

# TREE PROTECTION BYLAW NO. 9272

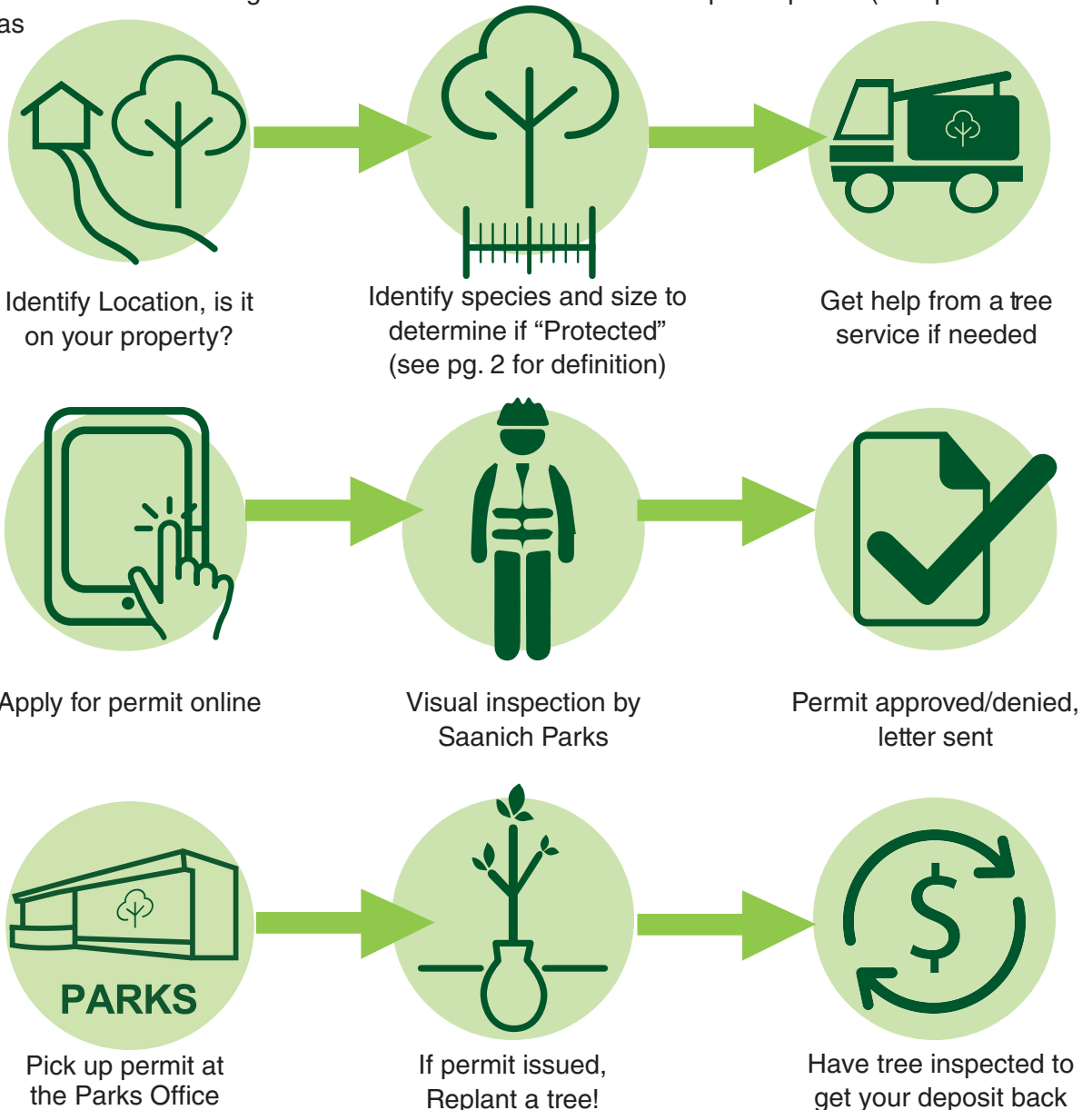
## Highlights for Property Owners

(development related activities i.e., building permits go through a different process)

### Purpose

The Tree Protection Bylaw (Bylaw) regulates cutting or altering Protected Trees, prohibits tree damaging activities and sets requirements for replacement trees within the District of Saanich. You need a permit to remove or alter a Protected Tree, prune a Significant Tree and work within the roots of a Protected Tree. Trees not meeting the definition of "Protected" do not require a permit (except in covenant areas)

### Steps to apply for a permit:





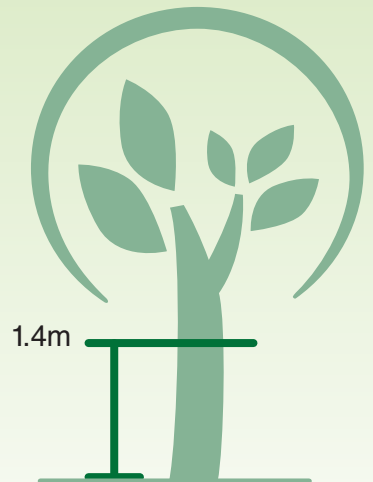
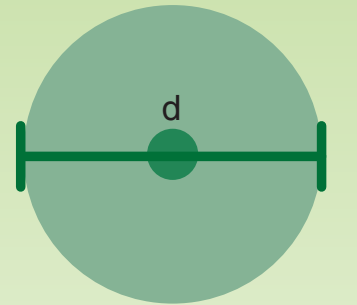
## What is a Protected Tree?

When a tree is defined as “Protected”, certain rules apply. For example a permit may be required to remove it, and Saanich can only issue permits for certain reasons outlined in the Bylaw.

All species of trees within the District of Saanich are protected at 60cm or more in DBH\* (unless included in the exceptions below). The following native species are protected at a specific diameter and/or height.

Protected at 2m or more in height or 4cm or more in DBH*	
Arbutus	Garry Oak
Pacific Dogwood	Pacific Yew
Protected at 30cm or more in DBH	
Douglas fir	Grand fir
Western Red Cedar	Big Leaf Maple

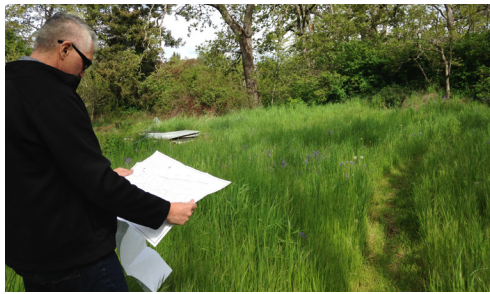
\***DBH defined:** diameter of a tree at roughly breast height (1.4 meters or 4.6 feet)



### Other Trees defined as “Protected” include any tree;

- required to be planted to replace a Protected Tree that has been previously permitted for removal (Replacement Tree);
- located in a Streamside Development Permit Area (SDPA) which is 10cm or more in diameter or 5 meters in height,
- planted or retained as a requirement of a subdivision application, development permit, blasting permit, building permit, fill permit, or plumbing permit,
- with evidence of a nest used by raptors, ospreys, or herons (Wildlife Tree), and;
- a “Significant Tree” (as listed in “Schedule B” of the Tree Protection Bylaw).
- Any tree on municipal property

A permit may be required for trees that are 10 cm or more in diameter, or 5 metres in height, that are growing in a Steep Slope Areas (as per Schedule A). Trees may also be safeguarded by a covenant registered on land title. In those cases, trees will be administered as per the language of the covenant.



## When Can a Protected Tree be Removed?

### Bylaw section 19. Circumstance for removal (paraphrased, no fees apply)

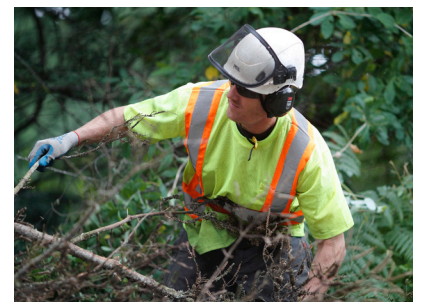
- a) Dead, dying, diseased or hazardous trees in decline beyond recovery
- b) Infrastructure Damage where other remedies have been exhausted
- c) Too close to foundation and causes risk
- d) Arborist report demonstrates tree is inappropriate for location by nature of size and species
- e) Interface Fire Development Permit Area: Trees that have been identified as a fire hazard to property and risk cannot be otherwise be removed or reduced
- f) Agricultural Purpose: Where the intended agricultural use cannot be located elsewhere on the property. (Requires a sworn affidavit).
- g) Rural Lands: One Protected Tree per acre, per calendar year may be removed except within SDPA

**Note:** there are other provisions in the Bylaw regarding development related activities around trees. Proposals will be reviewed as part of the development process (e.g. Building permit) and a separate permit application is not typically required. Please see “What you need to know about Development Related Activities and the Tree Protection Bylaw” for more information.

## Tree Pruning/Altering

A Tree Cutting Permit is **not required** for pruning a Protected Tree (except a Significant Tree) when the pruning is done in accordance with sound arboricultural practices (ISA - International Society of Arboriculture or ANSI-American National Standards Institute) standards.

A permit **is required** for “altering” a Protected Tree, including removing 25% of the live crown of the tree, re-topping a tree and for cutting roots within a tree’s protected root zone.





## Fees and Deposits:

Bylaw Section 19	Circumstance for Removal (paraphrased)	Security Deposits	Replacement Ratio
a	Dead or Dying	\$300	1:1
b	Infrastructure Damage	\$300	1:1
c	Too Close to Foundation	\$300	1:1
d	Inappropriate Size or Species	\$300	1:1
e	Fire Interface	N/A	
f	Agricultural	N/A	
g	Rural	\$300	1:1

## Penalties and Fines

The Bylaw prescribes penalties to help the District of Saanich enforce the Bylaw.

The most common circumstances are summarized below.

Circumstance	Fine
Contravening a condition of a permit	Not less than \$250/day of offence (after 30 days, \$300)
Tree damaging activity without a permit	
Working in Protected Root Zone without a permit	
Prohibited alteration of a tree (including poor pruning)	
Cutting down a Protected Tree without a Permit (Other than a Significant Tree)	First Offence – Not less than \$1,000 Second and Subsequent Offences – Not less than \$2,000 per offence
Cutting down a Significant Tree without a Permit	Not less than \$5,000

## Any Questions?

If you have questions or require more information please refer to our website:

<http://bit.ly/SaanichTrees>

For additional clarification of these materials, please email: [parks@saanich.ca](mailto:parks@saanich.ca) or call 250-475-5522.



# What you need to know about Development Related Activities and the Tree Protection Bylaw

When applying for development related activities on a property, the need for a Tree Permit is determined during the processing of your development application. You do not need to apply for a tree permit separately. After the District of Saanich receives your development application (e.g., building, blasting or development permit) a referral is sent to Saanich Parks from the department receiving the application. Parks assesses the application and applies the Tree Protection Bylaw (Bylaw). In order to properly assess the application, and to determine if all requirements are met, Saanich Parks needs the following information in regards to trees:

### Site plan that shows:

- proposed development activities
- trees and tree tag numbers
- all Bylaw-protected trees on site, and within 3m of the property line
- all above and underground services (existing and/or proposed)
- hardscape (existing and proposed)
- all proposal trees



### Tree Protection Plan provided by a qualified arborist, including:

- inventory of existing trees, which ones are to be retained and which ones proposed for removal
- recommendations to preserve trees during construction
- tree protection fencing (for retained trees and proposed replanting sites)
- proposed planting sites for replacement trees
- traffic access and material storage in consideration of protecting retained trees

### Is my application a “development” application?

Development applications include:

- building
- plumbing
- blasting
- demolition
- development permit
- rezoning
- subdivision

Any resulting Tree Permits can only be issued *after* the development related (e.g., building) permit has been approved and issued.



### Need more information?

This insert supplements the “Highlights for Property Owners” and is only a summary. For the complete Tree Protection Bylaw and more information, please see: <http://bit.ly/SaanichTrees>

Saanich Parks oversees the Tree Protection Bylaw.  
Contact us for more information, email [parks@saanich.ca](mailto:parks@saanich.ca) or call 250-475-5522





## Permit Fees

Bylaw Section 19.	Circumstance	Security Deposits	Replacement Ratio
h and i	Tree within building footprint or driveway, off street parking, septic tank or field and above ground utility (where no other suitable locations are possible)	\$700	2:1
j and k	Construction or installation of roads or services, approved by Engineering or installation of an access route / above ground service of a bare land strata subdivision approved by Engineering	\$700	3:1

Application Fee	Fee Per Additional Tree
<b>Building (no rezoning), Subdivision (no rezoning), Blasting, Plumbing and Demolition Permits</b>	
\$50	\$30
<b>Rezoning and Development Permits (including Subdivision and Servicing in support of)</b>	
\$100	\$30

Permit Amendments	Additional Field Visits
\$40	\$100

