

SCHEDULE A TO BY-LAW 2011-243

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PLANTING RIGHT OF WAY TREES

1. The General Manager may authorize the planting on a right-of-way or partly on a right of way of one of the following species of tree:

Ash – fall gold, green

Locust – shade master

Maple – amur, tatarian, royal red, sugar

Hackberry

Hawthorn - thornless

Flowering Crab – spring snow

Oak – burr, red

Japanese lilac

Linden – pyramidal

Elm – prospector

Mayday

2. Generally one tree will be planted on a standard 50 foot lot.

3. Two trees may be planted on a corner lot.

4. Despite Sections 2 and 3 of this Schedule, the General Manager shall not authorize the planting of a right of way tree in a location where:

(a) as a result of existing or proposed infrastructure or other circumstances in the area, it is unlikely that a tree will grow successfully or it is likely that any tree planted will be injured or have to be removed;

(b) as a result of soil and drainage conditions, setback of buildings from the right of way, existing plants and trees, and similar considerations, the proposed location is not suitable for a tree;

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- (c) the surface of the land is or may become water impervious, negatively impacting the health of any tree planted; or
- (d) the surface of lands covered by water impervious surfaces such as asphalt, concrete, stone or brick may be damaged by the roots or trunk of a tree planted in the area.

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SPECIES OF TREES NOT TO BE PLANTED ON A RIGHT OF WAY

1. No Person shall plant and the General Manager shall not authorize the planting of a tree of the following species on a right of way or partly on a right of way:

Manitoba Maple

Walnut

Butternut

Chestnut

Poplars (all types)

Willows (all types)

Cherry

Silver Maple

Elm all types, except Elm - prospector

Evergreens (all types)

Any fruit bearing tree

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**Removal of Healthy Right of Way
Trees on Request of Applicant**

1. Action to be taken:

Problem	Action Prohibited Species on Schedule B	Action Species other than Prohibited Species on Schedule B
Allergic reactions to tree / sap/ insects / pollen.	Tree will not be removed.* [exception-see below]	
Stress to homeowner caused by fear or dislike of trees and/or branches being blown down in a windstorm; Or Trees drop things on 'their' property such as seeds, fruit, leaves, twigs, sap and insects which require cleanup.	If tree may cause damage to a house and/or occupant due to proximity, lean and size (age) of tree, and is causing stress to homeowners and all other means to save the tree have been exhausted (i.e. pruning, volunteers to clean fruit, etc), the General Manager on consultation with the Ward Councillor, may authorize the removal of the tree.	Tree will not be removed.* [exception-see below]
Trees attract unwanted critters such as wasps, bees, caterpillars, birds, insects, chipmunks, squirrels, etc.	Tree will not be removed.* [exception-see below]	
Roots in sewer, weeping tile or foundation.	If the applicant proves to the satisfaction of the General Manager that sewer lines are being blocked by the roots of the healthy right of way tree, the General Manager, in his or her discretion may arrange to have the sewer re-lined at the City's expense or alternatively arrange to have the tree removed. If the applicant proves to the satisfaction the General Manager that there are roots from the healthy right of way tree in the applicant's weeping tiles or foundation, the General Manager may in his discretion authorize the removal of the tree.	
Tree causes soil shrinkage: roots ruin lawn, tripping hazards, tree at risk of falling.	If the applicant proves by way of a soils report or other evidence satisfactory to the General Manager that hazardous conditions have resulted from soil shrinkage caused by the healthy right of way tree, the General Manager may authorize the removal of the tree.	
Damage by a tree of a Prohibited Species on Schedule B to a house, lawn, vehicles or driveway.	Where it will solve the problem, the tree will be pruned and placed on a future priority list for removal. Where damage cannot be mitigated, the General Manager may authorize the removal of the tree.	Not applicable.

* The tree may be removed if the Owner can prove to the General Manager's satisfaction that the tree poses a health risk, or is causing serious and ongoing damage to property. In those circumstances, subject to Clause 3 of this Schedule, the homeowner shall bear 50% of: (a) the full cost of the removal and; (b) at the City's option, the replanting of another accepted species of tree.

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Trees on Request of Applicant**

2. Replacement of Tree:

Where the General Manager authorizes the removal of a healthy right of way tree for any of the reasons noted above, it shall be placed on a list and removed within twelve months. The removed tree may be replaced at a future date, in accordance with Schedule "A".

3. Owner May Retain Own Contractor:

Despite any requirement in this By-law that work be performed by City personnel, the Applicant may retain his or her own contractor for:

- a) the removal of the tree; and
- b) if directed by the General Manager, the replacement of the tree pursuant to section 13 of this Bylaw,

provided that the contractor's accreditation is approved in advance by the General Manager. In this circumstance, the Applicant shall bear the full cost of removal and replacement.