

TEMPLATE LETTER FOR ENCROACHMENT NOTIFICATION

This letter is being sent to you on behalf [Developer Name], the developer of the lands within your community.

The City of Vaughan has identified that landscape works that have been done at your address and / or within the city's right-of-way adjacent to your property may impact a tree that will be owned by the City of Vaughan after assumption. As your subdivision has not been assumed, it is the developer's responsibility to remove and restore the landscaping within the city's right of way to match the approved landscape drawings. The scale and/or type of landscaping associated with and adjacent to your property makes this request impractical.

Instead, the city has agreed to allow the developer to plant additional trees in other locations with the caveat that you and future homeowners at your address waive the right to request the city to maintain and / or replace the city owned tree that is impacted by the landscaping and that you and future owners are responsible for not harming the tree in question. Should the city owned tree require maintenance and/or removal, the city will have no liability for any damage to the installed landscaping during the associated works AND subject trees may not be eligible for replacement. Additionally, the city will have no responsibility for any future damage the tree does to your landscaping.

Furthermore, the city has requested that you acknowledge this letter by signing and returning this letter to [Developer Name]. A scanned copy is acceptable. Should you not reply to this letter, a second letter will be sent by regular mail. Should you not reply to that letter your consent to the conditions outlined in this letter will be assumed.

Should you have any questions, please do not hesitate to contact the undersigned.