

THE CORPORATION OF THE
CITY OF WHITE ROCK

15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6

MEETING NOTICE

Pursuant to the *Community Charter* a Special Council meeting has been called to begin at **5:00 p.m. on Tuesday, December 14, 2021.**

DATE: December 14, 2021

MEETING TIME: 5:00 p.m.

LOCATION: WHITE ROCK CITY HALL COUNCIL CHAMBER –
15322 BUENA VISTA AVENUE, WHITE ROCK BC

PURPOSE:

This Special Council meeting has been called for Council to consider final reading for the following City bylaws:

- **Bylaw 2405 – Water Services Bylaw, 2015, No. 2117, Amendment No. 10, Bylaw, 2021, No. 2405; and**
- **Bylaw 2407 – White Rock Tree Protection Bylaw, 2021, No. 2407.**

Date: December 9, 2021



Tracey Arthur, Director of Corporate Administration

WHITE ROCK
My City by the Sea!

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The Corporation of the
CITY OF WHITE ROCK



Special Meeting of Council
AGENDA

Tuesday, December 14, 2021, 5:00 p.m.

City Hall Council Chambers

15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

***Live Streaming/Telecast:** Please note that all Committees, Task Forces, Council Meetings, and Public Hearings held in the Council Chamber are being recorded and broadcasted as well included on the City's website at: www.whiterockcity.ca

The City of White Rock is committed to the health and safety of our community. In keeping with Ministerial Orders from the Province of British Columbia, City Council meetings will take place without the public in attendance at this time until further notice.

T. Arthur, Director of Corporate Administration

Pages

1. CALL MEETING TO ORDER

2. ADOPTION OF AGENDA

RECOMMENDATION

THAT the Corporation of the City of White Rock Council adopt the agenda for its special meeting scheduled for December 14, 2021 as circulated.

3. **BYLAW 2405 - WATER SERVICES BYLAW, 2015, NO. 2117,
AMENDMENT NO. 10, BYLAW, 2021, NO. 2405**

3

Bylaw 2405 - A bylaw to amend the Water Services Bylaw, 2015 No. 2117 to replace Schedule A - Water Service Fees. This bylaw was on the December 13, 2021 Regular Council agenda for first, second and third reading. If Council provided the three (3) readings on December 13, 2021, Council can consider final reading at this time.

RECOMMENDATION

THAT Council give final reading to *Water Services Bylaw, 2015, No. 2117, Amendment No. 10, Bylaw, 2021, No. 2405*.

4. **BYLAW 2407 - WHITE ROCK TREE PROTECTION BYLAW, 2021 NO. 2407**

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Bylaw 2407 - A bylaw to regulate and prohibit the cutting, removal, and damage of protected trees through the issuance of Tree Management Permits and the establishment of requirements for tree replacement and the posting of securities for tree protection and tree maintenance. This bylaw was on the December 13, 2021 Regular Council agenda for first, second and third reading. If Council provided the three (3) readings on December 13, 2021, Council can consider final reading at this time.

Note: White Rock Tree Management Bylaw, 2008, No. 1831 will be repealed with the final adoption of Bylaw 2407 (attached for information purposes).

Note: If Bylaw 2407 is adopted, Council can consider rescinding Policy 510 "Criteria for Type 2 Tree Removal Requests on Private Land" (attached for information).

RECOMMENDATION

Recommendation #1

THAT Council give final reading to "*White Rock Tree Protection Bylaw, 2021 No. 2407*".

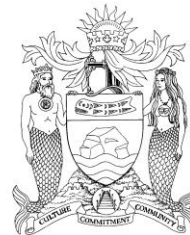
RECOMMENDATION

Recommendation #2

THAT Council rescind Council Policy 510 "Criteria for Type 2 Tree Removal Requests on Private Land" recognizing that the related content has been incorporated into City of White Rock Tree Preservation Bylaw, 2021, No. 2407

5. **CONCLUSION OF THE DECEMBER 14, 2021 SPECIAL COUNCIL MEETING**

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW NO. 2405**



A Bylaw to amend the Water Services Bylaw, 2015, No. 2117

The CITY COUNCIL of the Corporation of the City of White Rock, in an open meeting assembled, ENACTS as follows:

1. Replace SCHEDULE A, Section 1 titled “Water Service User Fees” of Water Services Bylaw, 2015, No. 2117 with a new SCHEDULE A.
2. This Bylaw may be cited for all purposes as the “*Water Services Bylaw, 2015, No. 2117, Amendment No. 10, Bylaw, 2021, No. 2405*”.

RECEIVED FIRST READING on the _____ day of _____, 2021

RECEIVED SECOND READING on the _____ day of _____, 2021

RECEIVED THIRD READING on the _____ day of _____, 2021

ADOPTED on the _____ day of _____, 2021

MAYOR

DIRECTOR, CORPORATE ADMINISTRATION

SCHEDULE A WATER SERVICE FEES

1. Water Service User Fees

Single Family (including duplex, triplex or fourplex dwellings, and bulk water supply)

Single Family Minimum by meter size	Includes consumption up to	Effective Jan 1, 2022 Per Quarter
5/8" meter	1,200 cubic feet	\$ 115.10
1" meter	3,120 cubic feet	231.30
1 1/2" meter	6,000 cubic feet	462.60
2" meter	9,600 cubic feet	740.30
3" meter	18,000 cubic feet	1,388.10
4" meter	30,000 cubic feet	2,313.50
6" meter	60,000 cubic feet	4,571.60

* Except for the triplex located at 14968, 14972 & 14976 Beachview Ave. This water service account will be charged the equivalent of three (3) Single Family 5/8" meter rates.

Multi Family

Multi Family Minimum	Includes consumption up to	Effective Jan 1, 2022 Per Quarter
Per unit	600 cubic feet per unit	\$ 41.00

Non Residential Fees (all other account types)

Non Residential Minimum by meter size	Includes consumption up to	Effective Jan 1, 2022 Per Quarter
5/8" meter	1,200 cubic feet	\$ 92.60
1" meter	3,120 cubic feet	231.30
1 1/2" meter	6,000 cubic feet	462.60
2" meter	9,600 cubic feet	740.30
3" meter	18,000 cubic feet	1,388.10
4" meter	30,000 cubic feet	2,313.50
6" meter	60,000 cubic feet	4,571.60

Excess Consumption Charges (all account types)

Excess consumption above consumption included in minimum, per 100 cubic feet:	\$ 6.21
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Single Family
(including duplex, triplex or fourplex dwellings, and bulk water supply)

Single Family Minimum by meter size	Includes consumption up to	Effective Jan 1, 2021 Per Quarter
5/8" meter	1,500 cubic feet	\$ 143.90
1" meter	3,900 cubic feet	289.10
1 1/2" meter	7,500 cubic feet	578.30
2" meter *	12,000 cubic feet	925.40
3" meter)	22,500 cubic feet	1,735.10
4" meter	37,500 cubic feet	2,891.90
6" meter	75,000 cubic feet	5,714.50

* Except for the triplex located at 14968, 14972 & 14976 Beachview Ave. This water service account will be charged the equivalent of three (3) Single Family 5/8" meter rates.

Multi Family

Multi Family Minimum	Includes consumption up to	Effective Jan 1, 2021 Per Quarter
Per unit	750 cubic feet per unit	\$ 51.30

Non Residential Fees (all other account types)

Non Residential Minimum by meter size	Includes consumption up to	Effective Jan 1, 2021 Per Quarter
5/8" meter	1,500 cubic feet	\$ 115.70
1" meter	3,900 cubic feet	289.10
1 1/2" meter	7,500 cubic feet	578.30
2" meter	12,000 cubic feet	925.40
3" meter	22,500 cubic feet	1,735.10
4" meter	37,500 cubic feet	2,891.90
6" meter	75,000 cubic feet	5,714.50

Excess Consumption Charges (all account types)

Excess consumption above consumption included in minimum, per 100 cubic feet:	\$ 4.37
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Pro-rating of Fees

The City reads meters and bills on a quarterly basis. The minimum charges and reading consumption charges will be pro-rated based on the number of days the water service is connected during the billing cycle.

Multi Family consumption per unit

Per unit consumption is calculated by taking the total consumption divided by the number of units.

2. Service Fees for Specified Services Description of Work or Service Amount

Fee	Effective Jan 1, 2020	Effective Jan 1, 2022
Application to Confirm Serviceability – Single Family and Duplex	\$ 371	\$ 386
Application to Confirm Serviceability – Multi-Family and Non-Residential	3,290	3,420
Application to Confirm Serviceability – Subdivision Development	At Cost	At Cost
5/8” to 1” meter Connection Fee		6,500
All other meter size Connection Fee		At Cost
Application for Temporary Water Service	80	83
Damage Deposit for Hydrant use	714	743
Temporary Water Connection to Hydrant or Standpipe per day	53	55
Unauthorized Use of a Fire Hydrant and/or Standpipe	106	110
Removal of Unauthorized Water Meter	106	110
Back-flow Prevention Test Report Filing Fee	35	36
Testing of Back-flow Prevention Device per device	265	276
Non-Compliance Backflow Prevention Device	106	110
Water Meter Testing Fee	154	160
Special Meter Readings (readings outside of regular quarterly readings)	58	60
Disconnection	73	76
Reconnection after disconnection	73	76
One Day Water On/Off Fee	53	55
Water Restriction Exemption Permit	53	55
Restriction of Water Use - Violation	53	55

3. Fees for Other Work and Services

The City will charge the Customer a fee for any work or service provided, for which a fee is not specifically prescribed, at the City's costs of providing such work or service. Such costs will include repayment of all moneys expended by the City for gross wages and salaries, administrative costs, employee fringe benefits, and materials, as calculated by the City. The costs will also include any expenditure for equipment rentals at rates paid by the City or set by the City for its own equipment, as well as any other costs that may reasonably arise in providing the service. Labour fees for service call outs after regular working hours will be at the City's overtime fees. Temporary water supply will be charged fees on the basis of meter size in accordance with section 1 of this Schedule.

4. Fees for Undetected Leaks

Where an underground leak is discovered in a Customer's waterworks system (and not the City's Waterworks System), and where the Customer could not reasonably have been expected to be aware of such leak, provided that repairs of the Customer's waterworks system have been carried out to the City's satisfaction within seventy-two (72) hours of discovery of the leak, the City will adjust the Customer's Water Bill so that the Customer would be responsible for paying an amount equal to the Customer's average quarterly bill plus 30% of the "leaked water consumption" up to a maximum of three (3) times the Customer's average quarterly bill. The adjustment would be calculated as follows:

- (a) The "average quarterly bill" is calculated as the average of the Customer's last four (4) quarterly bills before the leak occurred.
- (b) The Customer's "average quarterly water consumption" is calculated by taking the average consumption over the previous twelve (12) months before the leak occurred.
- (c) The "leaked water consumption" is calculated as total consumption recorded by the meter during the quarterly billing period less the Customer's "average quarterly water consumption".
- (d) The Customer's bill would be calculated based on the "average quarterly consumption" plus 30% of the "leaked water consumption" up to a maximum of three (3) times the Customer's "average quarterly bill".

If repairs of the Customer's waterworks system have not been carried out to the City's satisfaction within seventy-two (72) hours of discovery of the leak, the City shall be entitled to charge for such water as per the Water Service User Fees described in Section 1 of this Schedule.

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW 2407**



A Bylaw to regulate and prohibit the *cutting*, removal and *damage* of *protected trees* through the issuance of *Tree Management Permits* and the establishment of requirements for *tree* replacement and the posting of securities for *tree* protection and *tree* maintenance.

WHEREAS pursuant to Sections 8(3) (c) and 50 to 52 of the *Community Charter*, a *City* may, by bylaw, exercise certain powers to preserve and protect *trees* within the *City*, regulate the removal of *trees*, and require their replacement;

AND WHEREAS *trees* provide an essential environmental function in sequestering carbon dioxide, being a known contributor to climate change, while also helping to reduce the urban heat island effect;

AND WHEREAS *trees* can provide habitat for birds and wildlife;

AND WHEREAS the root system of *trees* can provide for slope stabilization and the uptake of stormwater helping to protect against *damage* to *property*, threats to human safety, and lessened impacts to municipal infrastructure;

AND WHEREAS Council considers it is in the public interest to provide for the conservation and propagation of *trees*, and the regulation of their removal and replacement;

THEREFORE under its statutory powers, including Sections 8(3) (c) and 50 to 52 of the *Community Charter*, the Council of the Corporation of the *City of White Rock*, in open meeting assembled, enacts the following provisions:

Part 1 –Introductory Provisions

Title

1. This Bylaw may be cited as “White Rock *Tree* Protection Bylaw, 2021 No. 2407”

Purpose

2. This Bylaw is intended to:
 - (a) Protect *trees* on private *property* and *City-Owned Properties* within the *City*;
 - (b) Prohibit the removal of *protected trees* in the *City of White Rock* without a permit;
 - (c) Prohibit the *damaging* of *protected trees*;
 - (d) Regulate and establish requirements for the removal, preservation, protection and replacement of *protected trees* through a permit process; and,
 - (e) Set forth inspection and enforcement provisions for *protected tree* conservation, removal and replacement, and penalties for *damaging* or removing *protected trees* without a permit.

Definitions

3. The following words and terms shall be used in applying the provisions of this Bylaw. Where any word or term is not defined, a standard English dictionary shall be used to aid in matters of interpretation.

“Applicant”

means the person(s) making application to the *City of White Rock* for a *Tree Management Permit*. An *Applicant* may be the *Owner(s)* or an authorized agent working on behalf of the *Owner(s)*.

“Arborist”

means a *tree* care professional who:

- (a) is recognized as a Certified *Arborist* by the International Society of Arboriculture (ISA); and
- (b) holds a valid ISA *Tree Risk Assessment Qualification* (TRAQ)

“Arborist Report” or “Tree Assessment Report”

means a report prepared by an *Arborist* or *Project Arborist* which includes:

- (a) a description of the subject *property* and proposal warranting the application;
- (b) a table identifying each *protected tree* on-site and off-site captured within the *Tree Survey (Inventory)* including: the *tree* species, size in *DBH*, *critical root zone*, *Tree Protection Zone*, condition and risk rating, reason for the removal, as well as any other information relevant to reviewing the potential impact of the proposal on the *tree(s)*;
- (c) colour photographs of the *protected tree(s)* in the context of the site, including photos of any aspect of the *tree(s)* which relate to their health / condition (e.g., evidence of structural defects, insect infestation, etc.);
- (d) the reason for any proposed removal of a *protected tree*, including reference to efforts undertaken to limit *tree* removal by way of alternative building siting and design;
- (e) for *protected trees* that are part of a stand of *trees*, comments on the impact of *tree* removal on the stability of the remaining *trees* in the stand;
- (f) for high risk *trees*, include a completed copy of the “ISA *Tree Risk Assessment Form*” and provide a summary of pruning and/or removal mitigation options in the event that *tree* removal is not necessary;
- (g) the following drawings / plans must be included in the Report, as applicable, with the scope of such satisfying the requirements included in the definition of each item (term):
 - a. *Tree Survey (Inventory)*;
 - b. *Tree Protection Plan*; and
 - c. *Tree Replacement Plan*;
- (h) includes the *Arborist’s* ISA Certification Number and TRAQ credential; and
- (i) includes the *City of White Rock* business license number

The scope of an *Arborist Report* or *Tree Assessment Report* may be modified on the basis of the extent of work proposed as determined by the *City*.

“Arboricultural Technician”

means someone employed by the *City* and assigned the responsibility of administering *Tree Management Permits* applications made pursuant to the provisions of this Bylaw.

“branch”

means a shoot or *stem* arising from a *stem* or trunk.

“caliper”

means the diameter of a *tree* at 15 centimeters (6 inches) above the *natural grade* of the ground, measured from the base of *tree*.

“City”

means the Corporation of the *City of White Rock*.

“City-Owned Properties”

means all properties owned by the *City of White Rock*, plus all road rights-of-way and dedications under the jurisdiction of the *City of White Rock*.

“conifer” or “coniferous”

means a *tree* that has needle-shaped or scale-like leaves and is cone-bearing.

“Coordinated Site Development Plan (CSDP)”

means a site development plan for a project that has been coordinated with all project consultants and reviewed, approved and signed by the *owner* (or authorized agent), Architect, Landscape Architect, *Project Arborist*, and Builder (the “Project Team”), where appropriate.

“Council”

means the municipal *Council* of the Corporation of the *City of White Rock*.

“crown”

means the upper *branching* or spreading part of the *tree*.

“critical root zone”

means the area of land surrounding the *trunk* of a *tree* contained within a radius equal to the *DBH* of the *tree* multiplied by six (6), or one (1) metre beyond the *drip line* of the *tree*, whichever is greater.

“cut” or “cutting”

means to *cut* down a *tree* and shall include to pull up, push or pull over or otherwise fall a *tree*.

“damage”, “damaged”, or “damaging”

means any action which will cause, or is reasonably likely to cause, a *tree* to die or to decline in health, including, but not limited to:

- (a) girdling, ringing, removing bark, denting, gouging, puncturing, using spurs to prune or maintain, poisoning, burning, undermining *structural roots* within the *critical root zone*, excessive pruning, excessive *crown* lifting or raising, *topping*, or any other activity not undertaken in accordance with *sound arboricultural practice*; and
- (b) disturbing the lands within a *Tree Protection Zone* or *critical root zone* through site grading, excavation, the deposition of soil or any other material (e.g., construction

waste, lumber, landscaping products, etc.), and the use of heavy equipment, which could result in soil compaction, impacts to water infiltration, and irreparable harm to root systems.

“deciduous”

means a *tree* that naturally loses most or all of its leaves seasonally, most often in or around autumn.

“diameter at breast height” or “DBH”

- (a) means the diameter of the *trunk* of a *tree* measured 1.4 metres above the highest point of *natural grade* of land measured from the base of the *tree*;
- (b) in the case of a *tree* with two *trunks*, shall be measured 1.4 metres above the *natural grade* of land at the base of the *tree* and the *DBH* shall equal the cumulative total of the two *trunks*; or
- (c) for multi-trunk or multi-stemmed *trees*, each *trunk* or *stem* shall be measured 1.4 metres above the *natural grade* of land at the base of the *tree* and the *DBH* shall equal the cumulative total of the three largest *trunks*.

“Director of Planning and Development Services” or “Director”

means the person appointed by *Council* as the *Director of Planning and Development Services* or the duly authorized designate.

“drip line”

means the line around the *trunk* of a *tree* defined by the outermost extent of *branches* of the *tree* drawn vertically down to the *natural grade*.

“hazardous tree”

means a *tree* assessed against the ISA Basic *Tree Risk Assessment Form* by an *Arborist*, and has an “extreme” risk rating or with an “imminent” likelihood of failure which cannot be mitigated through maintenance.

“hedge”

means four or more *trees* or shrubs 6 metres high or less, planted 1 metre or less apart, that forms a continuous, linear screen of vegetation that provides privacy, fencing, wind breaking, and/or boundary definition.

“live crown ratio”

means the percentage of the height of the *crown* containing live foliage to the overall height of the *tree*.

“lot” or “property”

means an area designated as a separate and distinct entity on a legally recorded subdivision plan or description filed under the *Land Title Act* or *Strata Property Act* in the Land title Office, or surveyed and registered under the Land Act. Distinction is provided for: a “fee-simple *lot*” which applies to *lots* created by subdivision under Part 7 of the *Land Title Act*; a “strata *lot*” which applies to *lots* created by subdivision under Part 14 of the *Strata Property Act*; and, a

“lease *lot*” which applies to a parcel of land created by subdivision under Part 7 of the Land Title Act for the purpose of a lease of more than three (3) years.

“lower value tree”

means a *protected tree* with structural issues from past pruning or *natural causes*, or a severely diseased *protected tree* with limited life expectancy, as determined by the *City*.

“natural causes”

means death or decline of a *tree* as a result of natural diseases, pests, climactic, hydrological and geotechnical conditions, inherent structural defects or senescence.

“natural grade”

means the grade of the *lot* prior to any construction or alteration of the site.

“Official Community Plan”

means the *Official Community Plan* of the *City of White Rock*, No. 2220, as may be amended or replaced from time to time.

“off-site tree”

means a *tree* of any size within four (4) metres of the legal boundaries of the *lot*, including *shared trees*.

“on-site tree”

means a *tree* of any size within the legal boundaries of the *lot*.

“owner”

means the registered *owner* in fee simple of a *lot*.

“Project Arborist”

Means an *Arborist* hired by the *Applicant*.

“protected tree”

means any one or more of the following:

- (a) a *tree* with a *DBH* of 20cm or greater;
- (b) a *replacement tree* of any size planted as a requirement of a *Tree Management Permit*;
- (c) a *tree*, *hedge*, or shrub of any size on *City-Owned Properties*;
- (d) a *tree* with evidence of nesting or use by raptors as defined in the Wildlife Act, R.S.B.C. 1996, c. 488 or the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl; and
- (e) an *Arbutus* (*Arbutus menziesii*), Garry Oak (*Quercus garryana*), or Pacific Dogwood (*Cornus nutalii*) of any size.

“replacement tree”

means a *tree* required to be planted using *sound arboricultural practices* in accordance with the provisions of this Bylaw and being recognized as a *tree* which contributes to the ecological diversity of plant species in the *City*.

“remove” or “removed”

means to *cut* a *tree* and/or to *remove* it from the *lot* where it exists, or the elimination of any *tree* from its present location.

“shared tree”

means a *tree* with any part of its trunk or trunk flare crossing a *property* line, including where the adjacent *property* is a highway, park, or *City*-owned *property*.

“sound arboricultural practice”

means the practices endorsed by the International Society of Arboriculture recommended by the American National Standards Institute (ANSI) in the A300 Standards for the planting, pruning and maintenance management of *trees*.

“structural root”

means large, woody, *tree* roots that anchor and support the trunk and *crown*; roots characterized by secondary thickening and relatively large diameter (greater than 2 cm diameter) giving form to the root system and functioning in anchorage and support.

“stem”

means a dominant leader or *branch* bearing buds, foliage, and giving rise to other *branches* and *stems*.

“Tree Barrier Confirmation Letter”

means a letter prepared by the *Project Arborist*, confirming through inspection, that all required *Tree Protection Barriers* have been constructed and located as required. The letter must include photos of the *Tree Protection Barriers* and a plan showing the approved location of the *Tree Protection Barriers*.

“tree”

means a woody perennial plant with a single or multiple trunk

“Tree Management Permit”

means the written authority granted by the *City* pursuant to Parts 6 and 7 of this Bylaw to regulate the protection and retention of *protected trees*, the removal of *protected trees*, and/or the removal of *structural roots* within the *critical root zone* of *protected trees*.

“Tree Protection Barrier”

means a barrier installed around a *tree* in a location, as outlined in Schedule A to this Bylaw, defined by the *critical root zone* or a larger area as recommended by the *Project Arborist* or the *City*, intended to protect the *tree* from *damage* during site work or construction.

“Tree Protection Zone”

- (a) means the area within a defined *Tree Protection Barrier*; or
- (b) where a *Tree Protection Barrier* has not yet been installed as required by this Bylaw, the *Tree Protection Zone* shall be the area within which a *Tree Protection Barrier* should have been installed in accordance with this Bylaw.

“Tree Protection and Replacement Report”

means a report prepared by the *Project Arborist* upon completion of all works on a site that confirms that all requirements related to *tree* protection outlined in the *Tree Management Permit* and CSDP have been followed. The report must include the following:

- (a) an up-to-date *Tree Replacement Plan*, including photos of all *replacement trees*, and reference to the reason for any deviation from the original *Tree Replacement Plan*;
- (b) photos of the work that was supervised including evidence that the *Project Arborist* was on site during the works (as required). Photos should include a date;
- (c) statement from the *Project Arborist* confirming:
 - i) they were on site during the installation of the *replacement trees*;
 - ii) that the *trees* were planted in accordance with ANSI standards and *sound arboricultural practices*;
 - iii) that all site works were supervised throughout the completion of the works (as required); and
 - iv) the long-term viability of all retained *protected trees*.

“Tree Replacement Plan”

means a plan which draws on the *Tree Protection Plan* and illustrates all *protected trees* to be retained and the location of any proposed *replacement tree(s)*. The Plan should include planting details and a table summarizing the species and size of each *replacement tree*.

“Tree Protection Plan”

means a plan which draws on the *Tree Survey (Inventory)*, illustrating: the proposed development, including any new buildings, structures, additions, service connections, alterations to driveways and other surface features; the extent of any *Tree Protection Zone* for each *protected tree*; *trees* proposed for removal and retention; and the location of all required *Tree Protection Barriers* where applicable.

“Tree Survey (Inventory)”

means a plan illustrating all *on-site* and *off-site trees*, including the *DBH*, *drip line*, and *natural grade* elevation at the base of each *tree*, prepared by a BC Land Surveyor. The Plan must also include existing buildings, structures, service and utility locations, and the extent of any hardened surfaces such as driveways, decking, and stone patios.

“trunk”

The main or primary *stem* or *stems* of a *tree*.

“topped” or “topping”

means the reduction of *tree* size by *cutting branches*, leaders and *stems* to stubs, without regard to long-term *tree* health or structural integrity.

“Zoning Bylaw”

means *City of White Rock Zoning Bylaw*, 2012, No. 2000, as amended

Part 2 – Application and Exemptions

1. This Bylaw applies to *protected trees* within the municipal boundaries of the *City of White Rock*.
2. This Bylaw does not apply to *protected trees* that are *cut, removed or damaged*, pursuant to the *Railway Safety Act*, R.S. 1985, c. 32 (4th Supp.), the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Pipeline Act*, R.S.B.C. 1996, c. 364.
3. This Bylaw does not apply to *protected trees* on *City-Owned Properties* that are *cut or removed* by the *City* or its authorized agents as part of the *City's* operations.
4. Requests by residents for the trimming, pruning or removal of *protected trees* on *City-Owned Properties* require separate approval through the *City's* Department of Engineering and Municipal Operations.

Part 3 – Prohibitions

1. No person shall *cut, remove or damage* any *protected tree* or cause, suffer or permit any such *tree* to be *cut, removed or damaged*, except where permitted by and in accordance with the terms of this Bylaw.
2. No person shall fail to comply with the terms and conditions of a *Tree Management Permit* issued pursuant to this Bylaw.
3. In the event that a *protected tree* is in imminent danger of falling due to *natural causes* and it is not possible to obtain a *Tree Management Permit* 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 *City* on the next business day. The *Owner* shall not *remove the tree* from the *property* until the *City* has visited the *property* and confirmed that the *tree* was in imminent danger of falling due to *natural causes* and injuring people or *property*. If the *City* determines that the *tree* was not in imminent danger, or was in imminent danger due to reasons other than *natural causes*, the *City* may consider the filing of an offense in accordance with Part 11 of this Bylaw.
4. No person shall alter, falsify, omit or otherwise misrepresent any information on or for a permit or application.

Part 4 – Delegation of Council Authority

1. *Council* hereby delegates to the *Director* the authority but not the duty to:
 - (a) administer the provisions of this Bylaw; and
 - (b) approve or deny an application for a Type 1, Type 2, and Type 3 *Tree Management Permit*, if the application complies with the requirements for the applicable permit under Part 6.
2. *Council* hereby delegates to the *Director* the authority to grant exemptions in respect of a provision of this Bylaw, in circumstances where:
 - (a) the presence of utility infrastructure that cannot be relocated, and/or *City* infrastructure, as well as sight-line areas for the safe operation of motor vehicles and safe passage of cyclists and pedestrians, impacts the ability to fully implement the provisions of this Bylaw;
 - (b) the configuration, slope and geotechnical characteristics of the subject *property*, and abutting properties, impacts the ability to fully implement the provisions of this Bylaw; and
 - (c) *replacement trees* having the size specified in this Bylaw are not reasonably available from area suppliers, subject to confirmation of this lack of availability.

Part 5 – Tree Management Permits

1. A person applying for a Demolition Permit or a Building Permit or a person wishing to *cut* or *remove* a *protected tree* or *cut* and *remove* roots within the *critical root zone* of a *protected tree*, must apply to the *Director* for a *Tree Management Permit*. The *Tree Management Permit* must be approved prior to the issuance of the Demolition or Building Permit. A *Tree Management Permit* is not required if it is confirmed through a *Tree Survey (Inventory)* and a site visit by *City* staff that no *protected trees* or *critical root zones* of *protected trees* are present within the boundaries of the *lot*.
2. The design of buildings and other site features (e.g., hardened walkways, driveways, outdoor patios, etc.) ought to demonstrate every effort to preserve *protected trees* where doing so would not take away from established density rights. The *City's Arboricultural Technician* may refuse to issue a *Tree Management Permit* if it is determined that there are reasonable alternative design options to enable *tree* retention.
3. A notice shall be posted at the *property* line of the *lot* for which a *Tree Management Permit* has been issued, in a location visible to the public and facing the *street*, prior to the commencement of any *cutting* or removal of a *protected tree* or roots and shall remain posted until the completion of all work related to the *cutting* or removal of *protected trees* or a portion thereof on the *lot*. The notice shall include a copy of the *Tree Management Permit*, identify by species and location the *trees* which are to be *cut* or *removed*, and provide a contact number for the permit holder and the *City*.
4. The *City's Arboricultural Technician* will undertake a minimum of one site inspection upon receipt of a *Tree Management Permit* application.
5. A *Tree Management Permit* is not required for the pruning of a *protected tree* provided that the pruning is conducted in accordance with *sound arboricultural practice*. The pruning and treatment of diseased *trees* shall be practiced where possible and practical as an alternative to the *cutting* or removal of a *protected tree*. Pruning shall, specifically, not include:
 - (a) *crown* raising of lower limbs to the extent that the *live crown ratio* is less than 65%;
 - (b) the removal of more than 25% of the *crown* in one season; and
 - (c) the pruning or removal of a *structural root* within the *critical root zone* of a *protected tree*.

Part 6 – Types of Tree Management Permit Applications, Submission and Approval Requirements

1. The *owner* of a *lot* where a *protected tree* is located shall apply for one of the following types of *Tree Management Permits* to *remove* a *protected tree* or *prune* or *remove structural roots* within the *critical root zone* of a *protected tree*, and shall provide the documentation outlined below.

Type 1:

Tree Management Permit to:

- a) *Remove* a Dead, Dying (i.e., beyond a reasonable expectation of recovery due to *natural causes*), or High Risk *Protected tree*; and
- b) Re-top a *protected tree* where the *owner* has shown to the *Arboricultural Technician's* satisfaction that re-topping for canopy restoration is required to mitigate risk and preserve the *tree*;

Submission Requirements (subject to confirmation by *Arboricultural Technician*):

- a) Complete application form
- b) Title Search

- c) *Arborist Report* including a completed ISA *Tree Risk Assessment Form* confirming the *tree* is high risk with an extreme risk rating (not required if documentation/photos provided confirming that the *tree* is an imminent hazard to the public, as indicated in Part 3 of this Bylaw)
- d) Letter from *property owner* with rationale for removal of *protected tree*
- e) If applicable, letter from adjacent *property owner* agreeing to proposed removal (for *shared trees*)

Tree Management Permit Issuance Requirements

- a) No *replacement tree* requirements

Type 2:

Tree Management Permit to *remove* an Unwanted *Protected tree* subject to satisfying one or more of the following criteria:

- a) the *tree's* roots are destroying *property* and cannot be resolved with *sound arboricultural practices*: or:
- b) the *tree* is completely obstructing views and views cannot be resolved with *sound arboricultural practices*.

Submission Requirements (subject to confirmation by *Arboricultural Technician*):

- a) Complete application form
- b) Application fee
- c) Title Search
- d) *Arborist Report*
- e) Structural Engineer report and/or Plumber report
- f) Letter from *property owner* with rationale for *tree* removal and commitment to plant and maintain *replacement trees*.
- g) Photos and plan showing the *tree(s)* proposed for removal and *tree* replacement.
- h) If applicable, letter from adjacent *property owner* agreeing to proposed removal (for *shared trees*)

Tree Management Permit Issuance Requirements

- a) *Tree* replacement securities and/or combination cash-in-lieu
- b) *Tree Replacement Plan*

Type 3:

Tree Management Permit for a *property* under application for a Demolition Permit or a Building Permit:

Submission Requirements (subject to confirmation by *Arboricultural Technician*):

- a) Complete application form
- b) Application fee
- c) Title Search
- d) *Arborist Report* (colour copies only)
- e) Legal Survey (sealed or stamped, copies not accepted)

Tree Management Permit Issuance Requirements (subject to confirmation by *Arboricultural Technician*)

- a) *Tree* protection and replacement securities and/or combination cash-in-lieu
- b) *Coordinated Site Development Plan* (CSDP)
- c) *Tree Barrier Confirmation Letter*
- d) Letter from adjacent *property owner(s)* agreeing to proposed removals and acknowledging work around *trees* that are to be retained (for *shared trees*)
- e) *Tree Replacement Plan*

2. The *City* may require the submission of a new or updated *Arborist Report* at any time in the *Tree Management Permit* approvals process if a period of more than six months elapses between the receipt of the Report and the issuance of a *Tree Management Permit*.
3. *Coordinated Site Development Plans* (CSDP) must be submitted to the *City of White Rock* for approval, clearly identifying all site works proposed within or immediately adjacent to the *critical root zones* of all *protected trees*, and clearly stating when the *Project Arborist* is required to be on-site to supervise work. Site works to address include but are not limited to building location, excavation, site grading, site servicing, driveway location, sidewalks, retaining walls, and *tree* removals. Specific construction techniques must be outlined that will minimize potential impacts to *protected trees*, where appropriate.
4. The *City* may revoke a *Tree Management Permit* if the terms and conditions of the permit have been breached or the information supplied by the *Applicant* in support of the permit is found by the *City* to have been inaccurate, incomplete or erroneous.

Part 7 – Permit Fees and Securities

1. There are no fees for a Type 1 *Tree Management Permit*. Fees for a Type 2 and Type 3 *Tree Management Permit* are outlined in the *City of White Rock Fees and Charges Bylaw 2020, No. 2369*, as amended. The *City of White Rock Planning Procedures Bylaw, 2017, No. 2234* sets out the general procedures for managing *Tree Management Permit* applications.
2. Any request to amend the terms of a *Tree Management Permit* or to address a matter which relates to compliance with the conditions of a Permit, may require the payment of a new application fee.
3. Any request to transfer a *Tree Management Permit*, which has been issued, to a new *Owner* will require the payment of new application fee in addition to the posting of replacement securities deposits and/or cash-in-lieu payments as applicable.
4. A security deposit shall be provided to the *City* in the form of cash, an irrevocable letter of credit in an amount determined in accordance with the provisions of this Bylaw for:
 - a) The retention of *protected trees*; and
 - b) The provision and maintenance of *replacement trees* that will be planted after site development and construction is complete.
5. Any irrevocable letter of credit required under this Bylaw shall be a clean, unconditional and irrevocable letter of credit drawn from a Canadian financial institution acceptable to the *City*. If, for any reason, the irrevocable letter of credit ceases to be an effective security or become unenforceable so as to *remove* or reduce its purpose as full security for the due and proper performance of the requirements of this Bylaw, the *owner* shall replace it with a further letter of credit acceptable to the *City* within 21 days prior to the expiry of the letter of credit held by the *City*. If the *owner* fails to do so, the *City* will draw down on the current letter of credit without notice or restriction and hold the monies in lieu thereof as security.
6. If at any time an *owner* fails to comply with the provisions of this Bylaw relating to requirements for retention of existing *trees* or *replacement trees* and their maintenance, the *City* may confiscate all or a portion of the security deposit provided. Further, securities for *tree* protection may be retained by the *City* if the *Applicant* *damages* or *removes* a *protected tree* contrary to the terms and conditions of their *Tree Management Permit*, or if the *Applicant* fails to provide required information from the *Project Arborist* confirming that all terms and conditions of the *Tree Management Permit* have been met. It will be a condition of release of any security provided in accordance with this Bylaw that the

City will be satisfied that the *Applicant* has complied with the *tree* protection requirements of this Bylaw and the *Tree Management Permit*.

7. The extent to which securities are confiscated will be dependent on the circumstances of non-compliance observed and the likelihood of retained and/or *replacement trees* surviving any potential impacts, as determined by the *City's Arboricultural Technician*.
8. *Replacement trees* shall be required as follows:
 - a) Less than 50 cm *DBH protected tree removed* – Two (2) *replacement trees*
 - b) 51 cm to 65 cm *DBH protected tree removed* – Three (3) *replacement trees*
 - c) 66 cm to 75 cm *DBH protected tree* – Four (4) *replacement trees*
 - d) 76 cm to 85 cm *DBH protected tree* – Five (5) *replacement trees*
 - e) Greater than 85 cm *DBH protected tree* – Six (6) *replacement trees*

Notwithstanding the foregoing, two (2) *replacement trees* shall be required for the removal of a *lower value tree* regardless of their size (*DBH*).

9. The security required for the provision and maintenance of *replacement trees* shall be \$1,500 per *replacement tree*.
10. Where Type 3 Permits require a *City-owned tree* to be *removed* in order to accommodate construction, the *City* will collect \$1,500 per *replacement tree* with a cash-in-lieu payment.
11. If *replacement trees* are not planted within one year of the issuance of a Type 2 *Tree Management Permit*, or within three years of the issuance of a Type 3 *Tree Management Permit*, the *Applicant* will forfeit the *tree* protection securities to the *City*.
12. For *protected trees* that are to be retained, securities deposits will be required prior to the issuance of a *Tree Management Permit* in the following amounts:
 - a) \$3,000 per retained *protected tree* with a *DBH* of less than 50cm;
 - b) \$4,500 per retained *protected tree* with a trunk *DBH* of 51-65cm; or,
 - c) \$10,000 per retained *protected tree* with a trunk *DBH* greater than 65 cm.

Notwithstanding the foregoing, the amount of security required for a *lower value tree* of any size (*DBH*) shall be \$2,500 per *tree*.

13. Security deposits received by the *City* for the purposes of *tree* replacement and *tree* retention will be held for a period of one year following the receipt of an approved *Tree Protection and Replacement Report*.
14. Cash-in-lieu of *replacement trees* and / or forfeited security deposits tied to a *Tree Management Permit* may be used by the *City* to:
 - a) plant and maintain *trees* on *City-Owned Properties*;
 - b) support a local *tree* subsidy program; and
 - c) support educational programs and the production of related materials that contribute to the enhancement of the *City's tree* canopy.

Part 8 – Replacement trees

1. A minimum of one (1) *replacement tree* shall be planted for each *tree removed* on a *lot* that is the subject of a *Tree Management Permit* application.
2. *Replacement tree* species are to be proposed by the *Project Arborist* subject to *City* approval. The *City* encourages *replacement trees* that are of a species that will thrive in the proposed location's growing conditions and that are native species and/or comparable to type of *tree(s)* that was *removed*.
3. *Replacement trees* must meet the plant condition and structure requirements as set out in the latest edition of the "Canadian Standards for Nursery Stock" as referenced by the British Columbia Landscape and Nursery Association (BCLNA).
4. *Hedges*, palms, dwarf, topiary and shrub species will not be considered as *replacement trees*.
5. *Deciduous replacement trees* must have a minimum *caliper* of 6 centimeters and *coniferous replacement trees* must be at least 3 metres in height.
6. *Replacement trees* must satisfy the following minimum siting requirements and shall be:
 - a. 3 metres from any retained *protected tree* or *replacement tree*;
 - b. 3 metres from any BC Hydro line, service line, building foundation, pool and ancillary building; and
 - c. 1 metre from any *property line*, driveway, underground utility / service, and retaining wall
7. *Replacement trees* must be planted and maintained in accordance with *sound arboricultural practices*. *Replacement trees* will not be accepted that have been planted in gravel, sand or artificial turf.
8. Only the *City* and its designated personnel may plant *trees* on *City* lands.
9. Where conditions on a *lot* make it impractical to plant *replacement trees*, an *Applicant* may make a proposal for a cash-in-lieu payment equivalent to all or a portion of the total amount securities required for *replacement trees*. In evaluating proposals for cash-in-lieu payments, the *Project Arborist* must demonstrate there are no reasonable alternatives to replacing *trees* within the *Lot* subject to the permit application. The *Arboricultural Technician* shall be responsible for the determination of whether cash-in-lieu payments are an acceptable alternative to *tree* replacement.

Part 9 – Tree Protection

1. *Tree Protection Barriers* must be installed in accordance with Schedule A prior to the commencement of any work on the *lot* which requires a *Tree Management Permit*, with the locations as recommended by the *Project Arborist* and approved by the *City* based on the *critical root zones* of *protected trees*.
2. Signage provided by the *City* shall be placed around the *Tree Protection Barrier*.
3. All *protected trees* to be retained shall have a designated *Tree Protection Zone*, based on the *critical root zone*, protected with *Tree Protection Barriers* during demolition and building. The size of the *Tree Protection Zone* will only be reduced where the full *critical root zone* cannot be protected and the reduced *Tree Protection Zone* will still allow the *tree* to be retained. The final location of the *Tree Protection Barriers* must be proposed by the *Project Arborist* and approved by the *City* in the *Tree Management Permit*.

4. No demolition permit, building permit or *Tree Management Permit* shall be issued for work on the *lot* where the *protected tree* is located until a *Tree Protection Barrier* has been installed and confirmed by an approved *Tree Barrier Confirmation Letter* from the *Project Arborist*.
5. *Tree Protection Barriers* must remain in place throughout demolition, building, and landscaping, unless otherwise approved in the *Tree Management Permit* and CSDP. *Tree Protection Barriers* are only *removed* and relocated under the supervision of the *Project Arborist*.
6. The *Project Arborist* is to submit reports to the *City* upon completion of the demolition and building stages, confirming when they were on site and the conditions of the *Tree Management Permit* and CSDP were followed. Reports from the *Project Arborist* may be required more frequently, as outlined in the *Tree Management Permit*, depending on the nature of the work.
7. Site disturbance within a *Tree Protection Zone* is prohibited unless specifically permitted in the *Tree Management Permit* and CSDP, and unless such disturbance is supervised by the *Project Arborist*. Prohibited site disturbance includes but is not limited to: site grading, excavation, deposition or storage of soil or any other landscaping material, disposal of any toxic material, access by any vehicle or heavy equipment, use of the area as an amenity space during construction, or use of *tree* trunks as a winch support, anchorage, or temporary power.
6. The care and maintenance of *protected trees* to be retained through demolition, building and landscaping is the responsibility of the *property owner* and permit holder.

Part 10 - Inspection and Assessment

1. The *City* is authorized to enter, at all reasonable times and after notification to the *owner*, any *lot* that is subject to the Bylaw to ascertain whether the regulations, prohibitions and requirements of this Bylaw or any *Tree Management Permit* are being met or to assess or inspect any *tree* or *tree* remains on the *lot*.
2. Where a *protected tree* has been *cut* or *damaged* on a *lot* in violation of this Bylaw, without a *Tree Management Permit*, or in excess of any permission or in violation of any terms and conditions of a *Tree Management Permit*, the trunks, limbs, roots and remains of the *cut* or *damaged tree* shall not be *removed* from the *lot* until an investigation and assessment by the *City* is completed and the removal is expressly authorized by the *City*.
3. Upon completion of all works and once all *replacement trees* required under a *Tree Management Permit* have been planted, the *owner* shall submit a *Tree Protection and Replacement Report* from the *Project Arborist*.

Part 11 – Offences

1. Offences against this Bylaw are subject to fines in accordance with the Ticketing for Bylaw Offences Bylaw. Offences include but are not limited to:
 - (a) *cuts, removes or damages a protected tree* contrary to this Bylaw or contrary to the terms and conditions of a *Tree Management Permit*;
 - (b) violates any of the provisions of this Bylaw or a *Tree Management Permit*;
 - (c) suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw or a *Tree Management Permit*; or
 - (d) alters, falsify, misrepresent or omits to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or a *Tree Management Permit*.

2. For the purposes of this Bylaw, each *tree cut, removed or damaged* in violation of this Bylaw and each day that a violation of this Bylaw is caused or permitted to continue shall constitute a separate offence.
3. Every person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than Ten Thousand (\$10,000.00) Dollars or to imprisonment for not more than six months.

Part 12 – Penalties

1. In the event that a person who commits an offense against this Bylaw fails to pay the fine before the 31st day of December in the year following the year that the fine was effected by the *City*, the costs shall be added to and form part of the taxes payable on the *lot* as taxes in arrears.
2. Prosecution of a person pursuant to Part 11 of this Bylaw does not exempt the person from the provisions of Part 12 of this Bylaw.
3. In addition to any prosecution pursuant to Part 11 of this Bylaw, where an *owner cuts, removes or damages*, or suffers or permits any *tree* to be *cut, removed or damaged*, in contravention of this Bylaw, or in excess of any permissions, of in violation of any terms and conditions of a *tree cutting* permit issued pursuant to this Bylaw, the *owner* shall pay the penalties imposed under this Part 12 and:
 - (a) shall plant on the same parcel of land the number, size and species of *replacement trees* required by this Bylaw, as determined by the *Director* in accordance with this Bylaw: and, in addition,
 - (b) where the *tree cut, removed or damaged* is identified in a *tree* preservation plan approved by the *City* as a *tree* to be retained or protected, then the *Director* may require the *owner* to plant the *replacement trees* at the exact location as the *tree* that had been *cut, removed or damaged* and may require that any building or structure shall not be located within the *critical root zone* of the *replacement trees* expected at full growth.

Part 13 – Schedules

1. Schedule “A” forms part of this Bylaw.

Part 14 – General Provisions

1. “*White Rock Tree Management Bylaw, 2008, No. 1831*”, consolidated with amendments is hereby repealed.
2. This Bylaw shall come into force on the date of final adoption hereof.

RECEIVED FIRST READING on the	13	day of	December,	2021
RECEIVED SECOND READING on the	13	day of	December,	2021
RECEIVED THIRD READING on the	13	day of	December,	2021
RECONSIDERED AND FINALLY ADOPTED on the		day of		, 2021

MAYOR

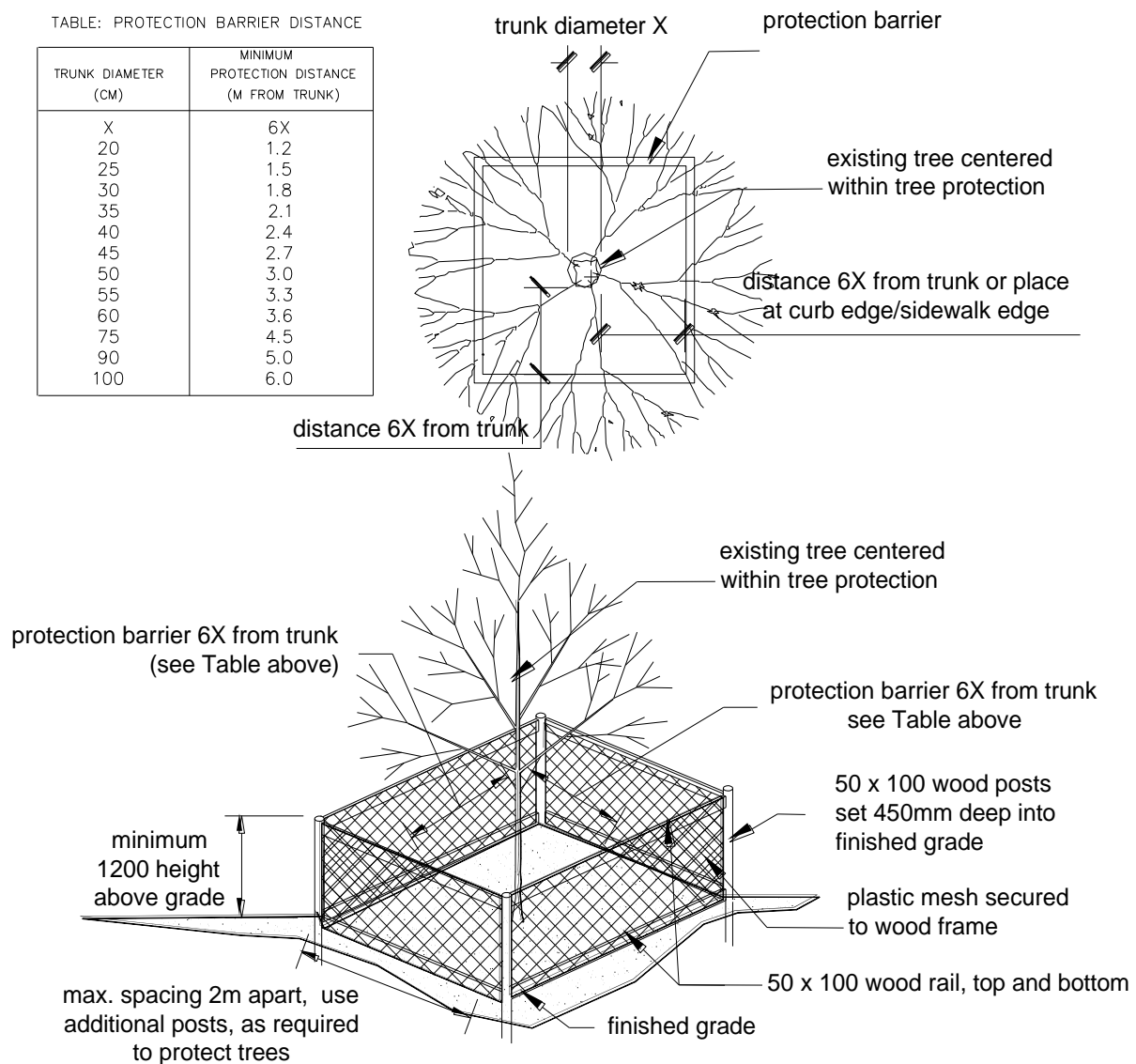
DIRECTOR OF CORPORATE ADMINISTRATION

SCHEDULE "A"

Specifications for *Tree Protection Barriers*

TABLE: PROTECTION BARRIER DISTANCE

TRUNK DIAMETER (CM)	MINIMUM PROTECTION DISTANCE (M FROM TRUNK)
X	6X
20	1.2
25	1.5
30	1.8
35	2.1
40	2.4
45	2.7
50	3.0
55	3.3
60	3.6
75	4.5
90	5.0
100	6.0



NOTES

Install tree protection barrier before construction begins and keep in place until landscape installation is complete.

Storage of building materials & litter within or against protection barrier is prohibited.
Developer/Owner responsible for maintenance within Tree Protection Barrier.

Damaged trees will be replaced at Developer/Owner's cost.

Maintain existing grades at protection barrier for all protected retained and existing trees.

Regrading outside of protection barrier should not adversely compromise protected retained and existing trees.

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW 1831**



A Bylaw to regulate and prohibit the cutting, removal and damage of trees, the setting of fees and issuance of permits for the same and the requirement for replacement trees and of security for their provision and maintenance.

White Rock Tree Management Bylaw

WHEREAS pursuant to Sections 8(3)(c) and 50 to 52 of the *Community Charter*, a city may, by bylaw, exercise certain powers to preserve and protect trees within the city, regulate the removal of trees and require their replacement;

AND WHEREAS trees provide an essential environmental function contributing to a clean air environment as well as providing habitat for birds and wildlife;

AND WHEREAS Council considers it is in the public interest to provide for the conservation and propagation of trees, and the regulation of their removal and replacement;

Under its statutory powers, including Sections 8(3)(c) and 50 to 52 of the *Community Charter*, the Council of the Corporation of the City of White Rock, in open meeting assembled, enacts the following provisions:

Part 1 –Introductory Provisions

Title

1. This Bylaw may be cited as “White Rock Tree Management Bylaw, 2008 No. 1831.”

Purpose

1. This By-law is intended to:
 - (a) Prohibit the removal of protected trees in the City of White Rock without a permit on all lands in the designated areas as shown on Schedule “B”;
 - (b) Prohibit the damaging of protected trees;
 - (c) Regulate and establish requirements for the removal, preservation, protection and replacement of protected trees through a permit process; and,
 - (d) Set forth inspection and enforcement provisions for protected tree conservation, removal and replacement, and penalties for damaging or removing protected trees without a permit.

Definitions

1. In this Bylaw,

“arborist” or “Project Arborist”

means a person who is:

- (a) a Certified Arborist by the International Society of Arboriculture, or a PNW ISA, WCB Certified Tree Risk Assessor; or,
- (b) A Registered member of the Association of BC Forest Professionals, preferably with a specialization in urban forestry.

"caliper"

means the trunk size of a deciduous replacement tree. Deciduous replacement trees with trunk diameter measurements less than 10 cm are measured at 15 cm above base. Deciduous replacement trees with trunk diameter measurements equal to or greater than 10 cm are measured at 30 cm above base.

“City”

means the Corporation of the City of White Rock.

“City Arborist”

means a person retained and / or designated by the City as the City’s arborist.

“City-Owned Properties”

means all properties owned by the City of White Rock as generally shown on Schedule “B”, plus all road rights-of-way and dedications under jurisdiction of the City of White Rock.

“coordinated site development plan (CSDP)”

means a site development plan for a proposed project that has been coordinated with all project consultants and reviewed, approved and signed by the owner (or authorized agent), project Architect, Landscape Architect, Project Arborist, and Builder (the “Project Team”), where appropriate.

The CSDP may be in the form of plans, text and graphics. The purpose of the CSDP is to clearly indicate all site works proposed within the critical root zone of all on-site and off-site protected trees, the proposed methods for tree protection during the site development and construction processes, post-construction tree maintenance, and recommendations for tree replacement and protected tree securities. The CSDP is to include the results of the tree survey, tree assessment report, tree protection plan, information from civil engineering and geotechnical reports, and landscape design and architectural conceptual designs.

The CSDP must clearly indicate the location, size, species, health and general characteristics of protected trees proposed for preservation and removal, the site grading before and after development, approximate

finished floor elevations, conceptual building footprints and projections/overhangs of proposed structures, the alignment, depth and method of installation of site services (sewer, water, storm, electrical, hydro/telephone/cable) and location of service kiosks, sumps, poles and utility rooms, driveways, sidewalks and retaining systems, and temporary and permanent on-site storm water drainage, detention and siltation control systems.

The CSDP must include a statement from the owner (or authorized agent) and project team that every effort has been made to preserve all protected trees on the site and adjacent properties, that any proposal for the removal of protected trees is solely the result of geotechnical, civil or building design restrictions, construction methods, zoning provisions and restrictions, or other City or utility company requirements, and that all approved pruning, root cutting, tree removal, and excavation within the critical root zone of a protected tree will be conducted under the direction of the project arborist.

The CSDP must include a letter of commitment from the Project Arborist that they shall monitor construction activities in the vicinity of protected trees during critical phases of development. As well, the Project Arborist shall inspect site conditions, the preservation trees and the barrier fences on a regular basis. The project arborist shall submit a progress report to the City at least once every month during the course of site development and construction confirming that they have visited the project site to ensure the maintenance of tree protection barriers.

The CSDP must also include a statement that the CSDP is an accurate and complete representation of existing, site development and construction phase, and post development project and site conditions as they relate to protected tree preservation, protection, replacement and maintenance.

“Council”

means the municipal Council of the Corporation of the City of White Rock.

“critical root zone”

means the area of land surrounding the trunk of a tree contained within a circle of radius equal to the DBH of the tree multiplied by 6, or one meter beyond the drip line of the tree, whichever is the greater distance.

“cut”

means to cut down a tree and shall include to pull up, push or pull over or otherwise fall a tree.

“damage”

means any action which will cause a tree to die or to decline, including, but not limited to: girdling, ringing, removing bark from a tree, dent, gouge, puncture or damage a tree trunk, poisoning, burning, undermining structural roots within the critical root zone, excessive pruning, excessive

crown lifting, topping, or pruning in a manner not in accordance with the most recent edition of the “American National Standards Institute Publication A300” and the most recent edition of the companion publication “Best Management Practices – Tree Pruning”, published by the International Society of Arboriculture.

“diameter at breast height” (DBH)

means the diameter of the trunk of a tree at 1.4 metres above the base of a tree. For multi-trunk trees, each trunk shall be measured 1.4 metres above the highest point of the natural grade of the ground measured from grade and the DBH of the tree shall equal the cumulative total of the three largest trunks.

“Director of Planning and Development Services”

means the person appointed by Council as the Director of Planning and Development Services or the duly authorized designate.

“drip line”

means a circle on the ground around the trunk of a tree, the radius of which is the distance between the outermost twigs of the tree and the centre point of the trunk, or its vertical extension.

“Ecosystem Enhancement Areas”

means those properties identified on Schedule “B” where the City has targeted areas of natural drainage and or sloped areas with a need to preserve or enhance the tree canopy to protect soils, minimize erosion and reduce greenhouse gases in conjunction with the Integrated Storm Water Protection and the Climate Action Plans.

“engineer”

means a person registered as a Professional Engineer (P. Eng.) to practice as such pursuant to the provisions of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116, as amended.

“hazardous tree”

means a tree identified in writing by a Certified Tree Risk Assessor as having significant structural defects and an extreme hazard risk which could lead to part or all of the tree falling and causing personal injury or significant property damage.

“heritage tree”

means a tree that is of cultural or historical value to the City and that has been designated as a heritage tree.

“live crown ratio”

means the height of the part of a tree with live branches divided by the total height of the tree.

“lot”

means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the

New Westminster Land Titles Office.

“natural causes”

means death or decline of a tree as a result of natural diseases, pests, climactic, hydrological and geotechnical conditions, inherent structural defects or ageing.

“Official Community Plan”

means the Official Community Plan of the City of White Rock, No. 1837, as may be amended or replaced from time to time.

“off-site tree”

means a tree of any size planted either on the property line or on neighbouring properties.

“on-site tree”

means a protected tree located within the boundary of the property.

“owner”

means the registered owner in fee simple of a lot upon which a tree is located; or their authorized agent.

“protected tree”

means:

- (a) a woody plant with roots and branches that has a trunk DBH greater than 30 centimeters, or has a combined DBH of its three largest trunks greater than 30 centimeters;
- (b) a replacement tree or a tree planted or retained as a requirement of a tree management permit;
- (c) a heritage tree
- (d) a specimen tree
- (e) a tree with evidence of nesting or use by:
 - (i) raptors as defined in the *Wildlife Act*, R.S.B.C. 1996, c. 488, or
 - (ii) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or
- (f) the following tree species of any size:
 - (i) *Arbutus* (*Arbutus menziesii*),
 - (ii) Garry Oak (*Quercus garryana*),
 - (iii) Pacific Dogwood (*Cornus nutalii*).

“Ravine Lands”

means the lands identified on Schedule “B”.

“replacement tree”

means a tree required in accordance with this Bylaw, to replace a tree cut, removed or damaged.

“replacement tree report”

means a document prepared by an arborist or a landscape architect indicating the subject lot address, location, size and species of replacement trees that have been planted on the lot.

The document must include a scaled drawing illustrating the location, size and species of each replacement tree in relation to the property lines and footprints of all structures and driveways on the lot.

The report must include a statement confirming that the replacement trees have been planted according to the provisions and requirements of this By-law. The document must be signed and dated by the arborist.

“remove”

means to cut a tree and/or to remove it from the lot where it exists, or the elimination of any tree from its present location.

“Significant Stand of Trees”

means the lands identified on Schedule “B”.

“specimen tree”

means a large and mature deciduous or coniferous tree with a trunk DBH greater than 50 cm or that has a combined DBH of its 3 largest trunks greater than 50 cm and a life expectancy of more than 10 years, or a native flowering or ornamental tree with a trunk DBH greater than 30 cm or that has a combined DBH of its 3 largest trunks greater than 30 cm and a life expectancy of more than 10 years.

“structural root”

means large, woody, tree roots that anchor and support the trunk and crown; roots characterized by secondary thickening and relatively large diameter (greater than 2 cm diameter) giving form to the root system and functioning in anchorage and support.

“tree assessment report”

means a report prepared by an arborist, that documents the size, location, species, extent of canopy/critical root zone, health, and at least one photograph of each protected tree on a lot or adjacent thereto, that is proposed for removal or retention. The nature and urgency of removal of a hazardous protected tree, examines all treatments available for diseased protected trees proposed for removal, confirms that a dead protected tree proposed for removal is dead, and indicates whether a protected tree proposed for removal is a specimen or heritage tree, or a replacement tree from previous tree replacement. If a protected tree proposed for removal is a member of a stand of trees, the report must comment on the impact of tree removal on the health of the remaining trees in the stand.

The report must include a plan indicating the relationship of protected trees proposed for removal or preservation, and proposed replacement trees, to current and proposed building footprints and property lines.

The report must include recommendations for the preservation, removal and planting of trees on a lot and off-site, including replacement tree size and species, the protection of retained trees during site development and building construction/demolition, protected tree maintenance security, security for replacement tree planting during site development and building construction/demolition, or a proposal for cash-in-lieu of replacement tree planting.

A report remains valid for six months from the date it is signed and dated by the arborist, and must be reviewed and re-signed by the arborist prior to the end of each six month period for it to remain valid, and must immediately be resubmitted to the City.

“tree management permit”

means the written authority granted by the City pursuant to Parts 6 and 7 of this By-law for the cutting or removal of a protected tree, or the pruning or removal of a structural root within the critical root zone of a protected tree.

“tree protection barrier”

means a barrier constructed around a tree in accordance with the most current requirements of the City to protect the tree from damage during site work or construction. The tree protection barrier shall be constructed in accordance to Schedule A, or one meter outside the drip line of the tree.

“tree protection zone”

means the area within a tree protection barrier.

“tree protection plan”

means a document prepared by an arborist with recommendations for the protection and maintenance for all on-site and off-site protected trees on a lot and adjacent thereto, during and after the land development and construction of a project on that lot.

“tree replacement plan”

means a plan prepared by the project arborist that illustrates the location, size and species of all trees that have been planted as replacement trees on a lot or property adjacent thereto.

“tree survey”

means a survey plan prepared by a BC Land Surveyor that illustrates the tree number and location, size and species of all protected on-site trees and off-site trees within 4 meters of the property line on adjacent lots or rights-of-ways in relation to the property lines of a lot. The tree survey shall also show the drip line of each tree, the existing base elevation of each tree, the legal description of the property and any statutory rights-of-way or easements, the location and type of all known utilities entering or immediately adjacent to the site and any proposed or existing service or utility kiosks, the existing and proposed building footprints as well as proposed excavation zones, walkways, patios, driveways and site access.

All protected trees on the lot associated with the development are to be numerically identified with a survey tag attached to the trunk and the tree number that corresponds with the survey plan.

"topping"

means an inappropriate pruning technique to remove the top portion of a tree's main leader(s), resulting in an overall reduction in the tree's height, size and potential health or life expectancy.

"Zoning Bylaw"

means White Rock Zoning Bylaw No. 1591, as may be amended or replaced from time to time.

Part 2 – Application and Exemptions

1. This Bylaw applies to protected trees on all lands within the designated areas in the City of White Rock as shown on Schedule "B" attached herein.
2. This Bylaw does not apply to protected trees that are cut, removed or damaged, pursuant to the *Railway Safety Act*, R.S. 1985, c. 32 (4th Supp.), the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Pipeline Act*, R.S.B.C. 1996, c. 364.
3. This Bylaw does not apply to protected trees on City-owned or occupied property or rights of way that are cut or removed by the City or its authorized agents as part of the City's operations. Requests by residents for the trimming, pruning or removal of protected trees on City-owned or occupied property or rights of way require separated approval through the City's Department of Engineering and Municipal Operations.

Part 3 – Prohibitions

1. No person shall cut, remove or damage any protected tree or cause, suffer or permit any such tree to be cut, removed or damaged, except where permitted by and in accordance with the terms of this Bylaw.
2. No person shall fail to comply with the terms and conditions of a tree management permit issued pursuant to this Bylaw.
3. An arborist that submits any report to the City as a requirement of this Bylaw, cannot also cut, remove or damage any tree that the arborist included in the report.
4. In the event that a protected tree is in imminent danger of falling due to natural causes, and it is not possible to obtain a tree cutting permit 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 City within the next business day. The owner shall not remove the tree from the property until the City has visited the property and confirmed that the tree was in imminent danger of falling due to natural causes and injuring people or property. If the City determines that the tree was not in eminent danger, or was in

eminent danger due to reasons other than natural causes, the City may consider the filing of an offense in accordance with Part 11 of this bylaw.

Part 4 – Delegation of Council Authority and Appeal to Council

1. Council hereby delegates to the Director of Planning and Development Services the authority to administer this By-law and to approve or deny Type 1 tree management permit applications, as prescribed in Part 6 of this By-law, provided that all applicants may speak to and provide documentation to Council for a final Council decision on their application.
2. Council hereby delegates to the Director of Planning and Development Services the authority to administer this By-law and to approve or deny Type 2 tree management permit applications, as prescribed in Part 6 of this By-law, provided that all applications are reviewed and assessed in accordance with the criteria established by Council policy, and that all applicants may speak to and provide documentation to Council for a final Council decision on their application.
3. Type 3 tree management permit applications, as prescribed in Part 6 of this By-law, will be approved or denied by Council in conjunction with the associated permit or subdivision application.

Part 5 – Tree Management Permits

1. A person wishing to cut or remove a protected tree or cut and remove roots within the critical root zone of a protected tree, shall apply to the Director of Planning and Development Services for a tree management permit to cut or remove the tree or roots.
2. A notice shall be posted at the property line of the lot for which a tree management permit has been issued, in a location visible to the public and facing the street, prior to the commencement of any cutting or removal of a protected tree or roots and shall remain posted until the completion of all work related to the cutting or removal of protected trees or portion thereof on the lot. The notice shall include a copy of the tree management permit, identify by species and location the trees which are to be cut or removed and provide a contact number for the permit holder and the City.
3. A tree management permit is not required for the pruning of a protected tree provided that the pruning is conducted in accordance with the standards and recommendations of the International Society of Arboriculture. Pruning shall not include:
 - (a) the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%,
 - (b) the removal of more than 25% of the crown in one season,
 - (c) topping
 - (d) the pruning or removal of a structural root within the critical root zone of a protected tree

4. The pruning and treatment of diseased trees shall be practiced where possible and practical as an alternative to the cutting or removal of a protected tree. A tree management permit will be required for the re-topping of protected trees when a safety hazard is identified and confirmed in a report by an arborist.
5. The fee for a tree management permit shall be determined as set out in Part 7 and shall be paid upon application for the permit.

Part 6 – Types of Tree Management Permit Applications, Application Submission and Approval Requirements

1. The owner of a lot where a protected tree is located shall apply for one of the following types of tree management permits to remove a protected tree or prune or remove structural roots within the critical root zone of a protected tree, and shall provide the documentation described as Application Submission Requirements at the time of application.
2. Type 1 - Tree Management Permit To Remove A Dead, Or Hazardous Protected Tree, Or Remove A Structural Root within the critical root zone of a protected tree
 - (a) Application Submission Requirements
 - (i) Complete application form
 - (ii) Application fee
 - (iii) Tree Assessment Report (not required if documentation/photos provided confirming that the tree is an imminent hazard to the public, as indicated in Part 3 of this By-law)
 - (iv) Letter from property owner with rationale for removal of protected tree
 - (v) If applicable, letter from adjacent property owner for removal of structural roots within the critical root zone of a protected tree on adjacent property
 - (b) Tree Management Permit Issuance Requirements
 - (i) No replacement tree requirements
3. Type 2 - Tree Management Permit to Remove an Unwanted Protected Tree
 - (a) Application Submission Requirements
 - (i) Complete application form Application fee
 - (ii) Tree Assessment Report
 - (iii) Letter from property owner with rationale for tree removal and commitment to plant and maintain replacement trees.
 - (iv) Photos/graphics for an application to remove tree obstructing view corridor.
 - (b) Tree Management Permit Issuance Requirements
 - (i) Replacement Tree Report and, where applicable, receipt by the City of proposed cash-in-lieu of planting of replacement trees

4. **Type 3 - Tree Management Permit to Remove a Protected Tree on a Property Under Application for a Building Permit, Development Permit, Demolition Permit Or Subdivision**
 - (a) **Application Submission Requirements**
 - (i) Complete application form
 - (ii) Application fee
 - (iii) Tree Assessment Report
 - (iv) Tree Survey
 - (v) Coordinated Site Development Plan (CSDP)
 - (b) **Tree Management Permit Issuance Requirements**
 - (i) Replacement Tree Report and, where applicable, receipt by the City of proposed cash-in-lieu of the planting of replacement trees
 - (ii) Securities for:
 - a. maintenance of retained protected trees;
 - b. replacement trees;
 - (c) Registration of a restrictive covenant on Title of the property or properties for the preservation and maintenance of protected trees
5. The City may revoke a tree management permit if the terms and conditions of the permit have been breached or the information supplied by the applicant in support of the permit is found by the City to have been inaccurate, incomplete or erroneous.

Part 7 – Permit Fees, Securities and Proposals for Cash-in-Lieu of Replacement Tree Planting

Permit Fees

1. The application fee for a tree management permit shall be:
 - (a) Permit Type 1 - Removal of dead, diseased or hazardous tree - No fee
 - (b) Permit Type 2 - Removal of unwanted tree - Fee = \$150
 - (c) Permit Type 3 - Removal of a protected tree from a property under application for a Building Permit, Development Permit, Demolition Permit and/or Subdivision - Fee = \$150
3. Any amendment requested or required for a tree management permit that has been issued will require payment of a new application fee.

Securities and Proposals for Cash-in-lieu of Replacement Tree Planting

3. A security deposit payable by the owner of the subject lot will be required for:
 - (a) The provision and maintenance of replacement trees that will be planted after site development and construction is completed;
 - (b) The maintenance of preserved protected trees;
 - (c) The provision and maintenance of replacement trees and the maintenance of protected trees as part of a penalty for cutting, removing or damaging protected trees without a tree management permit, or cutting, removing or damaging protected trees in excess of the number allowed by the tree management permit.

4. The owner shall provide to the City the security deposit in cash or irrevocable letter of credit in a form satisfactory to the City in an amount determined under this by-law and for the period and terms specified in this By-law.
5. Notwithstanding the provisions of Part 7, Item 3 above, security for the maintenance of replacement trees will not be required for applications to remove unwanted trees, as set forth in Part 6 Item 3 of this By-law, unless required by Council as a condition of application approval.
6. Any irrevocable letter of credit required to be provided under this Bylaw shall be a clean, unconditional and irrevocable letter of credit drawn from a Canadian financial institution acceptable to the City. If, for any reason, the irrevocable letter of credit may cease to be effective security or become unenforceable so as to remove or reduce its purpose as full security for the due and proper performance of the requirements of this By-law, the owner shall replace it with a further letter of credit acceptable to the City within 21 days prior to the expiry of the letter of credit then held by the City. If the owner fails to do so, the City will draw down on the current letter of credit without notice or restriction and hold the monies in lieu thereof as security.
7. If at any time an owner fails to comply with the provisions of this By-law relating to requirements for retention of existing trees or replacement trees and their maintenance, the City may by its employees or others under its direction enter upon the lands that are the subject of the requirements, at all reasonable times and after notification to the owner, to plant replacement trees or maintain protected trees and for such purposes may draw upon the security provided and expend the funds to cover all costs and expenses of doing so.
8. Where conditions on a lot will make it impractical to plant replacement trees an applicant may make a proposal for cash-in-lieu of the planting of replacement trees. The City will use the cash-in-lieu funds to plant trees elsewhere in the City on City-owned property.
9. The amount of the security for the provision and maintenance of replacement trees or proposed cash-in-lieu of planting replacement trees shall be:
 - (a) \$1000 per replacement tree where the replacement tree required is a 6 cm caliper deciduous tree or a 3 meter tall conifer,
 - (b) \$3,000 per replacement tree where the replacement tree required is a 10 cm caliper deciduous tree or a 4 meter tall conifer,
10. The amount of security for the protection and maintenance of protected trees proposed to be retained shall be:
 - (a) \$2,500 per retained tree where the tree is a deciduous or coniferous tree with a trunk DBH less than or equal to 50 cm, or a native flowering or ornamental tree with a trunk DBH less than or equal to 30 cm;
 - (b) \$4,500 per retained specimen tree where the specimen tree is a deciduous or coniferous tree with a trunk DBH greater than 50 cm, or a native flowering or ornamental tree with a trunk DBH greater than 30 cm; or,

- (c) \$10,000 per retained heritage tree, or specimen tree where the trunk DBH of the tree is greater than 65 cm.
- 11. The total amount of security deposited under Part 7, Items 9 and 10 above will be held by the City for a period of one year after submission of a tree replacement report or final building approval, to ensure that the protected trees are properly protected and maintained in accordance with this By-law and the tree management permit.
- 12. It will be a condition of release of any security provided by this By-law that the City will be satisfied that the owner has complied with the tree replacement and maintenance requirements of this By-law and the tree management permit.
- 13. The remaining security will be released to the owner upon receipt by the City of a letter from the owner's arborist confirming that the protected trees have been properly protected and maintained in accordance with this By-law and the tree management permit during the one year security period.

Part 8 – Replacement Trees

- 1. The number and size of the replacement trees is dependant upon the size of the protected tree removed. Replacement trees shall be replaced according to the following:
 - (a) 30 – 50 cm DBH tree removed – Two 6 cm caliper deciduous trees or two 3 meter high coniferous trees are required for the replacement of each protected tree removed.
 - (b) 51 cm to 65 cm DBH tree removed – Three 10 cm caliper deciduous trees or three 4 meter high conifer trees are required for the replacement of each protected tree.
 - (c) 66 cm to 75 cm DBH tree – Four 10 cm caliper deciduous trees or four 4 meter high conifer trees are required for the replacement of each protected tree.
 - (d) 76 cm to 85 cm DBH specimen tree – Five 10 cm caliper deciduous trees or five 4 meter high conifer trees are required for the replacement of each protected tree.
 - (e) Greater than 85 cm DBH specimen tree – Six 10 cm caliper deciduous trees or six 4 meter high conifer trees are required for the replacement of each protected tree.
- 2. The required number of replacement trees may be reduced by 50 percent, provided that the DBH or height of replacement trees to be planted is increased by 75 percent or more, if so recommended by the Project Arborist.
- 3. Replacement tree species are to be selected by the Project Arborist from a list of recommended replacement tree species available from the City, or as recommended by the arborist, provided that the recommended species comply with the Naturescape principles set forth in the Official Community Plan. The City encourages replacement trees that are of a species that will not grow to screen or block views of neighbouring properties.

4. Notwithstanding the provisions of Part 8, Items 1 and 2 above, replacement trees for fruit-bearing and ornamental trees may be of a similar species.
5. Subject to Part 8, Items 6 and 7 below, a minimum of one replacement tree must be planted on each lot that is the location of a protected tree subject to an application.
6. Replacement Trees must meet the plant condition and structure requirements set out in the latest edition of the British Columbia Society of Landscape Architects/British Columbia Landscape & Nursery Association “B.C. Landscape Standard” and the Canadian Nursery Trade Association “Canadian Standards for Nursery Stock” to be considered acceptable by the City.
7. Replacement Trees must be planted and maintained in accordance with the requirements set out in the latest edition of the British Columbia Society of Landscape Architects/British Columbia Landscape & Nursery Association “B.C. Landscape Standard”.
8. Where no construction or site disturbance on a lot is proposed that would affect the planting of replacement trees, the replacement trees must be planted within ninety (90) days of the date of issuance of the tree management permit.
9. Where the planting of replacement trees would hinder proposed site development and building construction/demolition or where proposed site development and building construction/demolition would jeopardize the survival of replacement trees, security for the planting of the replacement trees, based on the requirements of Part 7, Item 9 of this By-law, must be submitted to the City and held by the City until submission of a tree replacement report confirming the planting of those trees.

Part 9 – Tree Protection

1. All protected trees to be retained shall have a designated tree protection zone identifying the area sufficiently large enough to protect the tree and roots from disturbance. The recommended tree protection zone area can be determined by the formula outlined (see Schedule A) Retention trees must be protected with tree protection barrier fence during site development and building construction/demolition, as recommended by the owner’s arborist and according to the requirements prescribed in Schedule A of this By-law.
2. The required location of the tree barrier is determined by the size of the trunk of the protected tree, as prescribed in Schedule A. These locations will only be reduced where the full distance cannot be provided, and the tree will not be harmed, as confirmed by a report from the Project Arborist, which report has been submitted and approved by the City. Further, the City may require measures to mitigate potential damage during the excavation and construction stages as recommended by the Project Arborist.
3. No demolition permit, building permit or tree management permit shall be issued for work on the lot where the protected tree is located until a tree protection

barrier has been installed and confirmed by a report from the Project Arborist, which report has been received and approved by the City.

4. A tree protection barrier must remain in place and in accordance with any recommendations of the owner's arborist and any requirements of the City until the removal of the tree protection barrier is recommended by a report from the Project Arborist, which report has been received and approved by the City.
5. The Project Arborist is to submit a report to the City once a month during the period in which tree protection barriers are in place, confirming that they have visited the site and that the tree barriers are maintained as approved by the City.
6. Site disturbance within a tree protection zone is prohibited including, but not limited to, site grading, deposition or storage of soil or any other material, disposal of any toxic material, access by any vehicle or heavy equipment, use of the area as an amenity space during construction, or use of tree trunks as a winch support, anchorage or temporary power.
7. Any proposed work within a tree protection zone must first be recommended in a report by the Project Arborist, which report has been received and approved by the City.

Part 10 - Inspection and Assessment

1. The City is authorized to enter, at all reasonable times and after notification to the owner, any lot that is subject to the By-law to ascertain whether the regulations, prohibitions and requirements of this By-law or any tree management permit are being met or to assess or inspect any tree or tree remains on the lot.
2. Where a protected tree has been cut or damaged on a lot in violation of this Bylaw, without a tree management permit, or in excess of any permission or in violation of any terms and conditions of a tree management permit, the trunks, limbs, roots and remains of the cut or damaged tree shall not be removed from the lot until an investigation and assessment by the City is completed and the removal is expressly authorized by the City.
3. Once all replacement trees required under a tree management permit have been planted, the owner shall submit a report from his arborist to the City that the replacement tree(s) have been installed in accordance with this By-law and that a reduction or release of securities is in order.

Part 11 – Offences

1. Every person commits an offence against this By-law and is liable to a fine of not less than \$1,000 and not more than \$10,000 per offence, who:
 - (a) cuts, removes or damages a protected tree contrary to this By-law or contrary to the terms and conditions of a tree management permit;
 - (b) violates any of the provisions of this By-law or a tree management permit;
 - (c) suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw or a tree management permit; or

- (d) omits to do or refrains from doing anything required to be done by any of the provisions of this By-law or a tree management permit.
2. For the purposes of this By-law, each tree cut, removed or damaged in violation of this Bylaw and each day that a violation of this Bylaw is caused or permitted to continue shall constitute a separate offence.

Part 12 – Penalties

1. In the event that a person who commits an offense against this By-law fails to pay the fine before the 31st day of December in the year following the year that the fine was effected by the City, the costs shall be added to and form part of the taxes payable on the lot as taxes in arrears.
2. Prosecution of a person pursuant to Part 11 of this By-law does not exempt the person from the provisions of Part 12 of this By-law.

Part 13 – Schedules

1. Schedule “A” forms part of this By-law.
2. Schedule “B” forms part of this By-law.

Part 14 – General Provisions

1. White Rock Tree Management Bylaw No. 1567, consolidated with amendments, is hereby repealed.
2. This By-law shall come into force on the date of final adoption hereof.


RECEIVED FIRST READING on the
RECEIVED SECOND READING on the
RECEIVED THIRD READING on the

26th day of April, 2010.
26th day of April, 2010.
26th day of April, 2010.

RECONSIDERED AND FINALLY ADOPTED on the 3rd day of May, 2010.



Mayor



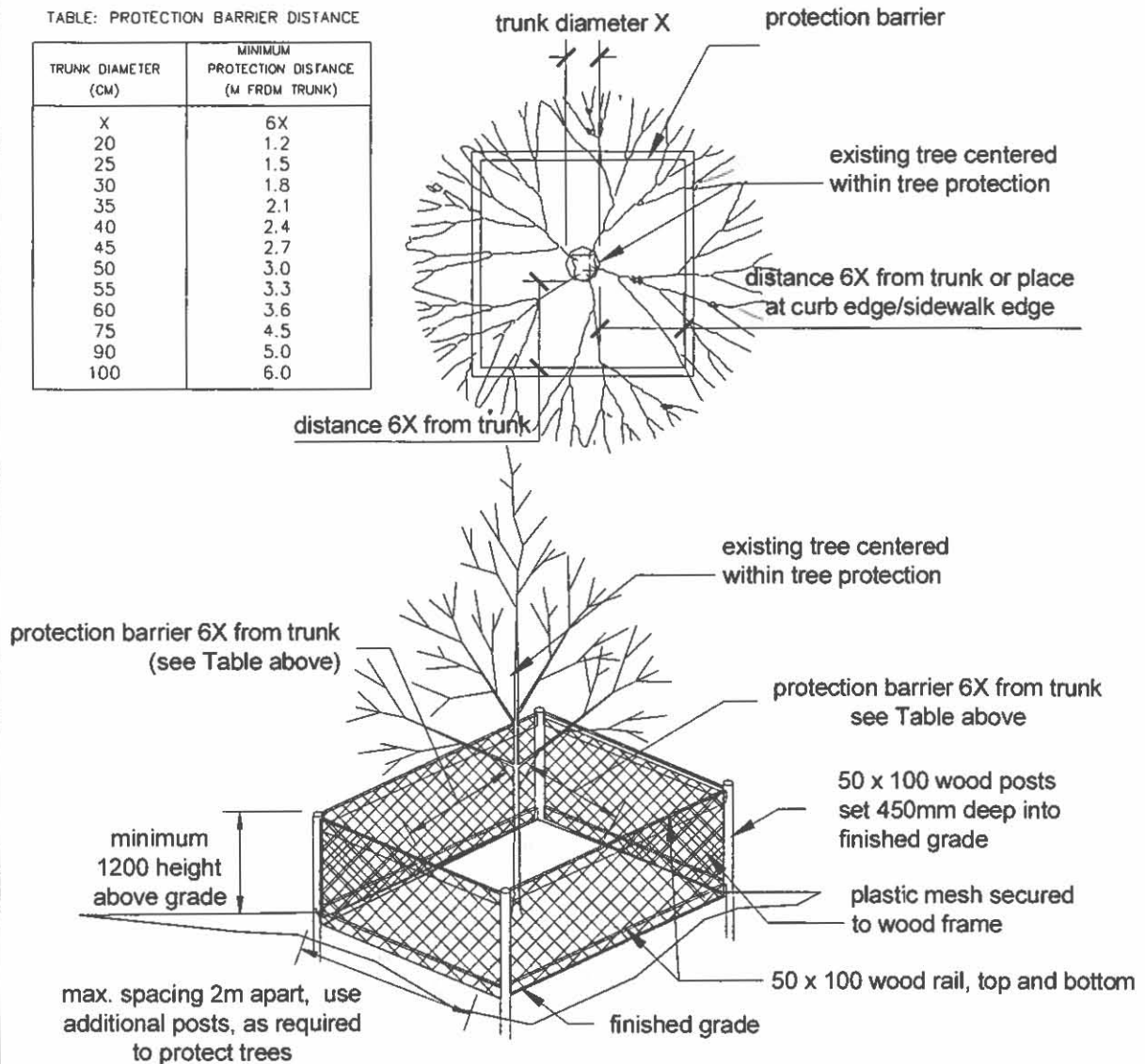
City Clerk

SCHEDULE "A"

Specifications for Tree Protection Barriers

TABLE: PROTECTION BARRIER DISTANCE

TRUNK DIAMETER (CM)	MINIMUM PROTECTION DISTANCE (M FROM TRUNK)
X	6X
20	1.2
25	1.5
30	1.8
35	2.1
40	2.4
45	2.7
50	3.0
55	3.3
60	3.6
75	4.5
90	5.0
100	6.0



NOTES

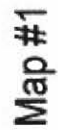
Install tree protection barrier before construction begins and keep in place until landscape installation is complete.

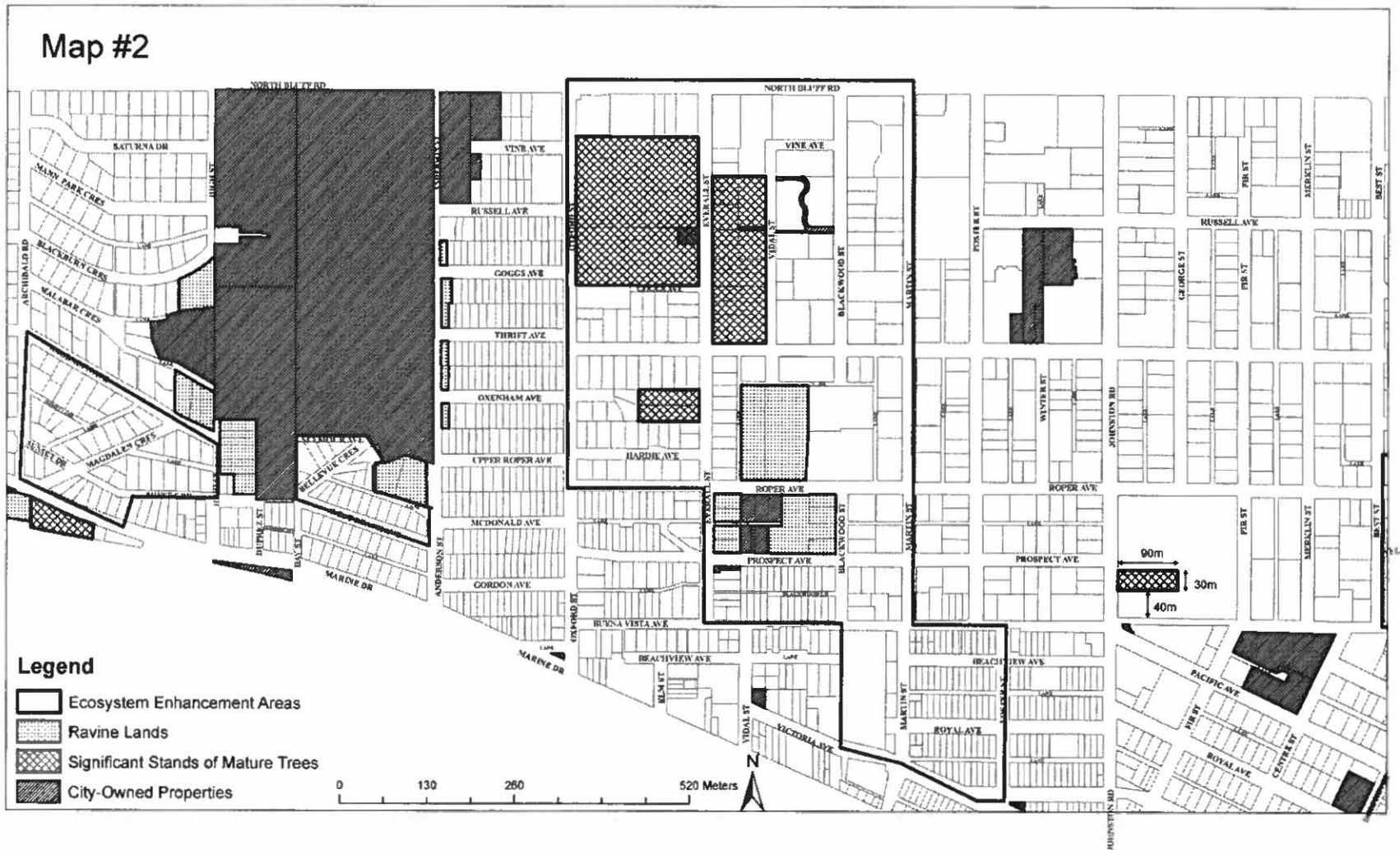
Storage of building materials & litter within or against protection barrier is prohibited.
Developer/Owner responsible for maintenance within Tree Protection Barrier.

Damaged trees will be replaced at Developer/Owner's cost.

Maintain existing grades at protection barrier for all protected retained and existing trees.

Regrading outside of protection barrier should not adversely compromise protected retained and existing trees.





Map #3



THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



**POLICY TITLE: CRITERIA FOR TYPE 2 TREE REMOVAL REQUESTS
ON PRIVATE LANDS**

POLICY NUMBER: PLANNING AND DEV. SERVICES - 510

<i>Date of Council Adoption:</i> June 28, 2010	<i>Date of Last Amendment:</i> March 9, 2020
<i>Council Resolution Number:</i> 2010-323; 2013-134; 2020-114	
<i>Originating Department::</i> Planning and Development Services	<i>Date last reviewed by the Governance and Legislation Committee:</i> February 24, 2020

Policy:

1. **Who Can Apply** – The tree must be on the applicant's lands or more than 50% on the applicant's lands and the remainder is on the City right-of-way. If more than 50% is on the City right-of-way it is treated as a tree on City lands. Further, if the tree(s) or the critical root zone straddles the property lines of two privately owned properties, both property owners will be required to make joint application.
2. **Criteria for Making Type 2 Tree Removal Requests** – In order to be considered for removal (as defined in Bylaw No. 1831), the tree or trees must meet the following criteria:
 - i) the tree's roots are destroying property and cannot be resolved through root pruning; or
 - ii) the tree is dropping pitch, sap, fruit or branches/nuts, causing damage to property (i.e. houses, cars); or
 - iii) the tree is completely obstructing views and views cannot be improved through approved pruning practices such as crown thinning or width reduction.
3. **Notification Prior to Decision** – The City will mail or deliver letters to the property owners immediately adjacent to the property under consideration for Type 2 tree removal request with a request for comments to be returned by a specified date prior to consideration of the request.
4. **Criteria for Decision** – Requests for Type 2 requests shall be reviewed in relation to the following criteria:
 - i) the topping of trees as defined in Bylaw No. 1831 is not permitted.
 - ii) the proposed tree removal must not adversely impact privacy, screening or shading for a neighboring property owner, unless they have no objections to the tree removal.

- iii) the “unwanted tree” criteria must be supported by sufficient evidence, including photographs in order to determine the degree or type of nuisance or damage, where the accumulation of falling leaves or evergreen needles only does not qualify as damage.
5. **Notice of Decision** – copies of the decision will be given to Council, to the applicants, and to the immediately adjacent property owners.
6. **Appeals** – the opportunity to appeal the decision to Council shall be made within 14 days of the notification, and provided solely to applicants when their request has been denied. The decision of Council on the appeal shall be final. No tree cutting will be permitted until completion