



## The Corporation of the Town of Pelham

By-law No. 29-2025

**Being a By-law to Delegate Authority to Prohibit or Regulate the Destruction or Injury of Trees in Woodland less than 1.0 hectare in size, Heritage Trees and Significant Community Trees to the Regional Municipality of Niagara.**

**WHEREAS** Section 135(10) of the Municipal Act, S.O. 2001, c 25, as amended provides that the Council of a lower -tier municipality may delegate all or part of its power to pass a by -law respecting the destruction or injuring of trees to its upper -tier municipality with the agreement of the upper -tier municipality;

**AND WHEREAS** pursuant to Sections 135(2) of the Municipal Act, S.O. 2001, c. 25, the Regional Municipality of Niagara has passed By-law 2020-79 being a By-law to prohibit the destruction or injuring of trees in woodlands in the Regional Municipality of Niagara;

**AND WHEREAS** Regional By-law 2020-79 applies to all Woodlands having an area of 1 (one) hectare or more and all Woodlands having an area of less than 1 (one) hectare, upon delegation of such authority by an Area Municipality to the Region;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham wishes to delegate the authority to regulate the destruction or injuring of Woodlands between 0.2 hectares and up to and including 1 (one) hectare in area on privately owned lands, within the Town of Pelham to the Regional Municipality of Niagara;

**AND WHEREAS** Regional By-law 2020-79 applies to Heritage Trees and Significant Community Trees identified by Town of Pelham Council, upon delegation of such authority by an Area Municipality to the Region;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham wishes to delegate the authority to regulate the destruction or injuring of Heritage Trees and Significant Community Trees identified by Town of Pelham Council and within the Town of Pelham to the Regional Municipality of Niagara;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it necessary and desirable to enact this By-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

1. The authority of the Corporation of the Town of Pelham to regulate the destruction or injuring of trees in Woodlands that are between 0.2 hectares and 1 hectares in area on privately owned lands within the Town of Pelham pursuant to Section 135(10) of the Municipal Act, S. O. 2001, c. 25, as amended, is hereby delegated to the Regional Municipality of Niagara.
2. The authority of the Corporation of the Town of Pelham to regulate the destruction or injuring of Heritage Trees and Significant Community Trees identified and designated by the Town of Pelham Council pursuant to Section 135(10) of the Municipal Act, S. O. 2001, c. 25, as amended, is hereby delegated to the Regional Municipality of Niagara.
3. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 21st day of May, 2025.



Marvin Junkin, Mayor



Sarah Leach, Acting Town Clerk