



Call before you cut!

Tree Preservation Bylaw in effect

Tree Preservation Bylaw

Markham enacted a tree preservation bylaw – regulating the destruction or injury of trees – for all properties on June 24, 2008. The bylaw is effective immediately.

What is the Tree Preservation Bylaw?

The bylaw requires that you obtain a permit before injuring or destroying any tree in Markham with a diameter of 20 cm (about 8 inches) or more. Diameter is measured 1.37 metres (about 54 inches) above the ground from the base of the tree.

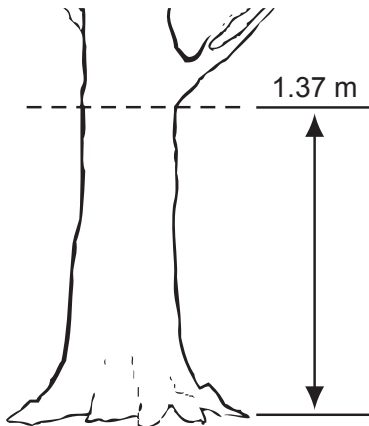
Anyone who contravenes the Tree Preservation Bylaw and found guilty of an offence will be subject to penalties.

When must I apply for a Permit to injure or destroy a tree?

You must obtain a permit prior to the injury or destruction of any tree in Markham with a trunk diameter of 20 cm or greater at 1.37 metres above the ground.

Do I need a permit to remove a tree on my property?

Under the bylaw, a permit is required for the removal of a tree(s) on your property if the tree has a trunk diameter of 20 cm (about 8 inches) or more measured 1.37m (about 54 inches) from ground level.



What exemptions are allowed under the bylaw?

You do not have to obtain a permit for:

- work on any tree(s) with a trunk diameter of less than 20 cm as measured at 1.37 meters from ground level
- hazard tree removal
- emergency work removal
- work on dead, dying or diseased trees as defined in the bylaw
- orders issued under any property standards bylaw
- maintenance or pruning (not more than a third of the live branches) in accordance with professional practices
- tree removal on rooftop gardens, in indoor courtyards, solariums or raised podiums
- nursery business trees
- cultivated orchard trees; and
- removal authorized or required under a municipal building permit

Refer to Section 4 of the Tree Preservation Bylaw for the details of these exemptions.

What are other permit exemptions?

A permit is not needed if:

- tree(s) are removed by the municipality or local board as defined in the Municipal Act
- the trees removed under an approved site plan, plan of subdivision or development permit

Trees that are in woodlots and woodlands are covered by the Region of York Bylaw are also exempt from the Town's permit process.

I think my tree is diseased or dead, do I need a permit to remove it?

You, as property owner, must submit an application requesting an exemption for trees believed to be exempt under the bylaw. A permit confirming the exemption will be issued by Markham within 30 days and no fees will be charged.



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How do I get a permit?

The permit application for tree cutting is available at the Customer Service located at the Unionville entrance to the Markham Civic Centre, 101 Town Centre Blvd. or by visiting www.markham.ca

- 1) fill out the application form completely
- 2) drop off or submit the completed application to the Town of Markham
- 3) following the review of a permit application, Markham staff may determine removal of the tree does not require a permit.

Other requirements:

- a report from a qualified tree expert in support of a permit application may be required as a condition of approval, but is not required as part of the initial application

I'm not sure if my tree can be cut. How do I know if cutting will be allowed?

If you are concerned if your tree can be cut under the bylaw, consult a professional, such as an arborist, before making a permit application.

Markham professional staff will only check trees after a permit application is made. Markham staff will not offer opinions or visit your property without an application being made.

What should I do if I suspect that a tree is being removed illegally?

Call Markham's Customer Service line at 905-477-5530.

Markham staff can order an owner or any other person to stop the injury or destruction of a tree. The written notice order also provides information on what an owner must do to correct the violation – including if necessary ordering the offender to replant trees.

Anyone who contravenes the tree preservation bylaw and is found guilty of an offence will be subject to a fine.

Once convicted of an offence under the bylaw, a person is liable for a fine ranging from \$500 to \$100,000.

What do I do if my property is subject to Markham's site plan approval or subdivision approval process?

A tree preservation plan is required at the time of an application for site plan approval or subdivision approval that will regulate the removal of any trees on the development site. This requirement takes precedent over the tree preservation bylaw. Further details are available from the Town's Development Services office at 905-475-4861.

Note: Removal of any trees prior to obtaining Town approval for lands subject to an application for site plan approval or subdivision approval contravenes Town policy.

What is a Tree Management Plan?

The owners of large land holdings such as:

- cemeteries
- golf courses
- commercial and/or institutional facilities

may have a Tree Management Plan prepared by a qualified arborist and approved by the Town. After approval, the landowner would be required to follow the plan when cutting or planting trees.

Permits to remove trees would only be granted in accordance with the approved plan.

Who has responsibility for trees on Town of Markham property?

The Urban Forestry Section of the Operations Department is responsible for the planting, care, pruning and removal of all trees on Town of Markham property. These include street trees – trees in the Town-maintained boulevards – as well as those in parks. For additional information or inquiries call Markham at 905-477-5530. They will make a record of your call and an urban forester will contact you at a later date.