are any of the trees being applied for located on the City's road allowance/City property? *	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT put these trees on the application. Call 905-477-5530 to request an inspection from Forestry Section. This application is for trees on private property.
Is any part of the tree(s) located on an adjacent property? *	<input type="checkbox"/> No <input type="checkbox"/> Yes	<b>If 'Yes'</b> the adjacent property owner <b>MUST</b> sign below on page 2 to give permission for the application.

**Municipal Address for Tree's Location** \*

Street No. \*      Street Name \*      Unit/Suite No. (if applicable) \*

**Mailing Address of Registered Property Owner or Mailing Address of Authorized Agent** \*

First Name (Owner or Agent) \*      Last Name (Owner or Agent) \*      Corporation or Partnership (if applicable) \*

Street No. \*      Street Name \*      Unit/Suite No. \*      Municipality \*      Postal Code \*

Primary Number \*      Alternative Number      E-mail

(      )      (      )      (      )

**Tree Information** \*

Tree Numbering	Tree Species	Number of Trees *	Diameter In Centimetres * See 'Diameter' on Page 3.	Specify Action Proposed to be Taken	Reason Code *	Tree Numbering	Tree Species	Number of Trees *	Diameter In Centimetres * See 'Diameter' on Page 3.	Specify Action Proposed to be Taken	Reason Code *
1						3					
2						4					

**Reason Codes**

(A) Tree is 30% to <70% dead    (B) Tree is 70% to 100% dead    (C) Tree has a hazard or poor structure    (D) Tree failure is imminent

(E) Tree has a disease    (F) Tree is terminally diseased    (G) Other (specify):

**Detailed Sketch (or site plan/survey or clear aerial view)** \*

Must include the following approximations: \*

- property lines \*
- street(s) \*
- driveway \*
- all buildings \*
- all trees \*
- tree numbering for each tree that is proposed to be injured or destroyed and mark each with an X \*

Example Sketch: 4 Markham St

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**Declaration of Applicant\*** where any part of a tree is located on an adjacent property, a Permit Application shall include the written permission of the adjacent property owner

I \_\_\_\_\_ certify that:  
(print name)

I/we have read and understand the attached information sheet and I am/we are aware of the permit procedures required under the provisions of the Private Tree By-law. I/we hereby certify that the information and plans provided are correct and truly indicate my/our intentions respecting the proposed work. In submitting this application, I/we consent and agree to allow City of Markham employees to enter onto the property for the purposes of conducting any inspections required.

\_\_\_\_\_  
Date Signature of applicant

**Declaration of Adjacent Property Owner (if applicable)\*** where any part of a tree is located on an adjacent property, a Permit Application shall include the written permission of the adjacent property owner

I \_\_\_\_\_ certify that:  
(print name) (print address)

I/we have read and understand the attached information sheet and I am/we are aware of the permit procedures required under the provisions of the Private Tree By-law. I/we hereby consent to the injury or destruction of the tree(s) shown on the plan above and I/we hereby consent and agree to allow City of Markham employees to enter onto my/our property for the purposes of conducting any inspections required.

\_\_\_\_\_  
Date Signature of adjacent property owner

Submit to the Contact Centre at the City of Markham Civic Centre, Unionville entrance at 101 Town Centre, Markham, Ontario L3R 9W3. For further information contact the Contact Centre at 905-477-5530.

Please Note: Applications can take up to 30 days to process.  
Inspections take place without prior notification.  
The results will be mailed out to the address on the application.

The information provided herein is collected on behalf of the City of Markham pursuant to its authority under the Municipal Act, 2001, S.O. 2001, c. 25 and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M. 56. The information collected will be used for the purposes of the tree preservation by-law. The City, on its own and by its agent, intends to retain the information for 5 years, after which the information collected shall be destroyed. Questions with respect to the collection, use and destruction of this information should be directed to the City Clerk.

**BY-LAW 2008-96 : SECTION 7.0 : PERMITS**

**7.1 PERMIT APPLICATION REQUIREMENTS**

Except where otherwise stated in this by-law:

- (a) an owner who intends either himself, herself or through an authorized representative or agent to injure or destroy a tree, where a permit to do so is required, shall submit a Permit Application to the Tree Preservation Technical Coordinator in the form provided by the Town and the prescribed permit fee set out in the Town's Fees By-law No. 2002-276, as amended, from time to time, or any successor thereto.
- (b) where a tree to be destroyed is or may be exempt under section 4.0 of this by-law, the owner shall obtain the prior written confirmation of the Administrator that the tree is exempt and there shall be no requirement for a permit and no permit fee payable for such confirmation;
- (c) where, following a review of a Permit Application, including any required information and documentation, the Administrator determines the application is exempt from the requirement for a Permit in accordance with section 4.0 of this by-law, the prescribed permit fee shall be refunded to the owner;
- (d) a report by a Qualified Tree Expert in support of a Permit Application may be required by the Administrator as a condition of approval, but is not required as part of the initial Permit Application;
- (e) where any part of a tree is located on an adjacent property, a Permit Application shall include the written permission of the adjacent property owner;
- (f) an owner of lands used for a cemetery, golf course, or similar commercial or institutional use, may file an application for a permit for approval of a tree management plan and in support of a Permit Application shall submit a tree management plan, prepared by a Qualified Tree Expert, in accordance with Good Arboricultural Practice, which at a minimum shall itemize the existing number, species, location and condition of all trees on the lands and the proposed management schedule related to pruning, maintenance, destruction and removal requirements for a period of years;

**Additional Information  
Common Terms**

Administrator	The Tree Preservation By-law Technical Coordinator employed by the City of Markham who is responsible for the administration of this by-law.
Building Permit	A building permit issued under the <i>Building Code Act</i> , 1992, S.O. 1992, c. 23, as amended, or any successor thereto.
Diameter at 1.37 metres	The diameter, in centimetres, measured outside the bark, of the trunk of a tree, and shall be measured at a point 1.37 metres above the existing grade of the ground adjoining its base or, where there are multiple stems to a tree, means the total of the three (3) largest stems measured at a point 1.37 metres above the existing grade of the ground adjoining its base. $Diameter = Circumference \div 3.14$
Dead, Dying or Diseased Tree	A tree with no living tissue, a tree where seventy (70) percent or more of its crown is dead or a tree infected by a lethal pathogen, as certified by a Qualified Tree Expert.
Destruction	The removal, ruin or harm of a tree by cutting, burning, girding of the tree or roots, interfering with roots or uprooting, interfering with water supply, chemical application compaction or re-grading within the drip line of a tree, or by other means including irreversible injury to a tree, which may result from accident or design, but does not include the pruning or removal of branches for maintenance purposes provided any such pruning is limited to the appropriate removal of no more than one-third of the live branches or limbs of a tree.
Emergency Work	Any work necessary to protect lives or property and includes utility repairs and structural repairs to a building.
Good Arboriculture Practice	The proper implementation of removal, renewal and maintenance activities known to be appropriate for individual trees in and around urban areas to minimize detrimental impacts on urban forest values, and includes pruning of trees to remove dead limbs, maintain structural stability and balance, or to encourage their natural form, provided that such pruning is limited to the appropriate removal of not more than one-third of the live branches or limbs of a tree, but does not include pruning to specifically increase light or space.
Hazard Tree	A tree that is severely damaged to the extent that it is or poses an immediate safety threat to persons or property.
Injury	Lasting damage to a tree which has or is likely to have the effect of inhibiting or terminating its growth, but does not include pruning or removing branches for maintenance purposes, provided that any such pruning or branch removal is limited to the removal, as appropriate, of not more than one-third of the live branches or limbs of a tree.
Nursery	Lands or property on which or where the principal business carried on is the propagation and selling of plants, shrubs or trees, and includes a tree farm, but does not include any excess lands or property owned by a nursery which are not devoted to growth of plants, shrubs or trees intended for sale.
Officer	A person designated by The Corporation of the City of Markham for the enforcement of this By-law and includes but is not limited to the Tree Preservation By-law Technical Coordinator, any duly appointed Municipal Law Enforcement Officer, any police officer or any other person authorized to enforce or perform inspections pursuant to this by-law.
Owner	A person having any right, title, interest or equity in land or property, or any such person's authorized representative, and includes an occupant, tenant or lessee.
Permit	Permission or authorization given in writing by the Administrator to injure, destroy or removal a tree, or for a tree management plan issued by the City under section 7.0 of this by-law.
Pruning	The removal, as appropriate, of not more than one-third of the live branches or limbs of a tree in accordance with Good Arboriculture Practice.
Qualified Tree Expert	A person who has graduated from an accredited college or university with a diploma in Urban Forestry, Arboriculture or the equivalent and satisfies at least one of the following requirements: (i) is certified either by the Ontario Training and Adjustment Board or the International Society of Arboriculture; (ii) is currently accepted as a consulting Arborist with the American Society of Consulting Arborists; (iii) is a Registered Professional Forester (R.P.F.), as defined in the Ontario Professional Foresters Act, 2000, S.O. 2000, c.18; or
Tree	Any species of woody perennial plant, including its root system, which has reached or can reach a height of at least 4.5 metres at maturity, provided that where multiple stems grow from the root system, the number of trees shall be the number of stems that can be counted at a point of 1.37 metres from the ground.
Woodland	Land at least 1 hectare in area and with at least: (i) 1000 trees, of any size, per hectare (ii) 750 trees measuring over five (5) centimetres DBH per hectare; (iii) 500 trees measuring over twelve (12) centimetres DBH per hectare; or (iv) 250 trees measuring over twenty (20) centimetres DBH per hectare; but does not include a nursery, a cultivated fruit or nut orchard, or a plantation established for the purpose of producing Christmas trees or nursery stock.
Woodlot	Land at least 0.2 hectares up to 1 hectare in area with at least: (i) 200 trees, of any size, per 0.2 to 0.99 hectares; (ii) 150 trees, measuring over 5 (five) centimetres DBH, per 0.2 to 0.99 hectares; (iii) 100 trees, measuring over twelve (12) centimetres DBH, per 0.2 to 0.99 hectares; or (iv) 50 trees, measuring over twenty (20) centimetres DBH, per 0.2 to 0.99 hectares but does not include a nursery, a cultivated fruit or nut orchard, or a plantation established for the purpose of producing Christmas trees or nursery stock.