



BYLAW NO. 06-2024

A BYLAW OF THE TOWN OF FOAM LAKE FOR GOVERNING OF TOWN OWNED TREES

In Accordance with Section 8 of the *Municipalities Act* the Council of the Town of Foam Lake hereby enacts the following:

1. Purpose:

The purpose of this Bylaw is to:

- i. Ensure all trees on Town of Foam Lake (Town) property are adequately protected and preserved from unnecessary injury or destruction;
- ii. Regulate the planting, care, maintenance and removal of trees on Town property;
- iii. Determine a removal, replacement, and expansion plan for the Town of Foam Lake's tree canopy.

2. Scope

- i. This Bylaw applies to all trees on Town property.
- ii. For the purposes of this Bylaw:
 - a. A tree is considered to be on Town property if 50 percent or more of the tree's trunk is on Town property, as determined by the Town Foreman; and
 - b. The entirety of a tree on Town property is protected by the Bylaw, including any part of a tree on Town property that may be located on, over or below private property.

3. Responsibilities

- i. Responsibility of the Town of Foam Lake:
 - a. The Town of Foam Lake will engage the services (and/or provide training to it's employees) of a tree maintenance professional in order to ensure the general health and pruning of boulevard trees on a multi-year rotation.
 - b. The Town of Foam Lake will remove and replace any tree on Town property found to be posing an imminent threat to public safety, property (including infrastructure) safety, or to the overall health and wellbeing of other trees (i.e.: Diseased trees).
- ii. Relationship to Property Owners:
 - a. Property owners are responsible for incidental care of boulevard trees (i.e.: Mowing around them, watering, monitoring, and reporting to the Town of Foam Lake any concerns with the trees, etc.).

iii. Removal of Boulevard Trees by the Town of Foam Lake:

- a. The Town of Foam Lake will only consider removing a boulevard tree if in the opinion of the Town of Foam Lake, upon the advice of a trained tree maintenance professional, the boulevard tree poses an imminent threat to public safety, property safety(including infrastructure safety), or to the overall health and wellbeing of other trees (i.e.: Diseased trees).
- b. If a boulevard tree is determined to be posing an imminent threat to public safety, property safety, or to the overall health and wellbeing of other trees (i.e.: Diseased trees); prior to it being removed, the Town of Foam Lake will first determine (with the advice of a tree maintenance professional) whether or not the threat can be mitigated in a way that will allow the tree to continue to live healthily.
- c. If a boulevard tree is determined to pose an imminent threat to public safety, property safety, or to the overall health and wellbeing of other trees (i.e.: Diseased trees), and in the opinion of the Town of Foam Lake (with the advice of a tree maintenance professional) the tree cannot be saved, the Town of Foam Lake will remove the tree and supply a replacement tree.
- d. The responsibility for watering the replacement tree until it is established will be the responsibility of the owner of the property associated with the boulevard where the replacement tree has been planted.

iv. Removal of Boulevard Trees by Residents:

- a. Residents may not remove boulevard trees. Removal of a boulevard tree will only be conducted by Town of Foam Lake employees, or a contractor hired on behalf of the Town of Foam Lake.

4. Tree Expansion Program:

- i. In any new development/subdivision where a boulevard is present, the property owner/developer is required to establish a minimum of two trees on the boulevard in front of each individual property.
- ii. In the case of in-fill developments in existing neighbourhoods, the property owner will be required to demonstrate to the Town of Foam Lake that the boulevard in front of the property features a minimum of two trees. If there is not a minimum of two trees present on the boulevard, the property owner will be required to establish a minimum of two trees on the boulevard as part of the in-fill development.

5. Non-Boulevard Trees:

- i. Trees not located on a boulevard or land owned by the Town of Foam Lake are the property and responsibility of the owner of the property on which the tree is located.
- ii. Non-boulevard trees must be managed by the property owner in a manner that ensures that they do not pose a threat to the broader tree population within the community (i.e.: Monitoring and addressing disease and/or infestation).
- iii. Non-boulevard trees must be managed by the property owner in a manner that ensures that any threat to public safety and neighbouring properties is minimized.
- iv. Non-boulevard trees that overhang back alleys or public sidewalks must be kept

pruned by the property owner in order to facilitate clear passage through the alley or along the public sidewalk.

6. Non-Boulevard Trees Expansion Requirements:

- i. In cases where new residential lots are established that have no boulevard, the property owner is required to plant and maintain a minimum of two trees on the property selected from the Town of Foam Lake's list of approved tree species or that have been approved by the Town of Foam Lake.

7. Hedges and Shrubs:

- i. Hedges and shrubs located within public parks, the cemetery, or green spaces owned by the Town of Foam Lake will be managed in an equivalent manner to boulevard trees.
- ii. Hedges and shrubs located on private property must be managed in an equivalent manner to trees located on private property.
- iii. Hedges and shrubs located on private property on the edge of the property line must not be allowed to encroach onto adjacent property without the approval of the adjacent property owner. In all instances where the adjacent property is a public sidewalk, hedges and shrubs must be pruned back to the property line.

8. Public Parks & Green Spaces:

- i. Trees, hedges and shrubs located within public parks, the cemetery, or green spaces owned by the Town of Foam Lake will be managed by the Town of Foam Lake in an equivalent manner to boulevard trees.

This bylaw came into force after having received third reading and passed by Mayor & Council on October 8th, 2024



Shelley Thoen-Chaykoski
Mayor

Shanna York
Chief Administrative Officer

Certified a true copy of Bylaw 06-2024,
Adopted on the 8th day of October, 2024.



Chief Administrative Officer

Suggested List of Tree Species for Planting

Common Name

1. Silver Maple

- a. Attractive oval shaped tree.
- b. Deeply lobed leaves are light green on top and silvery beneath
- c. Leaves turn brilliant yellow in the fall
- d. Fast growing
 - i. Height 16m - 20m
 - ii. Spread 7m to 10m



2. American Basswood

- a. Attractive large shade tree
- b. Striking dark green, heart shaped leaves, and large leaves
- c. Leaves turn vivid yellow in fall
- d. Fragrant flowers in late June
 - i. Height 15m
 - ii. Spread 8 m



3. Bur Oak

- a. Attractive, long lived, shade tree that is ideal for prairie environments
- b. Interesting corky bark
- c. Lobed green leaves that turn antique yellow in the fall
 - i. Height 15m – 20m
 - ii. Spread 10m



4. Greenspire Linden

- a. Fast growing with pyramidal form
- b. Leaves are heart shaped leathery and dark green
- c. Produces fragrant pale-yellow flowers in late June or early July
 - i. Height 12m
 - ii. Spread 10m



5. Harvest Gold Linden

- a. Upright oval form
- b. Interesting exfoliating bark
- c. Fragrant pale yellow flowers In the spring
- d. Consistent golden fall colour.
 - i. Height 12m



6. Spring Snow Crapapple

- a. Oval form
- b. Dark glossy green leaves
- c. Fragrant white flowers in spring
- d. Produces little to no ornamental fruit.
 - i. Height 6m to 8m
 - ii. Spread 6m



7. Ohio Buckeye

- a. Medium sized deciduous tree
- b. Green yellow flowers and long broad leaves that turn red in the fall
- c. Slow growing
- d.
 - i. Height 8m-12m
 - ii. Spread 8m

