

TOWN OF GIBSONS



TREE PRESERVATION BYLAW BYLAW No. 1282, 2020

Adopted: September 18th, 2020

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TOWN OF GIBSONS

BYLAW NO. 1282

A Bylaw to provide for the protection and preservation of Trees
within the Town of Gibsons.

WHEREAS it is deemed desirable to regulate the removal and retention of trees within the Town of Gibsons; and

WHEREAS trees are recognized as a Natural Asset of the community; and

WHEREAS trees and tree cover provide many services for the Town,

THEREFORE, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

SECTION 1 INTRODUCTION

1.1 SHORT TITLE

This Bylaw may be cited for all purposes as "Tree Preservation Bylaw No. 1282, 2020".

1.2 REPEAL

Tree Cutting Permit Bylaw No. 623, 1990 is hereby repealed.

1.3 PURPOSE

This Bylaw is enacted for the purposes of regulating the damaging, removal and replacement of trees within the Town of Gibsons and to preserve the overall ecological function of the Urban Forest by:

- 1.3.1 Regulating the altering, cutting, damaging or removing of trees within the Town of Gibsons;
- 1.3.2 Describing the conditions under which permits will be granted for the altering, cutting, or removal of trees.

1.4 BYLAW SCHEDULES

Attached as integral parts of the Bylaw are the following Schedules:

- 1.4.1 SCHEDULE "A" - PROTECTED TREE SPECIES
- 1.4.2 SCHEDULE "B" - PROTECTED TREE SEEDLINGS
- 1.4.3 SCHEDULE "C" - TREE PROTECTION PRACTICES

- 1.4.4 SCHEDULE “D” - REPLACEMENT TREE STOCK AND PLANTING REQUIREMENTS
- 1.4.5 SCHEDULE “E” - RECOMMENDED REPLACEMENT TREE SPECIES
- 1.4.6 SCHEDULE “F”- INVASIVE TREE SPECIES

SECTION 2 DEFINITIONS AND APPLICATION OF BYLAW

2.1 DEFINITIONS

In this Bylaw, unless the context requires otherwise, the following words and terms shall have the meanings hereinafter assigned to them:

BOULEVARD	means an improved portion of land, within a Highway dedication adjacent to a Road surface, sidewalk, or Lot.
CERTIFIED ARBORIST	means an Arborist who is certified and in good standing with the International Society of Arboriculture.
CONIFEROUS	a tree that bears cones and needle-like or scale-like leaves that are typically evergreen.
COUNCIL	means the municipal Council of the Town of Gibsons.
CROWN	means the entire system of branches, leaves and reproductive structures of a Tree extending away from the trunk or main stem(s).
CUT	means to limb, trim, Top, or prune any parts of a Tree, or by any mechanical means remove any branch, foliage, root, stem, or other part of a Tree, and “Cutting” shall have a corresponding meaning.
DAMAGE	means to take any action that may cause a Tree to die or decline, including but not limited to: a) girdling; b) ringing; c) poisoning; d) burning;

- e) soil compaction;
- f) depositing soil, undermining, or removing soil from, around the Tree;
- g) depositing toxins on any part of a Tree or into groundwater taken up by a Tree;
- h) placing concrete or any other hard surface within the Protected Root Zone of a Tree without authorization from the Town;
- i) blasting within 5 metres of the Protected Root Zone;
- j) penetrating or removing any part of the bark of the Tree;
- k) excessive Crown lifting, excessive pruning of the Crown, branches, limbs and or roots; or
- l) any other pruning in a manner not in accordance with Sound Arboricultural Practices as set out by the International Society of Arboriculture.

**DIAMETER AT BREAST
HEIGHT or DBH**

means diameter of the stem of a Tree measured at breast height, except where the Tree has multiple stems at such a point, in which case the DBH of such Tree shall be the sum of 100% of the diameter of the largest stem and 60% of the diameter of each additional stem, all measured at breast height, and breast height for the purposes of such measurements shall be deemed to be 1.3 metres above the natural grade on the uphill side of the Tree.

DECIDUOUS

means a Tree which sheds all leaves annually at the end of the growing season followed by a dormant period without leaves.

DEPOSIT

means place, move, discharge, spray, spill, leak, seep, pour, emit, store, stockpile, or release directly or indirectly into or onto the land, air, soil and groundwater such that Damage to a Tree results, and Depositing has a

	corresponding meaning.
DEVELOPMENT	means an activity which requires a building permit under the Building Bylaw, No. 1284, 2020.
DPA 2	means Environmentally Sensitive Development Permit Area No. 2 as defined in the Official Community Plan Bylaw No. 985, 2005, as amended or replaced from time to time.
DIRECTOR	means the person appointed by the Town as Director of Infrastructure Services, their deputy, or a person authorized by the Director to perform duties of the Director under this bylaw.
FEES AND CHARGES BYLAW	means the Rates, Fees and Charges Bylaw No. 1196, 2014, as amended or replaced from time to time.
HAZARDOUS TREE	means a Tree or a portion of a Tree that: a) in the opinion of a Certified Arborist or the Director, poses an unacceptable level of risk to people or property because of location, lean, physical damage, overhead hazards, deterioration of limbs, stem or root system, or a combination thereof; b) in the opinion of the utility having jurisdiction, interferes with, or is in such proximity to, utility wires as to create a dangerous situation; or c) in the opinion of the Director, interferes with, blocks, or damages a drainage, water or sewer system or other parts of an improvement.
HEDGE	means a row of three or more Trees that through growth and pruning form a continuous dense screen of vegetation from ground level which provides privacy, fencing, wind breaking, and/or boundary definition.
HERITAGE TREE	means a designated Tree that has been determined by Council to be of significant value to the community because of special

	characteristics such as uniqueness of species, uniqueness of ecosystem, historical or landmark value.
LANDSCAPE ARCHITECT	means a Landscape Architect registered with the British Columbia Society of Landscape Architects.
LOT	as defined in the Zoning Bylaw.
NATIVE SPECIES	means a Tree species that occurred naturally in the Town of Gibsons prior to European contact.
NATURAL ASSET	means a feature or features in the natural environment that perform a civil function.
OWNER	as defined in the Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175, 2012.
PROTECTED TREE	means a) any Tree having a DBH of 10 cm or more on Sloping Terrain; b) any Replacement, Retained, Specimen, Heritage or Wildlife Tree; c) any Tree with evidence of nesting or use that is protected under federal or provincial regulations including the B.C. Wildlife Act, Migratory Birds Convention Act, and Species at Risk Act; d) any Tree listed in Schedule "A" with a DBH of 20 cm or more; e) any Protected Tree Seedling; f) any Tree, including multi-stemmed Trees, regardless of species, having a DBH of 30 cm or more.

PROTECTED TREE SEEDLING	means any young, independent, living, erect, woody plant that is listed in Schedule "B" and has a height of more than 50cm and less than 5m, regardless of DBH.
PROTECTED ROOT ZONE	means a) the area of land surrounding the trunk of a Tree that contains the bulk of the critical root system of the Tree which has been specifically delineated on a Tree plan prepared by a Certified Arborist and approved by the Director; b) in the absence of such information, the area of land surrounding the trunk of a Tree contained within a circle having a radius which is calculated by multiplying the DBH of the Tree by 18.
QUALIFIED ENVIRONMENTAL PROFESSIONAL	means an individual holding one of the following designations: a) Agrologist; b) Professional biologist; c) Professional engineer; d) Professional forester; e) Professional geoscientist; and f) Registered forest technologist.
REPLACEMENT TREE	means a Tree required in accordance with this Bylaw to be planted to replace a Tree that has been Cut, Removed or Damaged, or a Tree planted as a condition of Subdivision or other municipal approval.
RETAINED TREE	means a Tree not to be Cut, Removed or Damaged and must be permanently protected.
REMOVE	means to entirely sever the main stem of a Tree, and "Removed", "Removal" and "Removing" shall have corresponding meanings.

SLOPING TERRAIN	means land with a slope angle greater than 20%, measured over a horizontal distance of 6.0 m (19.7 ft) or more at the location of the tree.
SOUND ARBORICULTURAL PRACTICE	means in accordance with the Best Management Practices Series of the International Society of Arboriculture (ISA).
SPECIMEN TREE	means a Tree of any size which a Certified Arborist, Landscape Architect, or the Director of Infrastructure in consultation with the Director of Planning deems to be of exceptional value because of its species, condition, form, age or size.
SUBDIVISION	means a) a Subdivision as defined in the Land Title Act, or b) a Subdivision under the Strata Property Act.
TOP	means to entirely sever the stem of a Tree such that the upper stem and branches of the Tree are completely removed, resulting in an abruptly truncated stem, and “Topping” and “Topped” shall have corresponding meanings.
TOWN	means the Town of Gibsons.
TREE	means a woody perennial plant having one or more stems and includes any part of the Tree or root system which is above or below ground, with the exception of the invasive tree species as listed in Schedule “F” of this Bylaw.
TREE CUTTING PERMIT	means a permit issued pursuant to this Bylaw by the Director authorizing the pruning, Cutting or Removal of one or more Protected Trees.
TREE PROTECTION BARRIER	means a sturdy temporary or permanent fence or barrier at least 1.2 metres in height, with wood-framed top and side rails or equivalent.
URBAN FOREST	means the Trees, forests, greenspace, and related abiotic, biotic, and cultural components

located within the Town.

WILDLIFE TREE

means any standing dead or live Tree having special characteristics that provide valuable habitat for the conservation or enhancement of wildlife, as determined and classified by the Director, in accordance with criteria contained in the “Wildlife/Danger Tree Assessor’s Course Workbook – Parks and Recreation Sites”.

ZONING BYLAW

means the Town of Gibsons Zoning Bylaw No. 1065, 2007, as amended or replaced from time to time.

2.2 APPLICATION OF BYLAW

2.2.1 This Bylaw applies to all land within the Town.

2.2.2 This Bylaw does not apply to Protected Trees on Town-owned property or highways that are Cut or Removed by the Town or its authorized agents in accordance with approved Town operations.

SECTION 3 RESTRICTIONS AND EXEMPTIONS

3.1 RESTRICTIONS

3.1.1 No person shall Cut, Remove, or move any Protected Tree, or cause, suffer or permit any Protected Tree to be Cut, Removed or moved, except in accordance with the terms and conditions of a valid Tree Cutting Permit issued under this Bylaw.

3.1.2 No person shall fail to comply with the terms and conditions of a Tree Cutting Permit issued under this Bylaw.

3.1.3 Except to the extent granted by a Tree Cutting Permit, or as provided for in Section 3.2.2 a person must not:

- a) Damage a Protected Tree;
- b) Top a Protected Tree except if the Protected Tree forms part of a Hedge;
- c) Attach a sign or poster to a Protected Tree in any manner that may Damage the Protected Tree.

3.2 PUBLIC LANDS

- 3.2.1 Any Tree on land owned by or under the jurisdiction of the Town, including, without limitation, a Tree in a park or on a Boulevard, road, lane allowance or right of way is considered a Protected Tree.
- 3.2.2 No person shall plant a Tree or Hedge on Town lands or cause Trees or Hedges to be planted on Town lands without prior written authorization from the Director.

3.3 EXEMPTIONS

- 3.3.1 A Tree Cutting Permit is not required to Cut or Remove a Protected Tree where:
 - a) A Development Permit under DPA 1 or 2 has been issued which addresses the Removal of the Protected Tree;
 - b) The Cutting or Removal constitutes normal pruning of Trees in accordance with Sound Arboricultural Practice.

3.4 HAZARDOUS TREES

- 3.4.1 In the event that a Tree is in imminent danger of falling, the Owner may Cut the Tree or have it Cut prior to obtaining a permit.
- 3.4.2 The Owner shall not remove the Tree from the Lot until the Director has attended the site and has confirmed the Tree was in imminent danger of falling.
- 3.4.3 If the Director determines that the Tree was not in imminent danger of falling, or was in imminent danger of falling due to reasons other than natural causes, the Owner may be found to have acted in contravention of this bylaw and be subject to the penalties in SECTION 7.

SECTION 4 TREE CUTTING PERMIT APPLICATION

4.1 GENERAL CONDITIONS OF TREE CUTTING PERMIT

- 4.1.1 An application for a Tree Cutting Permit shall be in the form prescribed for that purpose by the Director from time to time.
- 4.1.2 A Tree Cutting Permit issued under this Bylaw is non-transferable.
- 4.1.3 The Tree Cutting Permit shall be displayed in an accessible and conspicuous location on the Lot to which it pertains no less than 72 hours prior to and during Tree Cutting or Removal operations.

4.2 APPLICATION REQUIREMENTS

Every application for a Tree Cutting Permit shall include:

- 4.2.1 A non-refundable application fee in the amount applicable under the Rates, Fees and Charges Bylaw except as provided in 4.2.1.1.
 - 4.2.1.1 No permit fee is required where any of the following conditions apply:
 - a) the Protected Tree is located within the building envelope of a Lot and the Cutting or Removal of the Protected Tree is deemed by the Director to be necessary for the purpose of lawfully constructing a building or accessory building, or an addition to a building or accessory building in respect of an approved Building Permit;
 - b) the removal of a Protected Tree is to facilitate the installation of roads or services in respect of a Subdivision and as shown on an engineering drawing approved by the Town; or
 - c) The Tree is dead, dying, severely Damaged, unstable or deemed to be Hazardous; or
 - d) The roots of the Protected Tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where, in the opinion of the Director, removal of the tree is the only means to address the issue.
- 4.2.2 The following documents, plans and information relating to the proposed Tree Cutting or Removal:

- a) A statement of purpose and rationale for the proposed Tree Cutting or Removal;
- b) The street location and a title search for the Lot dated no more than 14 days prior to the date of application;
- c) The consent in writing of the registered Owner of the Lot, if different from the applicant, authorizing the applicant to act as the Owner's agent;
- d) The consent in writing of the registered Owner(s) of the Lot(s) where the base of the Tree to be Cut or Removed is located and current contact information for that Owner or Owners;
- e) The methods proposed for control of drainage and erosion impacts during and after the Tree Cutting or Removal;
- f) The proposed methods for disposal of wood waste and other debris;
- g) The proposed methods of noise and dust control during the Tree Cutting or Removal operation;
- h) The proposed completion dates for Tree Cutting or Removal;
- i) Where the Tree(s) proposed to be Cut or Removed are on Sloping Terrain, a report signed by a Geotechnical Engineer certifying that the proposed Cutting or Removal shall not result in an increased risk or danger of flooding, erosion or slope instability;
- j) The proposed location and species of Replacement Trees required in accordance with Section 5.2;
- k) If required by the Director:
 - i) A Tree Cutting and replacement plan drawn to approximate scale identifying:
 - a) the boundaries of the subject Lot;
 - b) any abutting streets, lanes or public access rights of way;
 - c) the location of existing buildings and structures;
 - d) the location, species and DBH of those Trees proposed to be Cut or Removed;
 - e) the location, species and DBH of those Trees proposed

to be Retained and protected;

- f) the location, species and DBH of proposed Replacement Trees;
- g) the location of significant topographic and hydrographic features and other pertinent site information; and
- h) the location of proposed Tree Protection Barriers.

ii) A report certifying that the proposed Tree Cutting or Removal will not create an adverse impact including flooding, erosion, land slip or contamination of a watercourse prepared by a Qualified Environmental Professional qualified to provide such certification;

iii) Such further and other information as the Director determines is necessary to adequately describe the nature and extent of the Tree Cutting or Removal operation.

l) In addition to the requirements in Sections 4.2.1 and 4.2.2 of this Bylaw, any Lot undergoing Subdivision or Development shall place a Tree Protection Barrier around any Tree or Trees which are not to be Cut or Removed, in such a manner to ensure that the trunk, branches and Protected Root Zone are not Damaged by the Cutting or Removal operations. The Tree Protection Barrier must be constructed prior to the issuance of the Tree Cutting Permit and must remain intact for any construction or demolition throughout the entire period of construction or demolition.

4.2.3 Where the Tree Cutting or Removal is for a Tree that the applicant purports to be a Hazardous Tree:

- a) Evidence that the Tree is in imminent danger of falling, as requested by the Director;
- b) A report prepared by a Certified Arborist certifying that the Tree is dead, diseased, damaged or otherwise constitutes a physical hazard to persons or property; or

4.2.4 In the event that it is not possible for reasons of safety to obtain a report prior to the tree falling, the Owner may cut the tree or have it cut, but shall report the cutting of the tree to the Town within 30 days, along with a photograph of the tree prior to such cutting.

4.3 PERMIT ISSUANCE OR REFUSAL

- 4.3.1 The Director will issue a Tree Cutting Permit in the form prescribed for that purpose from time to time by the Director if:
- a) the applicant has submitted an application for the Tree Cutting Permit in accordance with the conditions of this Bylaw;
 - b) the applicant has paid the required application fee;
 - c) the proposed Cutting is not contrary to the provisions of this Bylaw;
 - d) there is no covenant or similar agreement registered against title to the Lot that prohibits the proposed activity;
 - e) the Director deems the proposed activity is necessary where
 - i) the tree removal is to facilitate the lawful construction of a building or building addition in respect of an approved Building Permit;
 - ii) any part of the tree is causing damage or may be reasonably expected to cause damage to a permanent building and where removal of the tree is the only means to address the issue;
 - iii) The roots of the protected tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where removal of the tree is the only means to address the issue;
 - iv) the installation of a driveway permitted by the Subdivision and Development Servicing and Stormwater Management Bylaw;
 - v) the removal is necessary for the installation of roads or services in respect of a Subdivision and as shown on an engineering drawing approved by the Town; or
 - f) the tree is one of several trees on the property and removing one or more trees will promote the health and safety of the remainder. the Proposed Cutting will not, in the opinion of the Director, cause an unacceptable impact on engineered infrastructure, other Trees or other Natural Assets; and
 - g) if required by this Bylaw, the applicant has provided security in accordance with Section 5.2.4 of this Bylaw for the planting and maintenance of Replacement Trees on the Lot.
 - h) subject to the observance or fulfilment of additional conditions

specified in the Tree Cutting Permit which in the opinion of the Director are necessary to achieve the purposes of this Bylaw.

- 4.3.2 The issuance of a Tree Cutting Permit does not authorize the permit holder to undertake any work that will contravene the Wildlife Act.

4.4 PERMIT EXPIRY, RENEWAL, EXTENSION OR MODIFICATION

- 4.4.1 The duration of a Tree Cutting Permit will be determined by the Director up to a maximum of 12 months.
- 4.4.2 The Director may renew, extend, or modify a Tree Cutting Permit upon written request of the permit holder, subject to the following:
- a) The Director may require that the permit holder provide additional information authorized by this Bylaw as a precondition to considering an application for a Tree Cutting Permit renewal, extension, or modification; and
 - b) All terms and conditions set out in the original permit shall apply to each renewal, extension, or modification of the Tree Cutting Permit except as amended or modified by the renewal, extension, or modification.

SECTION 5 Regulations

5.1 TREE CUTTING OR REMOVAL

- 5.1.1 Every Cutting or Removal of a Protected Tree shall comply with, and every Tree Cutting Permit issued under this Bylaw is subject to, the observance or fulfilment of the following requirements, restrictions, and regulations, to the satisfaction and approval of the Director:
- a) Flag or mark with red or orange paint each Tree proposed to be Cut or Removed;
 - b) Mark on the ground with paint, stakes or flagging the Protected Root Zones of all Trees on the Lot and the boundaries of the areas within such Protected Root Zones on which the proposed Tree-activities are proposed to be carried out;
 - c) Tree parts and wood waste shall be removed from the land and properly disposed of;
 - d) precautions shall be taken to ensure that Trees which are not to be Cut or Removed are not subject to any Damage;
 - e) all damage to drainage facilities, watercourses, highways or other

public or private property arising from an activity in respect to the Cutting or Removal of a tree shall be promptly and properly repaired to the satisfaction of the Director at the expense of the permit holder;

- f) all watercourses, groundwater aquifers, waterworks, ditches, drains, sewers or other established drainage facilities shall be kept free of all wood waste arising from the activity in respect of which a Tree Cutting Permit was issued under this Bylaw;
- g) all hazards or potential hazards associated with the Tree Cutting or Removal operation shall be adequately fenced or otherwise barricaded to ensure the safety of the public;
- h) Tree Cutting or Removal operations must not encroach upon, undermine, damage or endanger any adjacent Lot or any setback area prescribed in the Tree Cutting Permit or a Bylaw; and
- i) Tree Cutting or Removal operations shall be limited only to the area specified in the Tree Cutting Permit which shall be clearly marked according to Section 4.2.2 and such markings maintained for the duration of the Tree Cutting Permit.

5.1.2 For any Subdivision and Development, every Cutting or Removal of a Protected Tree or Specimen Tree shall comply with, and every Tree Cutting Permit issued under this Bylaw shall be subject to, the observance or fulfilment of the requirements, restrictions and regulations outlined in 5.1.1, to the satisfaction and approval of the Director, as well as the practices outlined in Schedule "C" of this Bylaw.

5.2 REPLACEMENT TREES

5.2.1 For Lots containing a single-family dwelling, as that term is defined in the Zoning Bylaw, as a condition of any permit issued under this Bylaw, the Owner shall plant and maintain two (2) Replacement Trees for each 20-30cm DBH Protected Tree Cut or Removed, and shall plant and maintain three (3) Replacement Trees for each 30 cm or greater DBH Protected Tree Cut or Removed, on the subject Lot in accordance with the requirements of Schedule "D".

5.2.2 For all other Lots, as a condition of permit issuance under this Bylaw, the Owner shall plant and maintain two (2) Replacement Trees for each Protected Tree Cut or Removed on the subject Lot in accordance with the requirements of Schedule "D."

5.2.3 For Lots within DPA 1 or 2 where a Development Permit has been issued which addresses the removal of the Protected Tree, the Owner shall plant and maintain three (3) Replacement Trees of Native Species on the

subject Lot for each Protected Tree Cut or Removed, in accordance with the requirements of Schedule "D".

- 5.2.4 Where the planting and maintenance of a Replacement Tree is required pursuant to this Bylaw, the Owner shall provide to the Town prior to issuance of a Tree Cutting Permit a security deposit in the amount of \$300 cash for each Replacement Tree to be planted and maintained. If at any time the Owner fails to comply with the provisions of this Bylaw relating to the planting and maintenance of Replacement Trees, the Town may by its employees or contractors enter upon the subject Lot to fulfil the obligations of the Owner and, for such purposes, the Town may draw upon the security deposit to cover any costs of doing so. The security deposit or portion remaining thereof, if any, shall be released to the Owner 24 months after planting, provided the Director is satisfied the Tree is in good health.
- 5.2.5 If, in the opinion of the Director, Replacement Trees cannot, or need not, be accommodated because of the configuration of buildings or proposed buildings on the Lot, or constraints due to lack of acceptable planting areas, the Director may accept from the Owner payment in lieu in an amount of \$300 into the Tree Planting and Replacement Reserve Fund for each Replacement Tree not planted.
- 5.2.6 Replacement Trees shall be planted and maintained in accordance with Sound Arboricultural Practice to the satisfaction of the Director.
- 5.2.7 Replacement Trees are not required for Tree Cutting a Hazardous Tree or Removal of a Hazardous Tree.

SECTION 6 Administration

6.1 INSPECTION

- 6.1.1 The Director is hereby authorized at all reasonable times to enter upon and inspect any lands to determine whether the requirements, restrictions, regulations, terms, conditions and directions of this Bylaw or a Tree Cutting Permit issued under this Bylaw are being observed.
- 6.1.2 Without limiting the generality of 6.1.1, the Director may, at all reasonable times, assess or inspect, or cause an assessment or inspection to be made of any Protected Trees to which this Bylaw applies, including an assessment of the location, size, species and condition of such Trees, in the following circumstances:
- a) Where land is the subject of an application for Subdivision, approval of a servicing plan prior to Subdivision, a development permit, a development variance permit, a temporary commercial or

industrial use permit or a building permit;

- b) When Replacement Trees have been planted as required by this Bylaw; or
- c) When an application for a Tree Cutting Permit has been made under this Bylaw.

6.1.3 No person shall prevent or obstruct or attempt to prevent or obstruct the Director from entering upon lands and carrying out the activities authorized by Sections 6.1.1 and 6.1.2.

6.1.4 Where a Protected Tree has been Cut or Damaged in contravention of this Bylaw or the terms of a Tree Cutting Permit, no person shall remove from a Lot the stem, limbs, roots and remains of a tree Cut or Damaged until an investigation and assessment by the Director is complete and the Director has expressly authorized the removal of the remains of the Tree.

6.2 NOTICE OF NON-COMPLIANCE

6.2.1 The Director may give notice to any person of a breach of, or noncompliance with, any of the provisions of this Bylaw or a Tree Cutting Permit issued under this Bylaw, and such person shall immediately cease all Tree Cutting or Removal activities until such breach or non-compliance is remedied to the satisfaction of the Director, and every Owner of real property shall refuse to suffer or permit further Tree Cutting or Removal operations upon the real property until such time as the breach or non-compliance is remedied to the satisfaction of the Director.

6.3 FAILURE TO REMEDY NON-COMPLIANCE

6.3.1 In the event that a person having received notice under Section 6.2 fails within the time specified therein to remedy such breach, the Town or its appointed agents may enter upon the real property and undertake, at the Owner's or occupier's expense, the works required to remedy the breach.

6.4 NOTICE OF REMEDIAL REQUIREMENT

6.4.1 In addition to any other provision of this Bylaw, where a person cuts, removes or damages, or causes, suffers or permits any Protected Tree to be cut, removed, or damaged in contravention of this Bylaw or in violation of any term or condition of a Tree Cutting Permit issued under this Bylaw, that person, within 30 days of receiving notice of such requirement from the Director, shall:

- a) Submit for the Director's approval a Tree Cutting and Replacement Plan in accordance with the requirements of Section 4.2.2 j) specifying the location and species of all Replacement Trees; and

- b) Provide twice the number of Replacement Trees required by section 5.2.1, 5.2.2 and 5.2.3;
- c) Provide a security deposit in accordance with Section 5.2.4 of this Bylaw; and
- d) Plant and maintain Replacement Trees in accordance with Section 5.2 of this Bylaw and the Tree Cutting and Replacement Plan approved by the Director.

6.5 SUSPENSION OR CANCELLATION OF PERMIT

6.5.1 Without limiting the application of Section 7 (Offences and Penalties), if:

- a) There is a contravention of any term, condition, requirement or restriction of this Bylaw or a Tree Cutting Permit issued under this Bylaw; or
- b) A Tree Cutting Permit was issued under this Bylaw on the basis of statements made in the permit application or a report, declaration or record required under this Bylaw, that were false or misleading with respect to a material fact or that omitted to state a material fact, the omission of which made the statement false or misleading;

the Director may:

- i) Suspend in whole or in part the rights of the permit holder under the Tree Cutting Permit;
- ii) Cancel the Tree Cutting Permit; or
- iii) Amend or attach new conditions to a Tree Cutting Permit.

6.6 RIGHT OF RECONSIDERATION

6.6.1 Where an Owner or occupier of real property is subject to a requirement or a decision made by the Director under this Bylaw, the Owner or occupier may apply to Council for reconsideration of the matter.

6.6.2 An Owner or occupier who wishes to have a decision reconsidered by Council must apply for the reconsideration by delivering to the Director of Corporate Services, within 30 days after the decision is communicated in writing to the Owner or occupier, a reconsideration application in writing, which must set out all of the following:

- a) The date of the decision and the nature of the decision;
- b) Reasons why the Owner or occupier considers the Director's

decision or requirement to be inappropriate;

- c) The decision the Owner wishes to have Council substitute for the Director's decision, with brief reasons in support of the request; and
- d) A copy of any materials considered by the Owner to be relevant to the reconsideration by Council.

6.6.3 A reconsideration application must be considered by Council at a regular meeting of Council held no more than six weeks after the date on which the reconsideration application is delivered to the Director of Corporate Services;

6.6.4 The Director of Corporate Services must:

- a) Place each reconsideration application on the agenda for a regular meeting of Council;
- b) Give notice of each reconsideration by Council in accordance with any notice requirements in respect of the original application that are set out in the Development Application Procedures Bylaw No. 1166, 2014 or the applicable legislation; and
- c) Before each reconsideration by Council, deliver to each Council member a copy of the materials that were considered by the Director in making the decision that is to be reconsidered.

6.6.5 In reconsidering a decision, Council must consider the material that was considered by the Director in making the decision;

6.6.6 At a reconsideration of a decision, the Owner or occupier and any other person who is interested in the decision are entitled to be heard by Council;

6.6.7 Council is entitled to adjourn a reconsideration of a decision; and

6.6.8 After having reconsidered a decision, Council may either confirm the Director's decision, amend the Director's decision, or may set aside all or part of the Director's decision and substitute the decision of Council.

6.7 RECOVERY OF COSTS AND FEES FROM REAL PROPERTY TAXES

6.7.1 The costs of actions taken by the Town to remedy a default or breach of this Bylaw may be collected by the Town in the same manner as real property taxes, and will be added as arrears of taxes if unpaid by December 31 in the year in which the costs are incurred.

SECTION 7 Offences and Penalties

- 7.1.1 Any person who contravenes or violates any provision of this Bylaw or of any Tree Cutting Permit issued under this Bylaw, or who suffers or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw or any Tree Cutting Permit issued under this Bylaw, or who fails or neglects to obey any order, direction or notice given under this Bylaw or any Tree Cutting Permit issued under this Bylaw, other than an offence referred to in Section 7.1.4, below, commits an offence against this Bylaw and is liable on summary conviction to a fine of up to \$5,000 in addition to the costs of prosecution.
- 7.1.2 Where one or more Protected Trees is Cut or Removed other than as authorized by this Bylaw, or more than one Protected Tree is not replaced or maintained in accordance with a Tree Cutting Permit issued under this Bylaw, a separate offence is committed in respect of each such Tree.
- 7.1.3 Where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
- 7.1.4 Notwithstanding Section 7.1.1, any person who is guilty of obstructing the Director or Officer or their appointed designates while performing his/her duties in relation to this Bylaw is liable upon summary conviction to a fine of not less than \$2,000.00, or to imprisonment for not more than 6 months, and the cost of prosecution.

SECTION 8 Severability

- 8.1.1 If any part, Section, sub-Section, sentence, clause or sub-clause of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid Section shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.
- 8.1.2 Section headings do not form part of this Bylaw. They are included for convenience only and must not be used in interpreting this Bylaw.

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

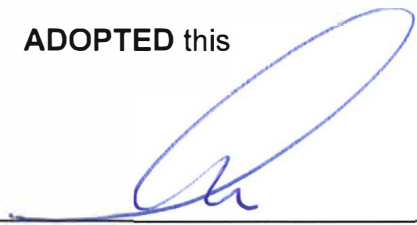
READ A FIRST TIME this 7TH DAY OF JULY , 2020

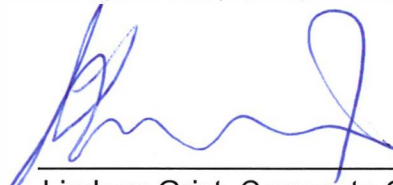
READ A SECOND TIME this 7TH DAY OF JULY , 2020

PUBLIC HEARING HELD this 15th DAY OF SEPTEMBER , 2020

READ A THIRD TIME this 15th DAY OF SEPTEMBER , 2020

ADOPTED this 18th DAY OF SEPTEMBER , 2020



William Beamish, Mayor

Lindsey Grist, Corporate Officer

SCHEDULE “A” - PROTECTED TREE SPECIES

- a) Arbutus (*Arbutus menziesii*)
- b) Pacific Dogwood (*Cornus nuttallii*)
- c) Pacific Yew (*Taxus brevifolia*)
- d) Garry Oak (*Quercus garryana*)
- e) Douglas Fir (*Pseudotsuga menziesii*)
- f) Western Red Cedar (*Thuja plicata*)
- g) Bigleaf Maple (*Acer macrophylla*)
- h) Grand Fir (*Abies grandis*)
- i) Western Hemlock (*Tsuga heterophylla*)
- j) Yellow Cedar (*Chamaecyparis nootkatensis*)
- k) Balsam Fir (*Abies balsamea*)

SCHEDULE “B”- PROTECTED TREE SEEDLINGS

- a) Garry Oak (*Quercus garryana*),
- b) Pacific Dogwood (*Cornus nuttallii*),
- c) Arbutus (*Arbutus menziesii*).

SCHEDULE "C" -TREE PROTECTION PRACTICES

- a) Ensure all Protected Trees are tagged with uniquely numbered plastic Tree tags.
- b) Have a Certified Arborist prepare a Tree Protection Plan in accordance with Schedule "D" of this bylaw, and review with Proponent, Design Consultants (particularly Civil Engineer, Architect and Landscape Architect), General Contractor and relevant sub-contractors.
- c) Erect sturdy, well-signed, Tree Protection Barriers for each Retained Tree prior to commencement of demolition, site preparation or construction and continuously maintain the fence and signage until the completion of the work proposed to be carried out on the land to which the permit applies.
- d) Conserve Trees in groups, where possible. Conserve growing soils and "placeholders" for new Trees, when planning the site.
- e) Discuss site access, storage, servicing, blasting and work-sequencing requirements with your Contractor and resolve any conflicts with the Protected Tree areas or measures.
- f) When blasting, ensure that explosive materials are selected that minimize combustible gases, which may otherwise harm roots. "Pre-shearing" and low "particle velocities" will also help to minimize root trauma.
- g) Store all excavation and building material away from Retained Trees.
- h) Use an access route to the subject site that avoids impact on the Protected Root Zones of adjacent Trees.
- i) Locate concrete washout areas away from Retained Trees (preferably down slope) and away from proposed and existing garden areas.
- j) Where Tree roots are impacted by digging or other site activities, Damaged roots should be pruned cleanly just before the point of impact with a sharp pruner or saw. Roots Cut by excavation must be immediately wrapped in a root curtain of wire mesh lined with burlap surrounded by posts, and the root curtain

must be kept moist throughout the construction process.

- k) Make use of new techniques and products to broaden the number and efficiency of the proposed Tree protection options (e.g. hydraulic excavation, vertical shoring, on-grade road or sidewalk construction, pier and post construction, structural soils, permeable pavers etc.). Consult a Certified Arborist or Landscape Architect.
- l) Apply a 10cm layer of mulch to Protected Tree areas to retain moisture, improve nutrients and increase beneficial soil biology.

SCHEDULE “D” - REPLACEMENT TREE STOCK AND PLANTING REQUIREMENTS

The Town maintains a list of acceptable Recommended Replacement Tree Species (see Schedule “E”). Where Replacement Trees are required to be provided pursuant to this Bylaw, such Replacement Trees shall be provided and planted as follows:

- a) For Removal of a Protected Tree, the Replacement Tree (s) must be of the same species as the Tree that has been removed.
- b) At least half of the total number of Trees on the property, including existing Retained and Replacement Trees, must be Native Species, unless the Trees being replaced are located within DPA 2, in which case all the Replacement Trees shall be Native Species.
- c) For Tree Removals on properties containing a single-family dwelling, Tree Removal not related to demolition or construction of a new single-family dwelling requires the following Tree Replacement:
 - i) Deciduous Replacement Trees are to be of a minimum 6cm DBH,
 - ii) Coniferous Replacement Trees are to be a minimum of 3m in height.
- d) For Tree Removals under Tree Cutting Permits related to construction, demolition, rezoning, development permits, Subdivisions or building Permits for all properties other than properties containing single family dwellings:
 - i) Every Deciduous Replacement Tree shall be of the minimum DBH specified in Column 3 of Table 1 of this Schedule corresponding to the DBH of the Tree Removed,
 - ii) Every Coniferous Replacement Tree shall be a Tree of the minimum height specified in Column 2 of Table 1 of this Schedule corresponding to the DBH of the Tree Removed.
- e) Replacement Trees shall not be planted:
 - i) within 3 metres of a building foundation wall and within 1 metre of any property line of a Lot;
 - ii) within 5 metres of an overhead utility line for Trees that may grow to a maximum of 5 metres in height, and within 10 metres of an overhead utility line for Trees that may grow to a greater height;
 - iii) within an easement or statutory right of way.
- f) Every Replacement Tree shall be spaced from existing Trees and other Replacement Trees in accordance with Sound Arboricultural Practice to best ensure survival of the Replacement and existing Trees.

- g) Replacement Trees must meet the plant condition and structure requirements set out in the latest edition of the CSLA/CLNA “Canadian Landscape Standard” and the CNTA “Canadian Standards for Nursery Stock” to be considered acceptable by the Director.
- h) Replacement Trees shall be planted and maintained in accordance with the requirements set out in the latest edition of the CSLA/CLNA “Canadian Landscape Standard”.
- i) Tree caging will be required in areas prone to deer browsing until the Tree is 6 feet in height.
- j) Replacement Trees shall be planted during the suitable local planting seasons generally defined as fall (September – November) and spring (February - April). Where planting must occur outside of these time periods, then a strategy for ensuring the Trees are watered (in the summer) or protected from cold weather (in the winter) must be included as part of the Tree Cutting Permit application.
- k) The following minimum specifications for topsoil or amended organic soil are required for replanting on a property unless otherwise advised against by the Arborist:
 - i) organic matter content of 15% dry weight in planting beds and 8% in turf areas;
 - ii) depth of 300 mm for turf;
 - iii) depth of 450 mm for shrubs/Trees;
 - iv) depth of 300 mm around and below the root ball of all Trees;
 - v) pH from 6.0 to 8.0 or matching that of the original undisturbed soil;
 - vi) subsoils scarified to a depth of minimum 100 mm with some topsoil being incorporated into the subsoil; and
 - vii) planting beds mulched with a minimum of 50 mm of organic materials.

TABLE 1 – Replacement Trees		
COLUMN 1	COLUMN 2	COLUMN 3
D.B.H. of Tree Cut or Removed	Minimum Height of Coniferous Replacement Tree	Minimum DBH of Deciduous Replacement Tree
Up to 30cm (12")	2.5 m (8.2 ft)	6 cm (2.5")
30-60 cm (12" – 24")	3.5 m (11.5 ft)	8 cm (3")
60cm + (24" +)	4.5 m (14.8 ft)	10 cm (4")

SCHEDULE "E" - RECOMMENDED REPLACEMENT TREE SPECIES**NATIVE TREE SPECIES**

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>SHADE TOLERANCE</u>	<u>DESCRIPTION</u>
<u>VERY DRY SITE</u>				
ARBUTUS MENZIESII	ARBUTUS	UP TO 30 m	FULL SUN	BROADLEAF EVERGREEN
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
QUERCUS GARRYANA	GARRY OAK	20-30 m	FULL SUN	DECIDUOUS
<u>DRY SITE</u>				
ABIES GRANDIS	GRAND FIR	40-70 m	FULL SUN TO PART SHADE	CONIFEROUS
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS
<u>SLIGHTLY DRY SITE</u>				
ABIES GRANDIS	GRAND FIR	40-70 m	FULL SUN TO PART SHADE	CONIFEROUS
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
CORNUS NUTTALLII	PACIFIC DOGWOOD	10-20 m	FULL SUN TO PART SHADE	DECIDUOUS
PICEA SITCHENSIS	SITKA SPRUCE	70 m	FULL SUN	CONIFEROUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
TAXUS BREVIFOLIA	WESTERN YEW	10-15 m	PART SHADE	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS

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TSUGA HETEROPHYLLA	WESTERN HEMLOCK	50-70 m	SUN TO SHADE	CONIFEROUS
<u>MOIST SITE</u>				
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
MALUS DIVERSIFOLIA	PACIFIC CRABAPPLE	12 m	FULL SUN	DECIDUOUS
PICEA SITCHENSIS	SITKA SPRUCE	70 m	FULL SUN	CONIFEROUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
TAXUS BREVIFOLIA	WESTERN YEW	10-15 m	PART SHADE	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS

COLUMNAR TREE SPECIES
LESS THAN 8M IN WIDTH AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER PLATANOIDES 'CRIMSON SENTRY'	CRIMSON SENTRY MAPLE	13 m	6 m	MODERATE	DARK PURPLE	
ACER RUBRUM 'BOWHALL'	BOWHALL MAPLE	15 m	5 m	MODERATE	MED GREEN FALL- ORANGE	
ACER RUBRUM 'KARPICK'	KARPICK MAPLE	13 m	6 m	MODERATE	GREEN FALL- ORANGE YELLOW	RED STEMS
ACER X FREEMANII 'SCARSEN'	SCARLET SENTINEL MAPLE	15 m	6 m	FULL SUN TO PART SHADE	DK GREEN FALL -ORANGE YELLOW	DROUGHT TOLERANT
CARPINUS BETULUS 'FASTIGIATA'	PYRAMIDAL EUROPEAN HORNBEAM	12 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL -YELLOW	TOLERANT OF URBAN CONDITIONS
FAGUS SYLVATICA 'DAWYCKII'	FASTIGIATE BEECH	10-15 m	3-4 m	FULL SUN TO PART SHADE	DK GREEN	DROUGHT TOLERANT
FAGUS SYLVATICA 'DAWYCKII PURPLE'	PURPLE FASTIGIATE BEECH	12 m	2-3 m	FULL SUN TO PART SHADE	DEEP PURPLE	DROUGHT TOLERANT
FAGUS SYLVATICA 'DAWYCKII GOLD'	GOLD LEAF FASTIGIATE BEECH	10 m	2-3 m	FULL SUN TO PART SHADE	GOLDEN YELLOW	DROUGHT TOLERANT
GINKGO BILOBA 'SENTRY'	SENTRY MAIDENHAIR	12 m	4-5 m	FULL SUN	GREEN FALL- BRIGHT YELLOW	
LIQUIDAMBAR STYRACIFLUA 'EMERALD SENTINEL'	EMERALD SENTINEL SWEETGUM	9 m	3-4 m	FULL SUN TO PART SHADE	DK GREEN FALL- YELLOW/ORANGE	
PARROTIA PERSICA 'VANESSA'	UPRIGHT IRONWOOD	7 m	3-4 m	FULL SUN	DARK GREEN FALL-CRIMSON GOLD	PREFERS WELL DRAINED SITE
PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR	12 m	5 m	FULL SUN	DK GREEN FALL - RED PURPLE	
QUERCUS ROBUR 'FASTIGIATA'	FASTIGIATE ENGLISH OAK	18 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL - GOLD/BROWN	PERSISTANT LEAVES IN FALL/WINTER

CONIFEROUS TREE SPECIES

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
CALOCEDRUS DECURRENS	INCENSE CEDAR	15 m	5 m	FULL SUN TO PART SHADE	RICH GREEN	
CEDRUS ATLANTICA 'GLAUCA'	BLUE ATLAS CEDAR	30 m	10 m	FULL SUN	BLUE GREEN	
CHAMAECYPARIS NOOTKATENSIS	YELLOW CEDAR	40 m	12 m	FULL SUN TO PART SHADE	GREEN	TOLERANT OF POOR SOILS. NATIVE TREE
PICEA OMORIKA	SERBIAN SPRUCE	20 m	5 m	FULL SUN TO PART SHADE	BRIGHT GREEN WITH SILVERY UNDERSIDES	
PINUS NIGRA	AUSTRIAN PINE	25 m	10 m	FULL SUN	DK GREEN	
PINUS SYLVESTRIS	SCOTS PINE	22 m	15 m	FULL SUN	BLUE GREEN	
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	12 m	FULL SUN	DARK GREEN	NATIVE TREE
SEQUOIA DENDRON SEMPERVIRENS	GIANT REDWOOD	60 m	25 m	FULL SUN	BRIGHT GREEN	NATIVE TO THE PACIFIC NORTHWEST
THUJA PLICATA	WESTERN RED CEDAR	30 m	15 m	FULL SUN TO PART SHADE	GREEN	ACIDIC, WELL DRAINED SOIL

SMALL TREE SPECIES
LESS THAN 9M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER BUERGERIANUM	TRIDENT MAPLE	8 m	6 m	FULL SUN	DK GREEN FALL-YELLOW TO RED	
ACER CIRCINATUM	VINE MAPLE	6 m	6 m	FULL TO PART SHADE	MED GREEN FALL-YELLOW TO RED	NATIVE TREE
ACER GINNALA	AMUR MAPLE	6 m	6 m	FULL SUN TO PART SHADE	DK GREEN FALL- ORANGE/RED	
ACER GRISEUM	PAPERBARK MAPLE	8 m	6 m	FULL SUN	DK BLUE/GREEN FALL-RED	EXFOLIATING BARK
ACER PALMATUM	JAPANESE MAPLE	VARIES	VARIES	VARIES	VARIES	UPRIGHT FORMS BEST FOR STREET TREES
ACER PLATANOIDES GLOBOSUM	GLOBE MAPLE	4.5 m	5.5 m	FULL SUN	DARK GREEN FALL-YELLOW	
AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	6 m	4-5 m	FULL SUN	MED GREEN FALL-BRIGHT RED	WHITE FLWR PURPLE/BLUE FRUIT WILDLIFE TREE
CORNUS KOUSA	JAPANESE DOGWOOD	6 m	6 m	FULL SUN TO PART SHADE	GREEN TO RED FALL-YELLOW	WHITE /PINK FLWRS
CRATAEGUS X LAVALEI	LAVELLE HAWTHORN	8.5 m	9 m	FULL SUN	DARK GREEN FALL-YELLOW	GOOD WILDLIFE VALUE, WHITE FLWR ORANGE FRUIT
CRATAEGUS X MORDENSIS 'TOBA'	TOBA HAWTHORN	6 m	6 m	FULL SUN	DARK GREEN FALL-YELLOW	GOOD WILDLIFE VALUE, FRAGRANT FLOWER RED FRUIT
HALESIA CAROLINA	CAROLINA SILVERBELL	9 m	6 m	FULL SUN TO PART SHADE	LIGHT GREEN FALL-YELLOW	WHITE FLWR
MAGNOLIA KOBUS	KOBUS MAGNOLIA	9 m	6 m	FULL SUN	GREEN FALL-YELLOW	WHITE FLWR

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PRUNUS CERASIFERA 'ATROPURPUREA'	PISSARD PLUM	9 m	4.5 m	FULL SUN	RED/PURPLE	PINK FLWR
PRUNUS X YEDOENSIS 'AKEBONO'	AKEBONO CHERRY	7.5 m	7.5 m	FULL SUN	DARK GREEN FALL-YELLOW	SOMEWHAT ROOT INVASIVE, NOT SUITABLE FOR SIDEWALKS
STYRAX JAPONICA	JAPANESE SNOWBELL	7.5 m	7.5 m	FULL SUN	LIGHT GREEN FALL-YELLOW	WHITE FRAGRANT FLWR
STYRAX JAPONICA 'ROSEA' OR 'PINK CHIMES'	PINK JAPANESE SNOWBELL	6 m	6 m	FULL SUN TO PART SHADE	LIGHT GREEN FALL-YELLOW	PINK FLWR

MEDIUM TREE SPECIES
9-15M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER CAMPESTRE 'QUEEN ELIZABETH'	HEDGE MAPLE	9 m	9 m	FULL SUN TO PART SHADE	DK GREEN FALL-YELLOW	PERFORMS WELL IN URBAN CONDITIONS
ACER PLATANOIDES 'CLEVELAND'	CLEVELAND MAPLE	12 m	9 m	FULL SUN TO PART SHADE	DARK GREEN SUMMER FALL-GOLDEN YELLOW	PERFORMS WELL IN URBAN CONDITIONS
ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY MAPLE	12 m	11 m	FULL SUN TO PART SHADE	MED GREEN FALL-DEEP RED PURPLE	
ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	14 m	10 m	FULL SUN TO PART SHADE	DK GREEN FALL-RED	
ACER TRUNCATUM X PLATANOIDES	PACIFIC SUNSET SHANTUNG MAPLE	10 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL-ORANGE/RED	DROUGHT AND POLLUTION TOLERANT
AESCULUS X CARNEA 'BRIOTII'	RUBY RED HORSECHESTNUT	13 m	12 m	FULL SUN TO PART SHADE	DK GREEN	RED PANICLES
BETULA JACQUEMONTII	WHITE HIMALAYAN BIRCH	12 m	9 m	FULL SUN	DK GREEN FALL-YELLOW	TOLERANT OF POOR SOILS, CATKINS
BETULA NIGRA	RIVER BIRCH	14 m	14 m	FULL SUN	MED GREEN FALL -YELLOW	PREFERS MOIST ACIDIC CONDITIONS, CATKINS
CARPINUS BETULUS	EUROPEAN HORNBEAM	12 m	12 m	FULL SUN TO PART SHADE	DK GREEN FALL-YELLOW	TOLERANT OF URBAN CONDITIONS, CATKINS
CORNUS NUTALLII 'EDDIE'S WHITE WONDER'	PACIFIC FLOWERING DOGWOOD	12 m	12 m	FULL SUN TO PART SHADE	OLIVE GREEN FALL-RED	RESISTANT TO ANTHRACNOSE, WHITE BRACTS
FRAXINUS AMERICANA 'AUTUMN APPLAUSE'	AUTUMN APPLAUSE ASH	12 m	7 m	FULL SUN TO PART SHADE	BRIGHT GREEN FALL-GOLD	
FRAXINUS AMERICANA 'AUTUMN PURPLE'	AUTUMN PURPLE ASH	14 m	13 m	FULL SUN TO PART SHADE	GREEN FALL-RED/PURPLE	SENSITIVE TO DROUGHT

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FRAXINUS OXYCARPA 'RAYWOOD'	RAYWOOD ASH	11 m	10 m	FULL SUN	MED GREEN FALL - RED/PURPLE	PREFERS WELL DRAINED SITE
GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE'	SKYLINE HONEYLOCUST	15 m	11 m	FULL SUN	MED GREEN FALL-YELLOW	SALT AND DROUGHT TOLERANT
GLEDITSIA TRIACANTHOS INERMIS 'SUNBURST'	SUNBURST LOCUST	13 m	11 m	FULL SUN	BRIGHT YELLOW FALL- YELLOW/BROWN	SALT AND DROUGHT TOLERANT
GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER LOCUST	13 m	11 m	FULL SUN	DARK GREEN FALL- YELLOW/BROWN	SALT AND DROUGHT TOLERANT
MAGNOLIA GRANDIFLORA	EVERGREEN SOUTHERN MAGNOLIA	15 m	7 m	PT SHADE	DARK GREEN FALL- YELLOW/BROWN	PROTECTION NEEDED FROM WINTER WINDS, WHITE FLWR
OXYDENDRUM ARBOREUM	SOURWOOD	12 m	6 m	FULL SUN TO PART SHADE	MED GREEN FALL- ORANGE/RED	NOT SUITABLE FOR STREET TREE USE. USE AS SPECIMEN ONLY
PARROTIA PERSICA	PERSIAN IRONWOOD	13 m	10 m	FULL SUN	RED PURPLE TO DK GREEN FALL-RED/GOLD	PREFERS WELL DRAINED SITE, RED STAMENS

LARGE TREE SPECIES
OVER 15M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER PLATANOIDES 'DEBORAH'	DEBORAH MAPLE	18 m	15 m	FULL SUN TO PART SHADE	BRONZE GREEN FALL- BRONZE	
ACER RUBRUM 'MORGAN'	MORGAN MAPLE	16 m	14 m	FULL SUN TO PART SHADE	MED GREEN FALL- ORANGE/R ED	SMALL RED
ACER SACCHARUM 'LEGACY'	LEGACY SUGAR MAPLE	20 m	15 m	FULL SUN TO PART SHADE	DARK GREEN FALL- ORANGE/R ED	VARIETY SUITED TO THE WEST COAST CLIMATE
BETULA PAPYRIFERA	PAPER BIRCH	18 m	10 m	FULL SUN TO PART SHADE	DARK GREEN FALL- YELLOW/O RANGE	
CATALPA SPECIOSA	NORTHERN CATALPA	16 m	12 m	FULL SUN	MED GREEN FALL- YELLOW	TOLERANT OF DIFFICULT SOILS, WHITE FLWR
DAVIDIA INVOLUCRATA	DOVE TREE/ HANKERCHIEF TREE	18 m	10 m	FULL SUN	GREEN FALL- BROWN	WHITE FLWR
FAGUS SYLVATICA	EUROPEAN BEECH	25 m	20 m	FULL SUN TO PART SHADE	DK GREEN FALL- RED/BROW N	WILL NOT TOLERATE WET OR COMPACTED SITES
FAGUS SYLVATICA 'PURPUREA'	COPPER BEECH	25 m	18 m	FULL SUN TO PART SHADE	PURPLE COPPER FALL- COPPER GREEN	
GINKGO BILOBA	MAIDENHAIR TREE	25 m	15 m	FULL SUN	LIGHT GREEN FALL- BRIGHT YELLOW	

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LIQUIDAMBAR STYRACIFLUA 'WORPLESDON'	WORPLESDON AMERICAN SWEETGUM	15 m	9 m	FULL SUN	MED GREEN FALL- ORANGE/R ED/PURPLE	EXCELLENT AS STREET OR PARK TREE
LIRIODENDRON TULIPIFERA	TULIP TREE	24 m	13 m	FULL SUN TO PART SHADE	MED GREEN FALL- YELLOW	NOT SUITABLE AS STREET TREE, YELLOW FLWR
METASEQUOIA GLYPTOSTROBOD ES	DAWN REDWOOD	25 m	15 m	FULL SUN	BRIGHT GREEN FALL- ORANGE/B ROWN	POLLUTION TOLERANT
NOTHOFAGUS ANTARCTICA	ANTARCTIC BEECH	30 m	25 m	FULL SUN	DARK GREEN	POLLUTION TOLERANT, FRAGRANT FOLIAGE
QUERCUS COCCINEA	SCARLET OAK	16 m	12 m	FULL SUN TO PART SHADE	DARK GREEN FALL- SCARLET	TOLERANT OF URBAN CONDITIONS, ACORNS
QUERCUS PHELLOS	WILLOW OAK	17 m	15 m	FULL SUN TO PART SHADE	BRIGHT GREEN FALL- YELLOW/BR OWN	GOOD SELECTION FOR STREET TREE USE, ACORNS
TILIA TOMENTOSA	SILVER LINDEN	20 m	16 m	FULL SUN TO PART SHADE	DK GREEN ABOVE, SILVER UNDER FALL- YELLOW	GOOD PARK TREE, BEES. DROUGHT TOLERANT
ULMUS 'HOMESTEAD'	HOMESTEAD ELM	18 m	15 m	FULL SUN	MED GREEN FALL- YELLOW	RESISTANT TO DUTCH ELM DISEASE

SCHEDULE “F”- INVASIVE TREE SPECIES

- Butterfly Bush (*Buddleia davidii*)
- Russian Olive (*Elaeagnus angustifolia*)
- English Holly (*Ilex aquifolium*)
- Cherry Laurel (*Prunus laurocerasus*)
- Smooth Sumac (*Rhus glabra*)
- Black Elderberry (*Sambucus nigra*)
- European Mountain Ash / Rowan (*Sorbus aucuparia*)
- Tamarisk (*Tamarix chinensis*, *T. ramosissima*)

Schedule F provides a list of potentially invasive trees and tree-like shrubs that are exempt from needing a permit for removal. This list is not intended to be a comprehensive list of Invasive Plant Species.