



PARKS & RECREATION

Tree Protection Bylaw No.9272 Introduction and Overview

This is only a summary of the Tree Protection Bylaw. The bylaw is available in its entirety at the District of Saanich website at <http://www.saanich.ca/EN/main/community/natural-environment/trees/tree-protection-bylaw.html>



PURPOSE

The purpose of the [Tree Protection Bylaw](#) (“the Bylaw”) is to regulate cutting or pruning of trees, prohibit tree damaging activities and set requirements for replacement trees.

PROTECTED TREES

The following native species taller than 2m or more in height, and/or 4cm or more in diameter:

Arbutus (Arbutus menziesii)
Garry Oak (Quercus garryana)
Pacific Dogwood (Cornus nuttalli)
Pacific Yew (Taxus brevifolia)

Or, the following native species having a diameter of 30cm or more:

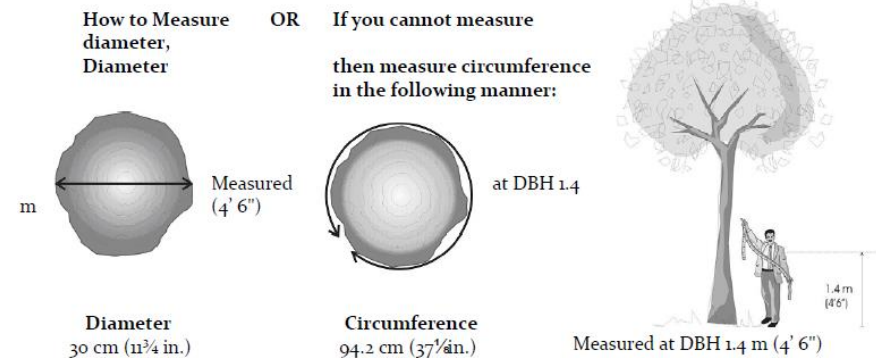
Douglas fir (Pseudotsuga menziesii)
Grand fir (Abies grandis)
Big Leaf Maple (Acer macrophyllum)
Western Red Cedar (Thuja plicata)

And:

- Any other tree having a diameter of 60cm or more
- Any Replacement Tree - A tree required to be planted to replace a protected tree that has been permitted for removal.
- Any tree over 10 cm in diameter at breast height (DBH) or 5 metres in height located in Streamside Development Permit Area (SDPA)
- Any tree planted or retained as a requirement of a subdivision application, development permit, blasting permit, building permit, fill permit or a plumbing permit.
- A Significant Tree as listed in “Schedule B” of the Bylaw.
- Any tree with evidence of a nest or use by raptors, ospreys or herons

Trees listed under a Tree Covenant or Natural State Covenant will be protected as per the language of the covenant in addition to the above list.

Vegetation including trees under 10 cm DBH or 5 metres in height along with other plants including mosses, lichens, herbs, grasses and shrubs located within a Streamside Development Permit Area may not be removed without first obtaining a Development Permit.



TREE PRUNING

A [Tree Cutting Permit](#) is required in order to prune a [Significant Tree](#) (as designated in [Schedule B of the Tree Protection Bylaw](#)). All pruning of a significant tree shall be carried out under the supervision of an arborist.

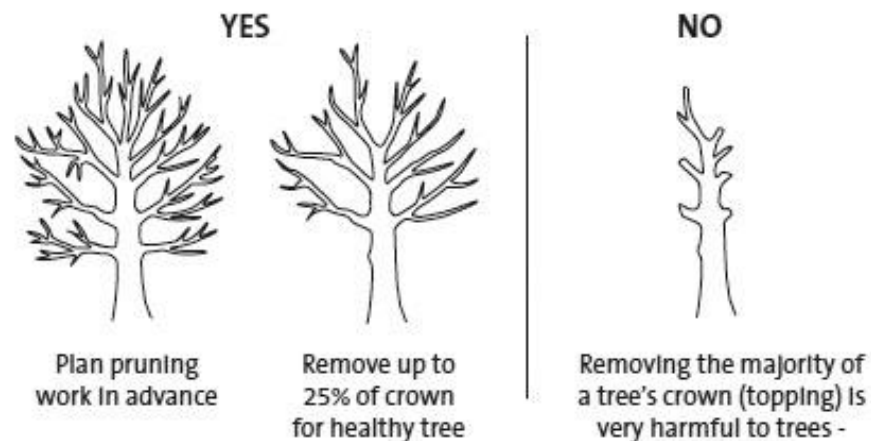
A Tree Cutting Permit is not required for the pruning of a Protected Tree when the pruning is done in accordance with sound arboricultural practices. In all cases, pruning shall be for the health, balance and shape of the tree and must follow American National Standards Institute (ANSI) publication A-300 – Tree Care Operations and the companion Best Management Practices Series of the International Society of Arboriculture (ISA).

Alteration (i.e., poor pruning) of a Protected Tree is prohibited. In keeping with the above standards and BMP's, trees cannot:

- be topped, where the tree has not been topped previously;
- be lift pruned, where the lower branches of the live crown (green branches) of the tree are removed to reduce the live crown to less than 50% of the total tree height; or
- have more than 25% of the live crown of a tree removed in any 12-month



Example of bad pruning practices



TREE REMOVAL

The circumstances where a Tree Cutting Permit maybe issued for the removal of a protected tree are:

Circumstance	Replacement Tree Requirement
Dead, Dying, Diseased and Hazardous Trees <i>In decline beyond recovery</i>	1:1 tree replacement (provided by Saanich)
Infrastructure Damage <i>Where other remedies have been exhausted</i>	1:1 tree replacement (provided by Saanich)
Interface Fire Development Permit Area <i>Trees that have been identified as a fire hazard</i>	No replacement tree required
Agricultural Lands <i>Where the intended agricultural use cannot be located elsewhere</i>	No replacement tree required
Rural Lands <i>One protected tree is permitted for removal per acre, per calendar year except within SDPA</i>	No replacement tree required

Development Related Tree Removal

Circumstance	Fees & Security Deposits	Replacement Trees
Tree damaging activities	\$40 application fee for first tree \$25 per additional tree \$300 security deposit for each required replacement	1:1 tree replacement
Tree located within the building footprint	\$40 application fee for first tree \$25 per additional tree \$300 security deposit for each required replacement	1:1 tree replacement
Construction or installation of a driveway, required off-street parking area, septic tank or field, or underground or above ground utility corridor	\$40 application fee for the first tree \$25 per additional tree \$300 security deposit for each required replacement tree Tree credit system to encourage retention of trees	1:1 tree replacement
Installation of roads, services, access route or above ground or underground service of a fee simple or bare land strata subdivision	\$75 application fee for the first tree \$25 per additional tree \$300 security deposit for each required replacement tree Tree credit system to encourage retention of trees	2:1 tree replacement outside of building footprint for offsite services, roads or access routes

Permit Fees, Security Deposits and Tree Replacement Requirements:

Tree-cutting permit fees, security deposits and tree replacements at the applicant's expense are required as a condition of tree cutting permits related to rezoning, subdivision, development permit, development variance permit, blasting permit, building permit, fill permit and plumbing permit applications.

Please note that a *building footprint* is defined as the actual area of land enclosed by the foundations of the building (plus room for construction of the foundation) as approved through the building permit review process.

REPLACEMENT TREE AND PLANTING REQUIREMENTS

Replacement trees must meet plant condition and structure requirements as stated in "BC Landscape Standard" of the BCSLA/BCLNA and "Canadian Standards for Nursery Stock" of the CNTA.

Replacement trees must be planted and maintained according to the requirements as stated in the "BC Landscape Standard" of the BCSLA.

Replacement trees are to be planted on the same lot as the tree removals. If the replacement tree cannot be planted, the deposit will be allocated to a fund to plant replacement trees elsewhere in the community.

Replacement trees must conform with Saanich standards with respect to species, size and time-to-planting.

INSPECTION AND ASSESSMENT

If a contravention of this Bylaw occurs in a location where excavation, construction or other development is occurring, the Director of Parks and Recreation, By-law Enforcement Officer, Arboriculture Inspector or any other person authorized by a resolution of Council may place a "Stop Work Order" on the property halting all work associated with the tree cutting or tree damaging activity until the contravention is resolved to the satisfaction of the Director of Parks and Recreation.

OFFENCES AND FINES

The Provincial Government under the Municipal Charter Enabling Legislation sets the amount of the fines which can be levied for offences under the Tree Protection Bylaw. Saanich will utilize a graduated system of fines to the maximum allowable limit for offences against the bylaw, as indicated in the following table.

Circumstance	Fine
Cutting down a Significant Tree	Not less than \$5,000
Cutting down a Protected Tree	First Offense – Not less than \$1,000
	Second and Subsequent Offences – Not less than \$2,000 per offense
Contravening a condition of a permit	\$250
Tree damaging activity without a permit	\$250
Working in Protected Root Zone without a permit	\$250
Prohibited alteration of a tree (including poor pruning)	\$250

QUESTIONS

If you have questions or require further information please refer first to the bylaw which can be obtained online at <http://www.saanich.ca/EN/main/community/natural-environment/trees/tree-protection-bylaw.html>. For additional clarification of these materials please email parks@saanich.ca or call 250-475-5522.