



CORPORATION OF THE DISTRICT OF TOFINO

Significant Trees Bylaw No. 856, 2001

Consolidated for Convenience Only

This is a consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

Amendment Bylaw	Effective Date
Bylaw No. 856.01, 2021	August 24, 2021
Bylaw No. 856.02, 2021`	March 22, 2022

This consolidation is for convenience and reference purposes only. Persons making use of this consolidated version of Bylaw No. 856 are advised that it is not a legal document. For the purposes of interpreting and applying the law, the original Bylaw No. 856 and all amending bylaws must be consulted.

Bylaw numbers appearing in the margin of this consolidated version refer to the applicable amendment bylaw.

DISTRICT OF TOFINO

BYLAW NO. 856, 2001

A BYLAW OF THE DISTRICT OF TOFINO TO DESIGNATE AND PROTECT SIGNIFICANT TREES

Bylaw
856.01

WHEREAS the Council of the District of Tofino may regulate, prohibit and impose requirements in relation to trees, in accordance with the *Community Charter*;

AND WHEREAS the Council considers that it is in the public interest to ensure that trees of significant importance to the community be protected.

NOW THEREFORE the Council of the District of Tofino in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. Title
This bylaw may be known and cited for all purposes as the "District of Tofino Significant Tree Bylaw No. 856, 2001".
2. Definition
 - a) Significant Tree means any tree designated by Council as having significant importance to the community because of their heritage, landmark value, or wildlife habitat.
 - b) Drip line means a vertical line extending down from the outermost branches of the tree to the ground.
3. Designation
 - a) Council designates the trees identified in "Schedule "A" – Significant Trees", as significant trees.
4. Prohibitions

No person shall cut, damage, or remove a significant tree and without limiting the generality of this identified by this bylaw:

 - a) By any activity that would significantly interrupt or stop the flow in, or introduce a substance toxic into, the cambium layer of a tree by such means as cutting, scaring, constricting, piercing, or crushing the cambium layer;
 - b) By applying or placing a substance in a concentration toxic to the tree on the leaves, limbs, trunk or roots of the tree or within the drip line of the tree or into groundwater flowing to the tree;
 - c) By failing to maintain the tree in a manner conducive to its survival;
 - d) By breaking limbs, topping, deadheading, or pruning contrary to the methods set out in "Pruning and Tree Repair";

- e) By doing any of the following within 3 metres of the trunk of the tree or within the drip line of the tree, whichever is a greater distance:
 - a. Soil compacting;
 - b. Depositing or removing of soil;
 - c. Placing of concrete or other hard or impervious surface;
 - d. Altering a natural water course; or
- f) By doing any blasting within 2 metres of the drip line of a tree.

5. Hazardous Trees:

- a) Despite Section 4, the District of Tofino may remove any significant tree on public, highway, parks, or other public property, that poses a significant risk to life, limb or property.

6. Offences:

- a) Every person who violates or causes or allows to be violated any provision of this bylaw commits an offence.
- b) Where more than one significant tree is cut, damaged, or removed in violation of this bylaw, a separate offence is committed in respect to each tree.
- c) Where the offence is of a continuing nature, a separate offence is committed on each day during which the offence continues.
- d) Every person who commits an offence against this bylaw is liable on summary conviction to a penalty of up to \$10,000 for each offence, in addition to such further penalties that the court may order.”.

7. Severance:

If any portion of this bylaw is declared ultra vires by a court of competent jurisdiction, that portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

8. Adoption:

This bylaw shall come into force and take effect on the date of its adoption by Council.

Read a first time this 10th day of September, 2001

Read a second time this 10th day of September, 2001

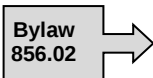
Read a third time this 10th day of September, 2001

Adopted by Council this 15th day of October, 2001

Barbara Bryant, Mayor

Ian Howat, Clerk-Administrator

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 856, 2001 cited



as the "District of Tofino Significant Tree Bylaw No. 856, 2001" as adopted by the Council of the District of Tofino this 15th day of October, 2001.

Ian Howat, Administrator

SCHEDULE 'A' – Significant Trees Designated by Council as having heritage, landmark, or wildlife value.

1. *“Eik Road Tree”*

A Large Western Red Cedar (*Thuja plicata*) located on the west side of the Eik Road Right of Way, Plan 42611, District Lot 115, Clayoquot District

Bylaw
856.01



2.

A small cluster of historic Red Cedar located on Lot 1, District Lot 114, Clayoquot District, Plan 23391 on the northern corner at the top of bank and overhanging the shoreline and identified as TRC334 on Schedule B. These old Cedar are approximately 1.0 m in diameter from a shared stump root network and are only 20 - 30m height; likely due to wind exposure pruning the branches and tops. The tallest Red Cedar offers perching for the common area raptors (Eagle, Falcon, Osprey)."

Bylaw
856.01



3.

A grove of hemlock located on Lot 1, District Lot 114, Clayoquot District, Plan 23391 identified as TRH335, TRH336, TRH337, and TRH338 on Schedule B

Schedule B
District of Tofino Significant Tree Bylaw 856, 2001

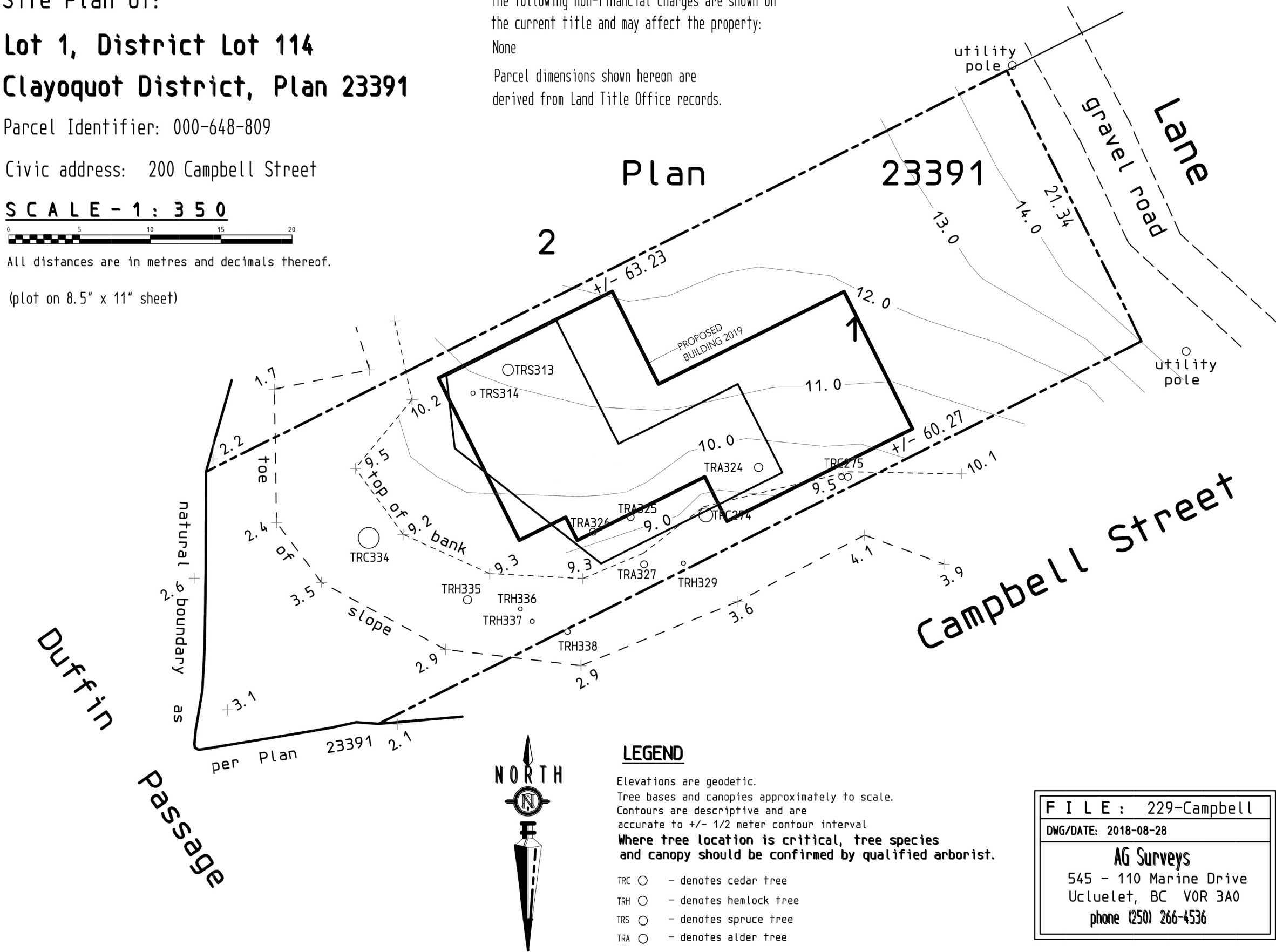
Site Plan of:
Lot 1, District Lot 114
Clayoquot District, Plan 23391

Parcel Identifier: 000-648-809
Civic address: 200 Campbell Street

SCALE - 1 : 350

All distances are in metres and decimals thereof.
(plot on 8.5" x 11" sheet)

The following non-financial charges are shown on the current title and may affect the property:
None
Parcel dimensions shown hereon are derived from Land Title Office records.



PROPOSED 10 UNIT DEVELOPMENT
200 CAMPBELL, TOFINO, BC

REVISIONS:	
FEB. 08, 2019	
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LEITH ANDERSON ARCHITECTURE 1011 Esplanade St Ave, West Vancouver, V7T 1G2 leitharch@shaw.ca t. 604.925.4383	
DRAWING TITLE: SITE PLAN	
DRAWN BY: SC	CHECKED BY: LA
SCALE: 3/32" = 1'-0"	SHEET NO: AO.0
DATE: FEB. 08, 2019	