

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 104-2020**

**A By-law of the Corporation of the City of Vaughan to amend Tree Protection By-law 052-2018, as amended.**

**WHEREAS** section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate, and to enhance its ability to respond to municipal issues;

**AND WHEREAS** section 135(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, without limiting sections 9, 10 and 11 and subject to a by-law passed by an upper-tier municipality, provides for a lower-tier municipality to prohibit or regulate the destruction or injuring of trees;

**AND WHEREAS** the Council of The Corporation of the City of Vaughan has determined that it is desirable to make amendments to By-law 052-2018, as amended;

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That Tree Protection By-law 052-2018, as amended, be further amended as follows:
  - (a) Delete the definition of *Director of Forestry* in section 3.0(1) and replace it with the following:

“Director of Forestry” means the Director of Parks, Forestry and Horticultural Operations, or his or her delegate, and/or his or her successor;
  - (b) Add in alphabetical sequence the following definition to section 3.0(1) and renumber the definitions correspondingly:

“Highway” means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

- (c) In section 3.0(1), for the definition of “Order”, replace the reference to Director with a reference to “Director of Enforcement”;
- (d) Amend sections 4.0(3) and 4.0(4) by replacing the references to “section 6” to “Part 6.0”;
- (e) Delete subsections (e) and (f) of section 4.0(4) and replace them with the following:
  - (e) for a *Tree Nursery Owner* or *Tree Nursery Operator* or for the *Injuring* or *Destroying* of a *Tree Grown for Sale*;
  - (f) for a *Golf Course Owner* or *Golf Course Operator* to *Injure* or *Destroy* a *Tree* on a *Golf Course* if it is to support the health of surrounding vegetation or enhance the playability of the *Golf Course*;
- (f) Delete subsection (j) of section 2.0(2) and replace it with the following:
  - (j) any *Protected Trees* otherwise not listed above.

Enacted by City of Vaughan Council this 29<sup>th</sup> day of June, 2020.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk