

# Application to Permit the Injury or Destruction of Trees

The City of Markham requires a permit to be obtained before removing or injuring any tree on City property or private property with a diameter of 20 centimetres (8 inches) or more, measuring 1.37 metres (54 inches) from the ground.

## SECTION 1: PRE-APPLICATION INFORMATION

- **This is not a permit, it is only the application.**
- A non-refundable processing fee of \$20.00 is required for each application. Payment must be made at the time of application. Payments are accepted in-person (debit or cheque), online (debit or credit), and by mail (cheque).
- Incomplete, illegible, false, or misleading applications will be rejected and considered incomplete.
- The symbol ✎\* denotes MANDATORY field
- Applications can take up to 45 days to process.
- Inspections take place without prior notification.
- The results of the application are provided in respect to the contact information for the property owner(s).
- If conditions apply, permits will be provided to the registered property owner(s). The onus is upon the property owner(s) to comply by notifying the Tree Preservation Unit they have met the conditions.
- If contact information (mailing address, phone number or email) needs to be altered for accuracy, you are responsible for notifying the Tree Preservation Unit.

## SECTION 2: APPLICATION QUESTIONS ✎\*

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 Unit at <a href="mailto:TreePreservationAdmin@markham.ca">TreePreservationAdmin@markham.ca</a>
Is this application 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 <a href="mailto:DSC@markham.ca">DSC@markham.ca</a>
Is the tree(s) located in a <i>woodland</i> or <i>woodlot</i> ? (as defined in common terms on Page 5) ✎*	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Please contact York Region's Forestry Department at <a href="mailto:AccessYork@york.ca">AccessYork@york.ca</a>
Is the tree(s) located in a tree <i>Nursery</i> ? (as defined in common terms on Page 5) ✎*	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. Nurseries and cultivated orchards do not require a Tree Permit.
Is the <i>DBH (Diameter at Breast Height)</i> ? (as defined in common terms on Page 5) ✎*	<input type="checkbox"/> No	<b>If 'Yes'</b> DO NOT complete this application. 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 the Forestry Division. This application is for trees on private property.
Is the tree a <i>Boundary Tree</i> ? (as defined in common terms on Page 5) ✎*	<input type="checkbox"/> No	<b>If 'Yes'</b> the adjacent property owner MUST sign on Page 4 to give permission for the application.

### SECTION 3: Municipal Address for Tree's Location ✎\*

Street No. ✎*	Street Name ✎*	Unit/Suite No. (if applicable) ✎*
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### SECTION 4: Tree Information ✎\*

Tree Numbering	Tree Species	Number of Trees ✎*	Diameter In Centimetres ✎* See 'DBH' on Page 5.	Specify Action Proposed to be Taken	Reason Code ✎*
1					
2					
3					
4					
5					

#### REASON CODES

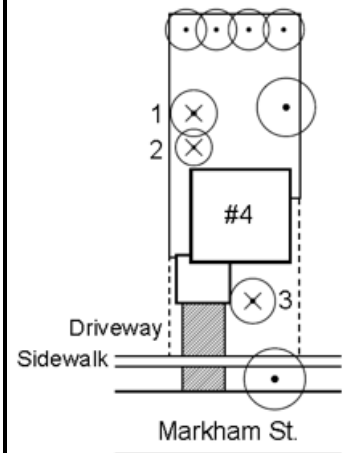
- |                              |                              |   |
|------------------------------|------------------------------|---|
| (A) Tree is 30% to <75% dead | (B) Tree is 75% to 100% dead | (C) Tree has a hazard or poor structure |
| (D) Tree failure is imminent | (E) Tree has a disease       | (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



## SECTION 5: CONTACT INFORMATION ✎\*

### A) Information of Registered Property Owner ✎\*

First Name ✎*		Last Name ✎*		Corporation or Partnership (if applicable) ✎*	
Street No. ✎*	Street Name ✎*		Unit/Suite No. ✎*	Municipality ✎*	Postal Code ✎*
Primary Number ✎* (      )		Alternative Number (      )		E-mail	

### B) If there is more than one registered property owner ✎\*

Property Owner #2	First Name ✎*	Last Name ✎*	E-mail
Property Owner #3	First Name ✎*	Last Name ✎*	E-mail

### C) Information of Authorized Agent


First Name ✎*		Last Name ✎*		Corporation or Partnership (if applicable) ✎*	
Street No. ✎*	Street Name ✎*		Unit/Suite No. ✎*	Municipality ✎*	Postal Code ✎*
Primary Number ✎* (      )		Alternative Number (      )		E-mail	

## SECTION 6: Additional Information

## SECTION 7: DECLARATIONS

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 below

I (each name indicated below) certify that: I/we have read and understand the attached information sheet and am/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 reflect my/our intentions regarding the proposed work. By submitting this application, I/we consent to the injury or destruction of the tree(s) shown on the plan and agree to allow City of Markham employees to enter onto my/our property for the purposes of conducting any required inspections.

<b>Declaration of Registered Property Owner</b> 	<div>_____</div> <div>First Name</div> <div>_____</div> <div>Signature</div>	<div>_____</div> <div>Last Name</div> <div>_____</div> <div>Date (MM/DD/YY)</div>
<b>Declaration of Authorized Agent</b>	<div>_____</div> <div>First Name</div> <div>_____</div> <div>Signature</div>	<div>_____</div> <div>Last Name</div> <div>_____</div> <div>Date (MM/DD/YY)</div>
<b>Declaration of Adjacent Property Owner (if applicable)</b>	<div>_____</div> <div>First Name</div> <div>_____</div> <div>Print Address</div> <div>_____</div> <div>Signature</div>	<div>_____</div> <div>Last Name</div> <div>_____</div> <div>Date (MM/DD/YY)</div>

### Submit By:

Mail or In-person: Cash Management at City of Markham Civic Centre, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3. DO NOT MAIL CASH.

If you have any questions or concerns, please contact the Tree Preservation Unit at [TreePreservationAdmin@markham.ca](mailto:TreePreservationAdmin@markham.ca) or 905.477.7000.

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 2023-164. 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.

## Common Terms

<b>Administrator</b>	The Manager of By-law Enforcement, the Director of Operations, or the Director of Planning or their designates.
<b>Boundary Tree</b>	A Tree where any part of its trunk or root flare grows or encroaches beyond a defined parcel line.
<b>Building Permit</b>	A building permit issued under the <i>Building Code Act</i> , 1992, S.O. 1992, c. 23, as amended, or any successor thereto.
<b>DBH (Diameter at Breast Height)</b>	The diameter, measured outside the bark of the stem or 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, measure each stem at 1.37m and use the quadratic equation to determine the sum of the square root to equal effective DBH, that is, multiply each stem measurement by itself, add up all of the stems, and calculate the square root of the total to find the number to record as DBH.
<b>Dead or Dying Tree</b>	As determined by a Qualified Tree Expert, a Tree with no living tissue, a Tree where seventy-five (75) percent or more of its crown is dead, or a Tree infected by a lethal pathogen.
<b>Destruction</b>	The removal, ruin, harm, or interference with a Tree, its branches, roots, or water supply, including causing irreversible Injury to a Tree, but does not include the pruning or removal of branches for maintenance purposes provided any such pruning or removal is in accordance with Good Arboricultural Practices.
<b>Good Arboriculture Practice</b>	The proper implementation of removal, renewal, or maintenance of Trees, based on generally accepted industry standards and best practices.
<b>Hazard Tree</b>	A Tree or part of a Tree that is severely damaged to the extent that it is, or poses, an immediate safety threat to human life or property, as determined by a Qualified Tree Expert.
<b>Injury</b>	Whether accidental or not, acts that cause damage to a Tree including its branches, roots, or water supply, but does not include the pruning or removal of branches for maintenance purposes provided any such pruning or removal is in accordance with Good Arboricultural Practices.
<b>Nursery</b>	Lands on which 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 lands which are not devoted to the propagation and selling of plants, shrubs or Trees;
<b>Owner</b>	A Person having any right, title, interest, or equity in land or property, including an occupant, tenant or lessee, and any such Person's authorized representative.
<b>Permit</b>	Permission or authorization given in writing by the Administrator to Injure or Destroy a Tree.
<b>Qualified Tree Expert</b>	A person who has graduated from an accredited college or university with a diploma or degree in forestry, arboriculture, or equivalent and satisfies at least one of the following requirements: (i) is certified either by Skilled Trades Ontario or the International Society of Arboriculture; (ii) is currently accepted as a consulting Arborist with the American Society of Consulting Arborists; (iii) is a Tree Risk Assessment Qualified arborist; (iv) is a Registered Professional Forester (R.P.F.), as defined in the Ontario Professional Foresters Act, 2000, S.O. 2000, c.18; or (v) has comparable qualifications to those set out under clauses (i) to (iv) above and is approved by the Administrator.
<b>Tree</b>	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, and where multiple above grade stems grow from the same root system and share the same root flare they shall be considered a single tree.
<b>Tree Preservation Zone</b>	The area where construction related activities are prohibited to prevent Injury to Trees being preserved during construction and where barriers, fencing either vertical or horizontal hoardings are installed to City standard as per approved drawing detail.
<b>Woodland</b>	Land at least 1 hectare in area and with at least: (i) 1,000 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.
<b>Woodlot</b>	Land at least 0.2 hectares in area and no greater than 1 hectare in area, with at least: (i) 200 Trees, of any size, per 0.2 hectares; (ii) 150 Trees, measuring over five (5) centimetres DBH, per 0.2 hectare; (iii) 100 Trees, measuring over twelve (12) centimetres DBH, per 0.2 hectare; or (iv) 50 Trees, measuring over twenty (20) centimetres DBH, per 0.2 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.

### **BY-LAW 2023-164: SECTION 8: PERMITS**

Any Person who intends to Injure or Destroy a Tree or whose conduct may reasonably result in the Injury or Destruction of a Tree, including a Dead or Dying Tree or a Hazard Tree, shall apply for a Permit by submitting the following to the City as required by the Administrator:

- a completed Permit application form as prescribed by the City;
- an application fee as prescribed by Fees By-law 2002-276, as amended, and/or Licensing, Permit and Service Fees By-Law 2012-137, as amended;
- a photo of the Tree;
- for the Injury or Destruction of a Private Boundary Tree, the written consent of the other Owner(s);
- for the Injury or Destruction of a Public Boundary Tree, the written authorization of the City;
- an Arborist Report in a form satisfactory to the Administrator;
- a detailed drawing showing the location of the Tree and other nearby trees, buildings, or structures;
- a Tree Management Plan;
- any mitigation measures, site inspection details, or other specifications; and/or
- any information or documentation as required by the administrator