

DRAFT FOR CONSULTATION

Authority:
Bill No.

Respecting:

WOODLAND CONSERVATION

**To restrict and regulate the destruction of trees in
the City of Hamilton**

WHEREAS the Council of the City of Hamilton deems it necessary to preserve and enhance biodiversity, forest, water, and soil resources of the municipality by promoting the sustainable use and wise management of woodlands in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton desires to promote the conservation and sustainable use of woodlands in the City of Hamilton;

AND WHEREAS Section 11 of the *Forestry Act, R.S.O. 1990*, as amended, authorizes the Council of the City of Hamilton to pass By-laws consistent with good forestry practices;

(a) restricting and regulating the destruction of trees by cutting, burning, or other means in woodlands of the size specified in this By-law;

(b) providing for the appointment of Officers to enforce any By-law passed under this section; and,

(c) providing for a process to authorize minor exceptions from the By-law in respect of such trees as, in its opinion, are desirable for the appropriate development or use of the land on which the trees are situate, if the general intent and purpose of the By-law is maintained;

AND WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001, SO 2001, c.25*, as amended (the "*Municipal Act, 2001*") authorizes the City of Hamilton to pass By-laws necessary or desirable for municipal purposes, and in particular, Paragraph 5 of Subsection 10 (2) authorizes By-laws respecting the economic, social and environmental well-being of the municipality;

AND WHEREAS Subsection 135(1) of the *Municipal Act, 2001* authorizes the City of Hamilton to prohibit or regulate the destruction or injuring of trees and subsection 135(7) authorizes the City to pass a By-law that requires a permit be obtained to injure or destroy trees and may impose conditions relating to the manner in which destruction occurs and the qualifications of persons authorized to injure or destroy trees;

AND WHEREAS subsection 429(1) of the *Municipal Act, 2001* authorizes the City of Hamilton to establish a system of fines for offences for a By-law passed under this act;

AND WHEREAS the *Municipal Act, 2001* authorizes the City of Hamilton, amongst other things, to delegate its authority; to impose fees or charges on persons for services or activities provided or done by or on behalf of it; to conduct inspections; and to make orders to discontinue activity or to do work to correct the contravention;

AND WHEREAS Section 446 of the *Municipal Act, 2001* authorizes the City of Hamilton to proceed to do things at a person's expense which that person is otherwise required to do under this by-law but has failed to do and the costs incurred by a municipality may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS paragraph 7 of subsection 270 (1) of the *Municipal Act, 2001* directs the City of Hamilton to adopt and maintain policies with respect to the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Definitions

1. In this By-law:

"Agricultural Operation" means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward;

"Applicant" means the Owner who, pursuant to this By-law, applies for a Permit;

"Application" means a Permit Application to injure or destroy trees, a Good Forestry Practice Permit Application or an Application for a Minor Exception referred to in Sections 7, 8 and 9 of this By-law to injure or destroy trees in a woodland;

"Boundary Tree" means a Tree, of which any part of the Trunk is growing across one or more Lots;

"Building Permit" means a building permit as issued under the *Building Code Act, R.S.O 1992, c.23*, as amended, or any successor thereof;

"Calendar Year" means January 1 through December 31 of any given year;

"Certified Tree Marker" means an individual who is currently certified through the Ontario Ministry of Natural Resources and Forestry Certified Tree Marker Program unless a suspension, term, condition or limitation of certification applies which would restrict the individual from carrying out responsibilities under this By-law;

"Circumference" means the measurement of the perimeter of the trunk or stem

of the Tree with such measurement including the bark of the stem or trunk;

"City" means the geographical area of the City of Hamilton or the municipal corporation as the context requires;

"Clear Cutting" means a break in the canopy of Trees in Nature Features in which the cumulative area of the canopy of Trees Injured or Destroyed exceeds 0.1 hectare, with or without a Permit. Clear Cutting shall include the cumulative incremental or continuous Injury or Destruction of Trees since the enactment of this By-Law;

"Conservation Authority" means a local public sector agency established to manage watersheds under the *Conservation Authorities Act, R.S.O. 1990, chapter C.27*;

"Council" means the Council of the City of Hamilton;

"Cord" means a measure of stacked wood measuring 3.63 cubic metres in volume;

"Cultivated Fruit or Nut Orchard" means the intentional planting of Trees that are maintained for food production as part of an Agricultural Operation, but does not include orchards that have ceased being managed or harvested for their intended purpose for a period of fifteen (15) years or more;

"Dead" means a Tree that has or appears to have no living tissue;

"Destroy" means to cut down, remove, uproot, unearth, topple, burn, bury, shatter, poison or in any way cause a Tree to die or be killed, or where the extent of the Injury caused to a live Tree is such that it is likely to die or be killed, whether by accident, intent or by design. The terms "Destroyed" and "Destruction" shall have a corresponding meaning;

"Diameter" means the measurement of the width of a Trunk or stem measured from outside the bark at a height of 1.4 metres above existing grade of the grade adjoining its base;

(a) where there are multiple Trunks, the total diameters of the multiple Trunks of a Tree, including the bark, measured at 1.4 metres above the highest point on the Tree where the grade meets one of those Trunks;

"Drainage Works" means any Injury or Destruction of Trees for the construction of Drainage Works under the *Drainage Act, R.S.O. 1990, C. D17*, as amended, or any successor thereof;

"Drip Line" means an imaginary line running directly beneath the outermost branches of an individual Tree or of the Trees forming the perimeter of the Woodland;

"Environmental Impact Study" means a study completed by a qualified

environmental professional (Biologist or Ecologist) that studies the habitat within and adjacent to a Woodland and assesses potential impacts that the proposed development, project or plan may have on the Woodland and its functions. As part of this study, recommendations are made to avoid or minimize these impacts;

“Farm” means the premises where a Person who has a current and valid farming business registration number under the *Farm Registration and Farm Organization Funding Act, 1993* operates that farming business;

“Farm Related Use” means the use of Trees by a bona fide farmer for home heating or other home related uses, but does not include Clear Cutting, and does not include a sale, exchange, or other disposition of Trees;

“Forest Management Plan” means a document, including Silvicultural Prescriptions prepared on behalf of the Owner of a Woodland or Woodlands by a Registered Professional Forester in accordance with the Ministry of Natural Resources document “A Silvicultural Guide to Managing Southern Ontario Forests”, as amended from time to time, for the purpose of managing the natural and forestry resources of the Woodland(s) in accordance with Good Forestry Practices while accommodating to the extent possible the short term and long term objectives of the Owner;

“General Manager” means the General Manager of Planning and Economic Development Department for the City of Hamilton or their designate;

“Good Arboriculture Practices” means the proper implementation of removal, renewal and maintenance activities known to be appropriate for individual Trees and includes Pruning of Trees to remove Dead limbs, maintain structural stability and balance, or to encourage their natural form;

“Good Forestry Practice” or “Good Forestry Practices” means the proper implementation of harvest, renewal, and maintenance activities known to be appropriate for the forest and environmental conditions under which they are being applied and that minimize detriments to the forest values including significant ecosystems, important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health, and the aesthetics and recreational opportunities of the landscape;

- (a) the cutting and removal of Hazardous, severely damaged, diseased, and insect-infested Trees which must be removed in order to prevent contamination or infestation of other Trees or because they no longer contribute to the achievement of forest values;
- (b) in the case of Hazardous, damaged, diseased or insect-infested Trees, the maintenance of a Woodland after the cutting and removal is completed unless it is determined through a report prepared by Qualified OPFA Member that Trees must be removed and a Woodland would not be maintained;

- (c) the forestry management practices as set out in the Ministry of Natural Resources document “A Silvicultural Guide to Managing Southern Ontario Forests; and,
- (d) where Trees will be Injured or Destroyed the impact does not reduce the number of Trees per hectare below that are necessary to constitute a Woodland;

“Hazard” means a Tree that is a potential safety concern to property or life, but not an immediate threat, including, but not limited to, a destabilized or structurally compromised Tree as determined by a Qualified Arborist or a Qualified OPFA Member. The term “Hazardous” shall have a corresponding meaning;

“Healthy” means a Tree that has a vigorous canopy with no significant disease or decay as determined by a Qualified Arborist or Qualified OPFA Member;

“Hedge Row” means a linear strip of Trees less than 0.1 hectare in size and less than 20m in width that defines a laneway or boundary between fields or Lots;

“Injure” means any action that causes physical, biological, or chemical damage to a Tree, including any lasting damage which has the effect of inhibiting or terminating its growth. The terms “Injury”, “Injured”, or “Injuring” shall have a corresponding meaning;

“Licensed Tree Cutter” means a Person licensed in the City of Hamilton to perform Tree cutting services in accordance with the City’s By-law to License and Regulate Various Businesses 07-170, as amended, or its successor(s);

“Lot” or “Lots” means all contiguous land under one ownership which can be legally conveyed pursuant to the provision of the Planning Act;

“Minor Exception” means an exception that is minor in nature concerning the application of this By-law and approved by a Permit;

“Municipal Law Enforcement Officer” means the General Manager, or a Person appointed by Council or by the General Manager for the enforcement or administration of this By-law, and includes a Person employed by the City whose duties are to enforce or administer this By-law;

“Natural Feature” means natural elements of a landscape, which may include geophysical formations, soil, landforms, vegetation, hydrological features, and lands that contain Sensitive Natural Areas;

“Normal Farm Practices” means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar Agricultural Operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal Farm Practices shall be consistent with the

Nutrient Management Act, 2002 and regulations made under that Act, but excludes Clear Cutting;

“Occupied Building” means a permanent structure used or intended to be used for the shelter, accommodation or enclosure of persons for residential, business, institutional or recreational purposes. For the purposes of this By-law, an attached garage shall be deemed to be part of an Occupied Building;

“Official Plan” means the City of Hamilton’s Urban and Rural Official Plans;

“Order” means an Order issued under this By-law;

“Owner” means the registered Owner of a Lot, and their respective successors and assigns, or their agent;

"Permit" means the written authorization from the General Manager or their designate in the form of an approved Permit Application, in accordance with this By-law, issued to Injure or Destroy trees, Good Forestry Practices or Minor Exception;

“Permit Holder” means:

(a) the Owner(s) of a Lot for which a Permit has been issued; or,

(b) a Person that has obtained a Permit on behalf of the Owner;

"Person" or “Persons” means any individual or individuals, or any corporation or corporations, their respective heirs, executors, administrators or other duly appointed representatives;

“Personal Use” means the use of Trees that does not include a sale, exchange or other disposition of Trees Destroyed. Trees Injured or Destroyed for Personal Use must be in accordance with Good Forestry Practices and does not include Clear Cutting;

“Planning Act” means the *Planning Act, R.S.O. 1990, c. P.13* and any amendments thereto;

“Planning Committee” means the City of Hamilton’s Planning and Economic Development Committee or any successor thereof;

"Plantation" means lands where Trees of selected species have been planted or seeded in a pre-determined pattern or arrangement for the purpose of cultivation and sale at a later time, such as for the sale of Christmas Trees, but does not include former Plantations that have been left untended and may have naturalized;

“Planting Strip” means an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or

features, and fire hydrants, but shall not include walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site.

“Point of Measurement” means that point on the Tree Trunk measured above the highest point of the ground in an undisturbed state on the base of the Tree:

“Prescribed Species” means the species of Trees listed in Schedule A attached to and forming part of this By-law;

“Private Property” means any Lot not owned by, leased to, controlled by, or vested in the City;

“Pruning” or “Prune” means the appropriate and selective removal of not more than 20 percent of the live foliage or crown of a Tree within an annual growing season with the intent of maintaining the health and structural integrity of the Tree. Pruning must be performed by a Licensed Tree Cutter in accordance with Good Arboricultural Practices and with the American National Standard Institute Standard (ANSI) A300 (Part 1)-2008 Pruning;

“Qualified Arborist” means an expert in the care and maintenance of Trees and includes an arborist certified by the Ontario Ministry of Training, Colleges and Universities or the International Society of Arboriculture, or a consulting arborist registered with the American Society of Consulting Arborists;

“Qualified OPFA Member” means a Registered Professional Forester or Associate Member of the Ontario Professional Foresters Association (OPFA) under the *Professional Foresters Act, S.O. 2000, c. 18*, as amended, to practice professional forestry, unless a suspension, term, condition, or limitation of registration applies which would restrict the member from carrying out responsibilities under this By-law;

“Replanting Plan” means a plan to create or restore a forest ecosystem through the selection of appropriate Tree species and planting methods, including post-planting care prepared by a Qualified OPFA Member;

“Replacement Tree” or “Replacement Trees” means a Tree of a size and type determined by the General Manager that is required to be planted to replace a Tree Destroyed or Injured pursuant to a Permit under this By-law;

“Security” means an agreement between the City and a Permit Holder where the Permit Holder arranges an irrevocable letter of credit from a reputable financial institution to specify and lodge a sum of money as determined by the General Manager as a condition of a Permit;

“Sensitive Natural Areas” include, but are not restricted to:

- (a) Environmentally Significant Areas, as identified by the City in its Official Plan;
- (b) Provincial or Regional Life Science Areas of Natural and Scientific

Interest ("ANSI"), as identified by the Ontario Ministry of Natural Resources;

- (c) Wetlands, as identified by the Ontario Ministry of Natural Resources or a Conservation Authority;
- (d) Habitat of Threatened, Endangered, Special Concern, or Locally Rare Species, as identified by the City of Hamilton, the Ontario Ministry of Natural Resources, or the Species at Risk Act (Canada);
- (e) Significant Wildlife Habitat, as identified by the City, the Ontario Ministry of Natural Resources, or a Conservation Authority;
- (f) Significant Woodlands, as identified by the City in its Official Plan;
- (g) Significant Valley Lands, as identified by the City, the Ontario Ministry of Natural Resources, or a Conservation Authority;
- (h) Core Areas within the Natural Heritage System, as identified by the City in its Official Plan; and,
- (i) Land use designations managed under the Niagara Escarpment Plan;

"Silviculture" means the theory and practice of controlling forest establishment, and the composition, growth and quality of forests to achieve the objectives of forest management;

"Silvicultural Prescription" means the site-specific operational plan, signed and sealed by a Qualified OPFA Member that describes the existing forest conditions and the forest management objectives for an area, and which prescribes the methods for harvesting the existing forest stand and a series of silvicultural treatments that will be carried out to establish a free-growing stand in a manner that accommodates other resource values as identified;

"Tree" or "Trees" means a woody perennial plant whether Healthy or unhealthy, including the root system, where the plant has reached or could reach a height of at least 4.5 metres at physiological maturity;

"Tree Management Plan" means a plan, reviewed and approved by the General Manager in accordance with the City of Hamilton's Tree Protection Guidelines pursuant to an application under the Planning Act, which protects and preserves individual Trees and Trees in Woodlands on Private Property where development or disturbance of the natural forest cover for the purposes of building construction and / or land division will be occurring;

"Tree Nursery" means a Lot on which the principal business of growing and selling plants, shrubs, and Trees occurs;

"Trunk" means the part of a Tree from its point of growth away from its roots up to where it branches out to limbs and foliage;

“User Fees and Charges By-law” means the City’s User Fees and Charges By-law 25-023, as amended, or its successor(s); and,

“Woodland” or “Woodlands” means land with at least:

- (a) 1000 Trees, of any size, per hectare (405 Trees per acre); or,
- (b) 750 Trees, measuring over 5 centimetres in Diameter, per hectare (303 Trees per acre); or,
- (c) 500 Trees, measuring over 12 centimetres in Diameter, per hectare (202 Trees per acre); or,
- (d) 250 Trees, measuring over 20 centimetres in Diameter, per hectare (101 Trees per acre);

But does not include:

- (e) a Cultivated Fruit or Nut Orchard;
- (f) a Tree Nursery; or,
- (g) a Plantation;

For the purposes of this By-law, the boundary of the Woodland shall be defined by the ecological limit of the Woodland and not by property boundaries and shall include the area up to the Drip Line of the Woodland and any corridors measuring up to 30 metres in width. Where a potential Woodland is dissected by a road or path not wider than 30m or by a Natural Feature such as a creek, the boundary of the Woodland shall be deemed to cross the road, path or Natural Feature, but the area of the Woodland shall be calculated exclusive of the area of the road, path or Natural Feature.

Application

2. (1) This By-law applies only to Woodlands that are equal to or greater than 0.81 hectares (2 acres) within the City.
- (2) In addition to Subsection 2(1) of this By-law, for those lands identified in Schedules “C1”, “C2” and “C3” to this By-law, this By-law shall apply to:
 - (a) Trees with a Diameter equal to or greater than 20 centimetres, except such Trees that are:
 - (i) located within 7.5 metres (25 feet) of the outer edge of an Occupied Building, existing at the date of passage of this By-law, and do not form part of a Woodland; or,
 - (ii) Siberian Elms (*Ulmus pumila*), Norway Maples (*Acer platanoides*),

Tree of Heaven (*Ailanthus altissima*), or Manitoba Maples (*Acer negundo*) and the Destruction of one or more of the Trees does not have the effect of reducing the number of Trees in a Woodland below the number of Trees necessary to constitute a Woodland.

Prohibitions

3. (1) Except as provided in Section 5, no Person shall, without obtaining a Permit, Injure, Destroy or cause or permit the Destruction or Injury of any Tree in a Woodland or individual Trees defined in Subsection 2 (2) if:
 - (a) one or more of the Trees Destroyed is of a Prescribed Species listed in Schedule A and does not equal or exceed the measurements required for that Tree species as set out in Schedule A at the Point of Measurement specified; or,
 - (b) the Destruction of one or more of the Trees has the effect of reducing the number of Trees in the Woodlands below the number of Trees necessary to constitute a Woodland.
- (2) When Injuring, Destroying or causing or permitting the Injuring or Destruction of one or more Trees in Woodland or individual Trees defined in Subsection 2 (2), no Person shall:
 - (a) unnecessarily damage or Injure any Tree of a Prescribed Species that remains standing in the Woodland; or,
 - (b) conduct their operations in such a manner that results in excessive damage to the soil, water bodies, wetlands, or other portions of the Woodland.
4. No Person through their own actions or through the actions of any other Person shall:
 - (a) contravene any term or condition of a Permit issued under this By-law;
 - (b) fail to comply with a notice or Order issued under Sections 38 or 40 of this By-law; or,
 - (c) remove or deface any Order posted pursuant to Section 48 of this By-law.

Exceptions

5. (1) Despite Section 2, this By-law does not apply to:
 - (a) the Injuring or Destruction of Trees in a Woodland for Personal Use by an Owner from an Owner's Lot provided that:
 - (a) not more than the equivalent of six Cords of wood are Injured or Destroyed within a Calendar Year; and,

- (i) the Owner has been the registered Owner of the Lot on which the Injuring or Destruction is occurring for at least two years;
- (b) activities or matters undertaken by the City;
- (c) activities or matters undertaken, in accordance with a license issued under the Crown Forestry Sustainability Act, 1994;
- (d) Trees growing on any highway or on an opened road allowance;
- (e) Trees Destroyed in order to erect a building, structure, or thing in respect of which a Building Permit is issued by the City provided that no Tree of a Prescribed Species is Destroyed more than 10 metres from the outer edge of a building, structure or thing;
- (f) the Injuring or Destruction of Trees in a Woodland in accordance with an approved Tree Management Plan or Planting Strip imposed as a condition of an approved application by the City pursuant to the Planning Act, as amended;
- (g) the Injuring or Destruction of Trees in a Woodland 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, R.S.O. 1990, c.A.8* as amended;
- (h) the Injuring or Destruction of Trees in a Woodland by a Person licensed under the *Surveyors Act, R.S.O. 1990, c.S.29* as amended, to engage in the practice of cadastral surveying or any Person in his or her employ while making a survey;
- (i) the Injuring or Destruction of Trees in a Woodland in order to lawfully establish and operate or enlarge any pit or quarry on land;
 - (i) that has not been designated under the *Aggregate Resources Act, R.S.O. 1990, c.A.8* or a predecessor of that Act; and,
 - (ii) on which a pit or quarry is a permitted land use under a By-law passed under Section 34 of the Planning Act;
- (j) the Injuring or Destruction of Trees in a Woodland 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;
- (k) the Injuring or Destruction of Trees in a Woodland imposed after December 31, 2002, as a condition to the approval of a site plan, a plan of subdivision or a consent under Sections 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;

- (l) the Injuring or Destruction of Trees in a Woodland imposed 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;
- (m) the Injuring or Destruction of Trees in a Woodland imposed as a condition to a development permit authorized by regulation made under Section 23(b) of the *Niagara Escarpment Planning and Development Act, R.S.O. 1990, c. N.2*, as amended;
- (n) the Injuring or Destruction of Trees in a Woodland that is reasonably required in order to install and provide the minimum required industry standard clearances for utilities to the construction or use of a building, structure or thing, including the installation of a primary septic bed in respect of which a Building Permit has been issued by the City;
- (o) the Injuring or Destruction of Trees in a Woodland on lands used for the purpose of a licensed waste disposal site that has been approved, where applicable, under the *Environmental Protection Act, R.S.O. 1990, c. E.19*, as amended, the *Ontario Water Resources Act, R.S.O. 1990, c. O.40*, as amended, the *Environmental Assessment Act, R.S.O. 1990, c. E.18*, as amended, the Planning Act, or the *Niagara Escarpment Planning and Development Act, R.S.O. 1990, c. N.2*;
- (p) any activity undertaken by a Conservation Authority on a Lot owned or managed by such Conservation Authority;
- (q) the Injuring or Destruction of Trees in a Woodland for the construction of Drainage Works under the *Drainage Act, R.S.O. 1990, c. D.17*, as amended; or,
- (r) the Injuring or Destruction of Trees in a Woodland that are in the written opinion of a Qualified OPFA Member or Qualified Arborist, in a Hazardous condition to Persons or property, doesn't reduce the number of Trees below the minimum number of Trees necessary to constitute a Woodland and where a copy of the written opinion of the Qualified OPFA Member or Certified Arborist has been provided to and accepted by a Municipal Law Enforcement Officer.

(2) Further, pursuant to the *Forestry Act, R.S.O. 1990 c. F. 26* as amended, this By-law shall not be construed to interfere with any rights or powers conferred upon a municipality by the *Municipal Act 2001*.

Permit Application

6. A Person seeking to Injure or Destroy a Tree in a Woodland or where individual Trees that are defined in Subsection 2(2) are located for which a Permit is required, shall submit a complete Application to Injure or Destroy Trees, or an

Application for Good Forestry Practice, or an Application for a Minor Exception to the General Manager.

7. An Application for a Permit shall include the following:
 - (a) a non-refundable Application fee as described in the City's User Fees and Charges By-law;
 - (b) a completed Permit Application in a form prescribed by the General Manager; and,
 - (c) a description of the nature and extent of the Trees on such land.
8. In addition to the requirements set out in Section 7, a Permit Application for Good Forestry Practice shall include the following:
 - (a) a Forest Management Plan or Silvicultural Prescription;
 - (b) that the Tree(s) to be Injured or Destroyed are marked with paint by a Certified Tree Marker, in accordance with the Forest Management Plan or Silvicultural Prescription;
 - (c) where the Tree(s) is considered a Boundary Tree(s), that the Owner submit written consent of the adjacent property Owner(s); and,
 - (d) any revised or additional information or documentation as may be required by the General Manager to determine if a Permit should be issued.
9. In addition to the requirements set out in Section 7, a Permit Application for a Minor Exception shall include the following:
 - (a) an Environmental Impact Study;
 - (b) the nature and purpose of the Minor Exception sought;
 - (c) where the Tree(s) is considered a Boundary Tree(s), that the Owner submit written consent of the adjacent property Owner(s); and,
 - (d) any revised or additional information or documentation as may be required by the General Manager to determine if a Permit should be issued.
10. Upon receipt by the City of an Application for a Permit, a Municipal Law Enforcement Officer may enter upon their Lot, at any reasonable time, without a warrant and without prior authorization, and undertake such site inspections as may be required to consider the Application. A Municipal Law Enforcement Officer may undertake a site inspection prior to, during and after the proposed activity.

11. No Permit shall be issued unless:

- (a) the Permit Application has been completed and submitted to the satisfaction of the General Manager;
- (b) any Application fee has been submitted to the General Manager; and,
- (c) no substantially similar Permit Application has been previously refused, in whole or in part:
 - (i) by the General Manager, under Sections 16 and 17; or,
 - (ii) by Council, under Section 28.

Permit Issuance

12. The General Manager may issue a Permit for Good Forestry Practice where:

- (a) the Application satisfies the requirements under Sections 7 and 8 of this By-law; and,
- (b) the proposed Injuring or Destruction of the Trees is in accordance with Good Forestry Practice.

13. (a) The General Manager may issue a Permit for a Minor Exception where, in the opinion of the General Manager, the exception applied for is:

- (i) minor in respect of the purpose and provisions of this By-law and the number of Trees involved;
- (ii) desirable for the appropriate development or use of the land on which the Trees are situated; and,
- (iii) the general intent and purpose of the By-law is being maintained, and in conformity with the Official Plan policies protecting Natural Features.

(b) Despite Subsection 13(a), where the General Manager finds that the Minor Exception would meet the tests under Subsection 13(a) under reasonable terms and conditions, the General Manager may issue the Permit with the terms and conditions to be listed on or attached to the Permit where the Owner or Applicant, consents in writing to the terms and conditions.

14. Each Permit issued under this By-law shall be in the name of the Owner, and shall be in the form and manner as provided by the General manager and shall include, at minimum, the following information:

- (a) the name of the Permit Holder;
- (b) the Permit number;

- (c) the date the Permit was issued and the date it expires;
 - (d) the municipal address of the premises on which the Tree(s) to be Injured or Destroyed is located; and,
 - (e) the nature of the Injury or Destruction.
15. (a) A Permit issued under this By-law shall be in the name of the Owner and shall expire one year after issuance.
- (b) Despite Subsection 15(a), where the Permit Holder gives the General Manager a written and signed request to extend the Permit before the expiration date, the General Manager may approve an extension of up to one additional year, provided that:
- (i) the Tree(s) to be Injured or Destroyed are remarked with paint by a Certified Tree Marker, in accordance with the Forest Management Plan or Silvicultural Prescription;
- (c) Despite Subsection 15(b), where the General Manager determines that the nature and intent of the work has changed, then the Applicant shall be required to submit a new Permit Application pursuant to Sections 7, 8 and 9.

Permit Refusal or Revocation

16. The General Manager shall refuse to issue, may revoke or impose a term or condition on a Permit where:
- (a) the Application for a Permit is incomplete;
 - (b) an Application for a Permit was found to contain inaccuracies or falsified information;
 - (c) an application under the Planning Act on the Lot on which the Trees are located has been submitted to the City, but has not received final approval;
 - (d) a Natural Feature will not be adequately protected or preserved;
 - (e) a stream or wetland functions, including flood or erosion control or drainage processes, will be negatively impacted, as determined in consultation with the relevant Conservation Authority;
 - (f) the Applicant or Permit Holder does not meet one or more of the requirements of this By-law or a condition imposed on a Permit;
 - (g) the Applicant or Permit Holder is carrying on activities that are in contravention of this By-law; or,

- (h) the Applicant does not comply with applicable laws, including but not limited to, this By-law, municipal By-laws, provincial or federal laws.

17. The General Manager may refuse to issue, may revoke or impose a term or condition on a Permit where:

- (a) the Trees are Healthy;
- (b) the Permit was issued in error;
- (c) the Permit Holder or Owner requests, in writing, that it be revoked;
- (d) the Permit Holder is no longer the Owner of the Lot while the Permit is still valid or the Owner on title of the Lot has changed;
- (e) the Permit Holder or Owner fails to comply with an Order issued under this By-law;
- (f) the Tree species is an endangered, threatened or special concern Tree species as defined in the provincial Endangered Species Act, 2007, S.O. 2007, c.6, as may be amended or replaced from time to time and the Person has not been issued a permit pursuant to that Act;
- (g) the Tree species belongs to a Tree species of special concern, as defined in the Species at Risk Act, 2002, S.C. 2002, c. 29, as may be amended or replaced from time to time; or,
- (h) the General Manager is satisfied that there is a material change in circumstances in connection with or on the Lot, and the General Manager is satisfied that the Permit needs to be revoked to avoid further Injury or Destruction of the Tree(s).

18. Where the General Manager refuses to issue a Permit, a notice shall:

- (a) be sent to the Owner who applied for the Permit;
- (b) be delivered personally, electronically or by sending it by prepaid registered mail to the last known address of the Owner on file with the City;
- (c) include the date of refusal; and,
- (d) include the grounds for the General Manager's refusal.

Service by registered mail shall be deemed to have taken place 5 business days after the date of mailing.

Automatic Conditions of All Permits

19. Where the General Manager issues a Permit, the following conditions shall

apply:

- (a) having regard for Good Forestry Practice;
- (b) that the Injuring or Destruction of Trees must be undertaken by a Licensed Tree Cutter;
- (c) that no Permit issued under this By-law may be sold, purchased, leased, mortgaged, charged, assigned, pledged, transferred, seized, distrained, or otherwise dealt with. All Permits issued under this By-law are owned by the City and are valid only in respect of the Permit Holder and Lot named on it;
- (d) that a Permit issued pursuant to this By-law does not preclude the responsibility of the Permit Holder to obtain all other approvals which may be required by any level of government or agencies; and,
- (e) that the Permit Holder shall comply with any condition imposed by the General Manager pursuant to this By-law.

Additional Permit Conditions that may be Imposed

20. Where the General Manager issues a Permit, the following conditions may apply:

- (a) as to the location, number, size and species of Trees that are to be Injured or Destroyed;
- (b) a requirement that Replacement Trees be planted on the Lot where the Injuring or Destruction of the Trees is to take place;
- (c) a requirement that any Injury or Destruction of Trees for Agricultural Operations must be put into agricultural use within a specified time period and must maintain that use for a specific time period;
- (d) the manner, equipment and timing in which the Injuring or Destruction of Trees is to be carried out;
- (e) implementation of any recommendations included in an Environmental Impact Study, Silvicultural Prescription or Forest Management Plan;
- (f) measures to be implemented to mitigate the direct or indirect effects of the Injuring or Destruction of Trees on the natural environment;
- (g) specifying that damage to residual stems and the site shall not exceed the acceptable minimum standards contained in the Silvicultural Guide for Managing Southern Ontario Forests (OMNR 2000), as amended from time-to-time;
- (h) that marked Trees which are to be harvested are cut in accordance with

Good Logging Practices, and as described in a Silvicultural Prescription;
or,

- (i) any other terms or conditions deemed appropriate and imposed by the General Manager or Council.

21. Where the planting of Replacement Trees has been imposed as a condition under Section 20 of this By-law, the General Manager may impose further conditions on the Permit, including, but not limited to:

- (a) the location, number, size and species of Replacement Trees to be planted;
- (b) the submission of a Replanting Plan, satisfactory to the General Manager;
- (c) the submission of a written undertaking signed by the Owner stating the Replacement Tree planting will be carried out; or,
- (d) that the Replacement Trees be planted and maintained, to the satisfaction of the General Manager.

22. Where the planting of Replacement Trees is not possible on the Lot owned by the Owner, the General Manager may impose conditions on the Permit requiring that an amount be paid to the City in accordance with the City's Fees and Charges By-law, for the cost of replanting and maintaining the required number of Replacement Trees for a period of 2 years.

Appeals

23. An Owner who does not agree with conditions imposed under Sections 19, 20, 21 or 22, or who receives a notice of refusal under Section 18, may request an appeal to the Planning Committee.

24. An appeal request by an Owner under Section 23 shall be made in writing, accompanied by the applicable fee, and delivered to the Legislative Coordinator of the Planning Committee within 20 days of the date the Permit is issued with conditions under Sections 19, 20, 21 or 22, or of the date contained in the notice of refusal under Section 18. The Owner shall also include the grounds for their appeal request.

25. Where an appeal request meeting the requirements of Section 24 has been delivered to the Legislative Coordinator of the Planning Committee, the appeal shall be scheduled before the Planning Committee, and notice of the appeal date shall be given to the Owner. The notice of the appeal date shall include:

- (a) a statement of the time, date, and purpose of the appeal; and,
- (b) a statement that if the Owner does not attend the appeal, the Planning Committee may proceed in the absence of the Owner, and the Owner

shall not be entitled to further notice in the proceeding.

26. The notice of the appeal date may be given by delivering it personally, electronically, or by sending it by prepaid registered mail to the last known address of the Owner. Delivery by registered mail shall be deemed to have taken place five business days after the date of mailing.
27. The Planning Committee recommends to Council that a Permit be refused or issued, or that a condition be confirmed, rescinded, varied, or imposed on a Permit, and in doing so, shall consider:
 - (a) the General Manager's report with respect to the Permit Application;
 - (b) special circumstances or conditions applying to the Lot where the Trees are located;
 - (c) whether strict application of the provisions of this By-law in the context of the special circumstances applying to the Trees would result in practical difficulties or unnecessary and unusual hardship for the Owner, inconsistent with the general intent and purpose of this By-law; and,
 - (d) whether such special circumstances or conditions are pre-existing and not created by the Owner.
28. Council, after considering the recommendation of the Planning Committee, may refuse or issue a Permit, or confirm, rescind, vary, or impose a condition on a Permit, all without an appeal hearing, having regard to the matters considered by the Planning Committee, this By-law, and other applicable law.
29. After Council has made a decision in respect of the recommendation of the Planning Committee, notice of that decision shall be sent to the Owner by personal delivery, electronically or by registered mail to the last known address of the Owner on file with the City.
30. Where the decision of Council is to issue a Permit, the General Manager shall issue the Permit on the terms directed by Council.

Administration and Enforcement

General

31. The General Manager is authorized to administer and enforce this By-law and shall have the power to:
 - (a) issue a Permit;
 - (b) refuse a Permit;
 - (c) revoke a Permit;

- (d) impose terms and conditions on a Permit;
- (e) prescribe the format and content of any forms or other documents required under this By-law; and,
- (f) arrange for:
 - (i) the assistance or work of City staff, City agents, or the assistance of police officers;
 - (ii) the making of Orders or other requirements and the imposition of conditions, as authorized under this By-law;
 - (iii) the obtaining of court orders or warrants, as may be required; and,
 - (iv) the commencement of such actions on behalf of the City to recover costs or restrain contravention of this By-law, as deemed necessary.

32. The General Manager may assign a Municipal Law Enforcement Officer to enforce this By-law, and Municipal Law Enforcement Officers so assigned or appointed by Council to enforce this By-law shall have the authority to:

- (a) carry out inspections;
- (b) make Orders or other requirements, as authorized under this By-law; and,
- (c) give immediate effect to any Orders or other requirements made under this By-law.

33. The General Manager may assign duties or delegate tasks under this By-law to be carried out in the General Manager's absence or otherwise.

34. All fees referred to in this By-law shall be as set out in the City's User Fees and Charges By-law, or as otherwise set and approved by Council from time-to-time.

Entry and Inspections

35. A Municipal Law Enforcement Officer may enter on land at any reasonable time, and in accordance with the conditions set out in Sections 435 and 437 of the *Municipal Act, 2001*, for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) this By-law;
- (b) a direction or Order made under this By-law;
- (c) a condition of a Permit issued under this By-law; or,

(d) an Order made under Section 431 of the *Municipal Act, 2001*.

36. A Municipal Law Enforcement Officer may, for the purposes of the inspection under Section 35 and in accordance with the conditions set out in Section 436 of the *Municipal Act, 2001*:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information, in writing, or otherwise, as required by the Municipal Law Enforcement Officer, from any Person concerning a matter related to the inspection; or,
- (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the inspection.

37. A Municipal Law Enforcement Officer may undertake an inspection pursuant to an order issued by a Provincial Judge or Justice of the Peace under Section 438 of the *Municipal Act, 2001*, in accordance with the conditions set out in that Section, where he or she has been prevented or is likely to be prevented from carrying out an inspection under Sections 35 and 36.

Orders

38. If a Municipal Law Enforcement Officer is satisfied that a contravention of this By-law has occurred, he or she may make an Order requiring the Person who contravened the By-law or who caused or permitted the contravention or the Owner or occupier of the property on which the contravention occurred, to discontinue the contravening activity.

39. An Order under Section 38 shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred; and,
- (b) the date or dates by which there must be compliance with the Order, which may be of immediate effect should the Municipal By-law Enforcement Officer determine that the circumstances warrant.

40. If a Municipal Law Enforcement Officer is satisfied that a contravention of this By-law has occurred, he or she may make an Order requiring the Person who contravened the By-law or who caused or permitted the contravention or the Owner or occupier of the property on which the contravention occurred, to do work to correct the contravention.

41. An Order under Section 40 shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of property on which the contravention occurred;
- (b) the work to be completed;
- (c) the date or dates by which the work must be completed; and,
- (d) notice that if the Order is not complied with, then the work may be done at the expense of the Owner.

42. Delivery of an Order to discontinue a contravening activity made under Section 38, or an Order to do work made under Section 40, may be given personally or by registered mail to the last known address of:

- (a) the Owner; or,
- (b) such other Persons affected by the Order as a Municipal By-law Enforcement Officer determines.

Delivery by registered mail shall be deemed to have taken place five business days after the date of mailing.

43. In addition to delivery, in accordance with Section 42, an Order to discontinue contravening activity made under Section 38, or an Order to do work made under Section 40, may be delivered by a Municipal Law Enforcement Officer by placing a placard containing the Order in a conspicuous place on the property where the contravention occurred.

44. Where delivery cannot be given in accordance with Section 42, sufficient delivery is deemed to have taken place when given in accordance with Section 43.

45. Where a time frame is set out in an Order for carrying out any action, a Municipal Law Enforcement Officer may extend the time for compliance beyond the established time frame, provided such extension is required and is acceptable to the Municipal Law Enforcement Officer.

City Carrying Out Work

46. (a) Where a Person does not comply with a direction or a requirement, including an Order, under this By-law to do a matter or thing, the General Manager, with such assistance by others as may be required, may carry out such direction or requirement at the Person's expense;

(b) Where the costs of doing a matter or thing under Subsection 46(a) are estimated to be:

- (i) Less than \$10,000, the General Manager may proceed without further approval, and in accordance with the City's Procurement Policy; or,
- (ii) \$10,000 or more, the General Manager may proceed with approval of an authorized person or of Council, and in accordance with the City's Procurement Policy.

(c) The City may recover the costs of doing a matter or thing under Subsection 46(a) by action or by adding the costs to the tax roll and collecting them the same manner as property taxes, and such costs shall include an interest rate of 15 per cent commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full. The amount of the City's costs, including interest to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land.

Penalties

47. Every Person who contravenes any provision of this By-law or fails to comply with any Order made under this By-law, and every general manager or officer of a corporation who knowingly concurs in the corporation's contravention of the provision or failure to comply with the Order is, upon conviction, guilty of an offence and is liable:
- (a) on a first conviction, to a fine of not more \$10,000 or a fine of \$1,000 per Tree Injured or Destroyed, whichever is greater; and,
 - (b) on any subsequent conviction, to a fine of not more than \$25,000 or a fine of \$2,500 per Tree Injured or Destroyed, whichever is greater.
48. Despite Section 47, where the Person convicted is a corporation,
- (a) the maximum fines in Subsection 47(a) are \$50,000 or \$5,000 per Tree Injured or Destroyed; and,
 - (b) the maximum fines in Subsection 47(b) are \$100,000 or \$10,000 per Tree Injured or Destroyed.
49. Every Person who is convicted of an offence under this By-law may be liable, in addition to the fines established under Sections 47 and 48, to a special fine, which may exceed \$100,000, designed to eliminate or reduce any economic advantage or gain from contravening this By-law or failing to comply with an Order made under this By-law.
50. Where a Person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an Order:
- (a) prohibiting the continuation or repetition of the offence by the Person

convicted; or,

- (b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

General Provisions

51. The short title of this by-law is the "Conservation By-law".

52. If a court of competent jurisdiction declares any Subsection, Section, or part of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

53. (a) The provisions of this By-law apply in addition to the provisions contained in any other applicable By-laws of the City or applicable provincial or federal statutes or regulations.

(b) In the event of a conflict between this By-law and any other applicable By-law of the City:

- (i) where one or more conflicting provisions provides for public health or safety, then the provision which is most protective of public health or safety prevails; or,
- (ii) where none of the conflicting provisions provides for public health or safety, the provisions which is most protective of Trees prevails.

Repeal, Effective Date and Transition

54. The following is hereby repealed:

- (a) The Regional Municipality of Hamilton-Wentworth By-Law No. R00-054.

55. Despite the repeal of the aforementioned By-law:

- (a) the repeal shall not affect any offence committed against the provisions of that By-law or any penalty or fee incurred in respect thereof or any investigative proceedings thereunder;
- (b) that By-law shall continue to apply to proceedings in respect of offences that occurred before its repeal;
- (c) any Permit Application received by the City prior to the date of the repeal, for which a decision has not been rendered on the date of the repeal, will, subject to Subsection 55(d) of this By-law, be processed in accordance with the aforementioned By-laws, and the fees and charges payable for the Permit Applications shall be those in effect at the time the Application was submitted;
- (d) any Permit Application received by the City prior to the date of the repeal

shall be subject to Sections 7, 8 and 9 of this By-law; and,

- (e) All of the terms and conditions of any Permits issued under the aforementioned By-law that are in effect at the time of the repeal or that are issued in accordance with Subsection 55(d), will continue as terms and conditions of a Permit issued under this By-law and be subject to this By-law.

56. This By-law comes into force on the day it is passed.

PASSED this day of, 20__.

A. Horwath
Mayor

M. Trennum
City Clerk

SCHEDULE 'A'

PROTECTED TREE SPECIES

Minimum Circumferences and Diameters
By Tree Species and Groups

Group 1 Tree Species

Ash	Red (<i>Fraxinus pennsylvanica</i>) Green (<i>Fraxinus pennsylvanica</i> var. <i>subintegerrima</i>) White (<i>Fraxinus americana</i>)
Basswood	(<i>Tilia americana</i>)
Beech	American (<i>Fagus grandifolia</i>)
Butternut	(<i>Juglans cinerea</i>)
Cherry	Black (<i>Prunus serotina</i>)
Chestnut	American (<i>Castanea dentata</i>)
Elm	Rock (<i>Ulmus thomasii</i>) Slippery, Red (<i>Ulmus rubra</i>) White, American (<i>Ulmus americana</i>)
Gum	Black (<i>Nyssa sylvatica</i>)
Hackberry	(<i>Celtis occidentalis</i>)
Hickory	Bitternut (<i>Carya cordiformis</i>) Pignut (<i>Carya glabra</i>) Shagbark (<i>Carya ovata</i>)
Kentucky Coffee	(<i>Gymnocladus dioicus</i>)
Maple	Black (<i>Acer nigrum</i>) Red (<i>Acer rubrum</i>) Silver (<i>Acer saccharinum</i>) Sugar (<i>Acer saccharum</i>)
Mulberry	Red (<i>Morus rubra</i>)
Oak	Black (<i>Quercus velutina</i>) Bur (<i>Quercus macrocarpa</i>) Chinquapin (<i>Quercus muehlenbergii</i>) Hill's (<i>Quercus ellipsoidalis</i>) Red (<i>Quercus rubra</i>) Swamp White (<i>Quercus bicolor</i>) White (<i>Quercus alba</i>)
Pine	Red (<i>Pinus resinosa</i>) White (<i>Pinus strobus</i>)
Sycamore	(<i>Platanus occidentalis</i>)
Tulip	(<i>Liriodendron tulipifera</i>)
Walnut	Black (<i>Juglans nigra</i>)

Group 1 Minimum Circumference and Diameter

Prescribed Circumference or Diameter for the species listed in Group 1 of this Schedule:

Column 1 Point of Measurement	Column 2 Circumference		Column 3 Diameter
46 cm (18 in.)	145 cm (57 in.)	or	46 cm (18 in.)
31 cm (12 in.)	175 cm (69 in.)	or	56 cm (22 in.)
15 cm (6 in.)	208 cm (82 in.)	or	66 cm (26 in.)
2.5 cm (1 inch)	240 cm (96 in.)	or	76 cm (30 in.)

Group 2 Tree Species

Ash	Black (<i>Fraxinus nigra</i>)
Birch	Yellow (<i>Betula alleghaniensis</i>)
Hemlock	Eastern (<i>Tsuga canadensis</i>)
Larch	European. (<i>Larix decidua</i>)
Maple	Manitoba (<i>Acer negundo</i>)
Pine	Jack (<i>Pinus banksiana</i>)
	Scots (<i>Pinus sylvestris</i>)
Sassafras	(<i>Sassafras albidum</i>)
Spruce	White (<i>Picea glauca</i>)
	Black (<i>Picea mariana</i>)
	Norway (<i>Picea abies</i>)

Group 2 Minimum Circumference and Diameter

Prescribed Circumference or Diameter for the species listed in Group 2 of this Schedule:

Column 1 Point of Measurement	Column 2 Circumference		Column 3 Diameter
46 cm (18 in.)	112 cm (44 in.)	or	36 cm (14 in.)
31 cm (12 in.)	136 cm (54 in.)	or	44 cm (17 in.)
15 cm (6 in.)	160 cm (63 in.)	or	51 cm (20 in.)
2.5 cm (1 in.)	208 cm (83 in.)	or	66 cm (26 in.)

Group 3 Tree Species

Birch	White (<i>Betula papyrifera</i>)
Beech	Blue (<i>Carpinus caroliniana</i>)
Cedar	Red (<i>Juniperus virginiana</i>)
	White (<i>Thuja occidentalis</i>)
Cherry	Choke (<i>Prunus virginiana</i>)
	Pin (<i>Prunus pensylvanica</i>)
Fir	Balsam (<i>Abies balsamea</i>)
Ironwood	(<i>Ostrya virginiana</i>)
Tamarack	(<i>Larix laricina</i>)
Poplar	Trembling Aspen (<i>Populus tremuloides</i>)
	Large-toothed Aspen (<i>Populus grandidentata</i>)
	Eastern Cottonwood (<i>Populus deltoides</i>)
	Balsam (<i>Populus balsamifera</i>)
	Jack Aspen (<i>Populus balsamifera</i> X <i>Populus deltoides</i>)
Willow	Black (<i>Salix nigra</i>)
	Species. (<i>Salix</i> spp.)

Group 3 Minimum Circumference and Diameter

Prescribed circumference or diameter for the species listed in Group 3 of this Schedule:

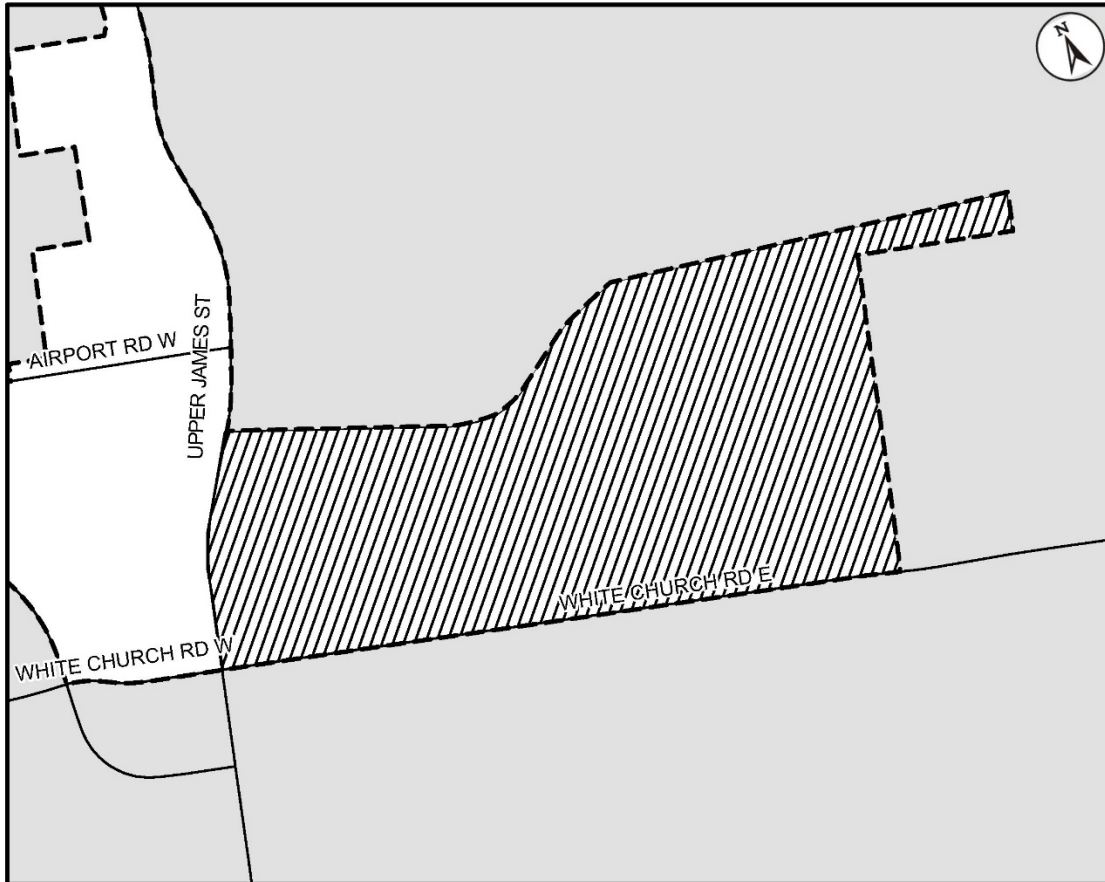
Column 1 Point of Measurement	Column 2 Circumference		Column 3 Diameter
46 cm (18 in.)	64 cm (25 in.)	or	20 cm (8 in.)
31 cm (12 in.)	79 cm (31 in.)	or	25 cm (10 in.)
15 cm (6 in.)	88 cm (35 in.)	or	35 cm (14 in.)
2.5 cm (1 in.)	152 cm (60 in.)	or	49 cm (19 in.)



<p>This is Schedule "A1" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "C1"</h2> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. R00-054</p>	<p>Subject Property</p> <ul style="list-style-type: none"> Lands Removed from the Greenbelt Plan Area Rural Area Urban Boundary
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Scale: N.T.S	File Name/Number: Tree By-law	<p>Hamilton</p>
Date: April 24, 2023	Planner/Technician: SR/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A2" to By-law No. 23-

Passed the day of, 2023

 Mayor


 Clerk


Schedule "C2"


Map forming Part of
 By-law No. 23-_____


to Amend By-law No. 14-212

Subject Property

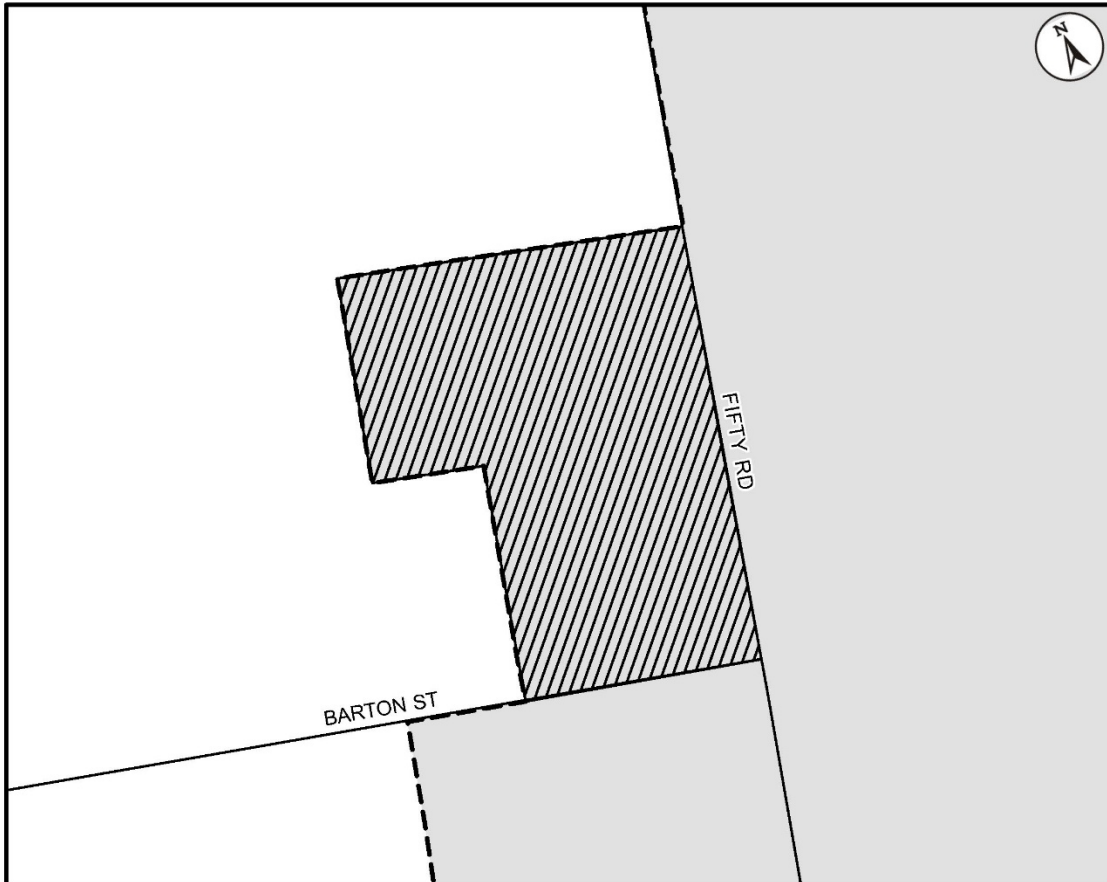
 Lands Subject to additional Provision for trees, not part of a Woodland

 Rural Area

 Urban Boundary


Scale: N.T.S	File Name/Number: Tree By-law	
Date: April 24, 2023	Planner/Technician: SR/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Hamilton



<p>This is Schedule "A3" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>----- Mayor</p> <p>----- Clerk</p>
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<p style="text-align: center;">Schedule "C3"</p> <p style="text-align: center;">Map forming Part of By-law No. 23-_____</p> <p style="text-align: center;">to Amend By-law No. R00-054</p>	<p>Subject Property</p> <p> Lands Removed from the Greenbelt Plan Area</p> <p> Rural Area</p> <p> Urban Boundary</p>
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Scale: N.T.S	File Name/Number: Tree By-law	 Hamilton
Date: April 24, 2023	Planner/Technician: SR/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		