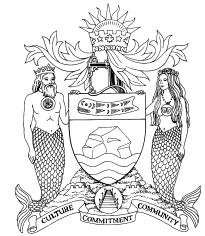


***Live Streaming/Telecast:** Please note that Standing Committees, Council Meetings, and Public Hearings held in the Council Chamber are being recorded and broadcasted as well included on the City’s website at: www.whiterockcity.ca

Corporate Administration
E-mail

(604) 541-2212
clerksoffice@whiterockcity.ca



[Click on title to take you to the document](#)

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

[ON TABLE see page 101](#)

June 19, 2019

A **GOVERNANCE AND LEGISLATION COMMITTEE MEETING** will be held in the **CITY HALL COUNCIL CHAMBERS** located at **15322 Buena Vista Avenue, White Rock, BC**, on **June 24, 2019** to begin at **5:30 p.m.** for the transaction of business as listed below.

T. Arthur, Director of Corporate Administration

A G E N D A

Councillor Fathers, Chairperson

1. **CALL MEETING TO ORDER**
2. **ADOPTION OF AGENDA**

RECOMMENDATION

THAT the Governance and Legislation Committee adopt the agenda for June 24, 2019 as circulated.

3. **ADOPTION OF MINUTES**
a) June 10, 2019

Page 3

RECOMMENDATION

THAT the Governance and Legislation Committee adopt the following meeting minutes as circulated:

- a) June 10, 2019
4. **AFFORDABLE HOUSING**
This item was discussed at the June 10, 2019 Governance and Legislation Committee meeting and due to time constraints, is placed on this agenda as a continuation on the discussion. This topic was originally brought forward by Councillor Manning.

5. **RENOVICTION AND POTENTIAL REGULATIONS**
Corporate report dated June 24, 2019 from the Director of Planning and Development Services titled “Renoviction and Potential Regulations”.

Page 8

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019, from the Director of Planning and Development Services, titled “Renoviction and Potential Regulations”.

6. **DRAFT GOOD NEIGHBOUR CONSTRUCTION POLICY** **Page 19**
Corporate report dated June 24, 2019 from the Director of Planning and Development Services titled “Draft Good Neighbour Construction Policy”.

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019, from the Director of Planning and Development Services, titled “Draft Good Neighbour Construction Policy”.

7. **PROPOSED VACANCY TAX** **Page 39**
Corporate report dated June 24, 2019 from the Director of Financial Services titled “Proposed Vacancy Tax”.

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019 from the Director of Financial Services, titled “Proposed Vacancy Tax”.

8. **COMMUNITY AMENITY CONTRIBUTIONS** **Page 41**
Corporate report dated June 24, 2019 from the Director of Financial Services titled “Community Amenity Contributions”.

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019 from the Director of Financial Services, titled “Community Amenity Contributions”.

9. **CITY OF WHITE ROCK: TREE MATTERS**
Councillor Fathers has requested that the following items/documents pertaining to City Trees be placed on the agenda for discussion:

- White Rock Tree Management Bylaw, 2008, No. 1831 **Page 43**
- Arborist Report dated June 13, 2019 regarding 1235 Oxford Street, White Rock **Page 62**
- Engineering & Municipal Operations Policy No. 611: Tree Management on City Lands **Page 72**

10. **SPECIAL EVENT PROTOCOL GUIDELINES** **Page 78**
Corporate report dated June 24, 2019 from the Director of Recreation and Culture titled “Special Event Protocol Guidelines”.

RECOMMENDATION

THAT the Governance and Legislation Committee

1. Receive for information the corporate report dated June 24, 2019 from the Director of Recreation and Culture titled “Special Event Protocol Guidelines”; and
2. Endorse the Special Event Protocol Guidelines as outlined in Appendix A of this corporate report.

11. **COUNCIL POLICY NO. 106 – COUNCIL REMUNERATION AND EXPENSES** **Page 96**
Councillors Chesney and Fathers have requested that Council Policy No. 106 (Council Remuneration and Expenses) be placed on the agenda for discussion.

12. **CONCLUSION OF THE JUNE 24, 2019 GOVERNANCE AND LEGISLATION COMMITTEE MEETING**

PRESENT: Councillor Fathers, Chairperson
Mayor Walker
Councillor Johanson
Councillor Kristjanson
Councillor Manning
Councillor Trevelyan

STAFF: D. Bottrill, Chief Administrative Officer
T. Arthur, Director of Corporate Administration
S. Kurylo, Director of Financial Services
C. Johansson, Director of Planning and Development Services
E. Stepura, Director of Recreation and Culture

Press: 0
Public: 2

1. CALL MEETING TO ORDER

2. ADOPTION OF AGENDA

RECOMMENDATION

THAT the Governance and Legislation Committee adopts the agenda for June 10, 2019 as circulated.

CARRIED

3. ADOPTION OF MINUTES

a) May 27, 2019 – Governance and Legislation Committee

2019-G/L-075 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee adopts the following meeting minutes as circulated:

a) May 27, 2019

CARRIED

4. TERMS OF REFERENCE FOR REVIEW: TERMS FOR THE FOLLOWING TASK FORCES

4.1 Council Policy 162 Terms of Reference: Dogs on the Promenade Task Force

It was noted that there will be initial Recommendations in September and then this will be a work in progress, to learn from what is happening and refining the metrics.

2019-G/L-076 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends the following wording be added to Council Policy 162 Terms of Reference: Dog on the Promenade Task Force:

The Task Force will establish criteria and benchmarks/evaluation process for the pilot project in relation to dogs on the promenade prior to it commencing with further reporting to occur following conclusion of the pilot project.

CARRIED

2019-G/L-077 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends Council adopt Policy 162 Terms of Reference: Dogs on the Promenade Task Force as amended.

CARRIED

4.2 Council Policy 156 Terms of Reference: Parking Task Force

It was noted that the current Terms of Reference states the Task Force will present its recommendations to Council by May 30, 2019. The proposed amendment reflects that the deadline be extended to December 31, 2019.

2019-G/L-078 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends Council adopt Policy 156 Term of Reference: Parking Task Force as circulated.

CARRIED

5. FINANCE POLICY NO. 317: MUNICIPAL TAX EXEMPTIONS

The Director of Financial Services introduced amendments to existing Finance Policy No. 317: Municipal Tax Exemptions which include housekeeping and updates/clarification with the exception of the removal of the condition that an organization cannot be given a Permissive Tax Exemption if it already received a grant from the City.

2019-G/L-076 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends Council adopt Finance Policy 317 Municipal Tax Exemptions as circulated.

CARRIED

6. **POLICY 106 - COUNCIL REMUNERATION AND EXPENSES**

Corporate report dated June 10, 2019 from the Director of Financial Services titled “Policy 106 – Council Remuneration and Expenses”.

Staff highlighted the Committee’s previous direction at the January 14, 2019 Governance and Legislation Committee meeting where further information was requested. The requests and information is provided in the corporate report.

2019-G/L-077 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends that Council endorse the amendments presented in this corporate report to *Policy 106 – Council Remuneration and Expenses*.

DEFEATED

Councillors Kristjanson, Manning, Trevelyan and Mayor Walker voted in the negative

Discussion ensued and the following points were noted:

- Difficult to support a 26% increase
- Do we know how much of the increase is due to the change to the *Income Tax Act*? Staff noted approximately 15%
- It was noted that a Councillor had their pay reduced by \$375 per month as an impact of the amendment made to the *Income Tax Act*

RECESS / RECONVENED

The Chairperson called for a short recess at 5:22 p.m.

The Chairperson reconvened the meeting at 5:28 p.m. with all noted members of Council and staff in attendance

2019-G/L-078 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends Council increase the Mayor and Council remuneration by 15%, enough to bring up the Council remuneration from what was lost with the new *Income Tax Act* amendment that eliminated the nontaxable status of the non-accountable allowance for elected officials.

CARRIED

2019-G/L-079 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee recommends Council include in addition for 2019, the Canadian Price Index (CPI) rate to be added to the Mayor and Council Remuneration.

CARRIED

Councillor Trevelyan voted in the negative

7. **OPENING CEREMONY EVENTS: MEMORIAL PARK AND WEST BEACH PARKADE**

This item was asked to be placed on the agenda following discussion at the May 27, 2019 Regular Council meeting where it was noted that Council would like to have Official Opening ceremonies for each Memorial Park and the Parkade to help bring attention to the facilities.

Discussion ensued and the Committee expressed support for the events. It was suggested that cake or cupcakes be offered to those in attendance.

XXXX-XXX

It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommends Council endorse the proposed wording on the Memorial Park and West Beach Parkade plaques be approved.

CARRIED

Staff circulated an On Table a proposed itinerary for the Canada Day events.

8. **COMMUNITY FORUM JUNE 26, 2019, 6:30 P.M. AT THE WHITE ROCK COMMUNITY CENTER**

This item was asked to be placed on the agenda by the Committee at the previous meeting.

Discussion regarding topics and the Community Forum format is required.

Proposed Topics:

- Council Accomplishments
- Strategic Priorities
- Status of Capital Works Projects
- Committees
- Water Treatment / Quality

The Committee discussed the format and potential topics for the June 26, 2019 Community Forum, and the following discussion points were noted:

- The style of the Forum should allow for receiving feedback, noting that the current proposed topics are more of an information sharing nature
- Proposed topic for discussions could be 15463 Buena Vista Avenue, as well as Next Steps for the Pier
- The City could host Forums in July, and potentially one in the September

Further Community Forum Topics:

- Affordable Housing
- Smart Cities

9. AFFORDABLE HOUSING

This item was requested by Councillor Manning to be placed on the agenda at the previous meeting

Councillor Manning introduced the item, noting that Affordable Housing and Tenant Protection are topics that need to be addressed in the City. It was suggested that land could be purchased to create affordable housing.

Discussion continued, and the following comments were noted:

- Would like to see 80-100 (minimum) affordable housing units in White Rock. This could help residents age in place, which is in line with the Official Community Plan
- The Committee asked how much the City has in liquid assets to direct towards land purchase for Affordable Housing. Staff noted that Community Amenity Contributions could be used for this purpose
- BC Housing and the Canada Mortgage and Housing Corporation (CMHC) could be a resource/assistance as the City moves through this issue
- Suggested the City purchase assets for Affordable Housing, retain ownership, and lease space to non-profits to continue to support the project moving forward
- The City could consider a land swap to gain lands
- The City should be looking towards establishing an Affordable Housing Task Force which could provide residents more of an opportunity to participate in discussions relative to the topic.

The Committee requested this matter be brought forward to the next Governance and Legislation Committee meeting.

10. CONCLUSION OF THE JUNE 10, 2019 GOVERNANCE AND LEGISLATION COMMITTEE MEETING

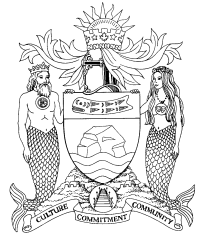
The Chairperson declared the meeting concluded at 6:12 p.m.

Councillor Fathers
Chairperson



T. Arthur, Director of
Corporate Administration

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 24, 2019

TO: Governance and Legislation Committee

FROM: Carl Johannsen, Director of Planning and Development Services

SUBJECT: Renoviction and Potential Regulations

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019, from the Director of Planning and Development Services, titled “Renoviction and Potential Regulations”.

EXECUTIVE SUMMARY

In April 2019 Council directed staff to bring forward a corporate report regarding renovictions and ensuring that the City’s bylaws are protecting residents from renovictions. The Council direction also referenced the City of Port Coquitlam’s renoviction regulations, which have been placed in Port Coquitlam’s business licencing bylaw (through Bylaw No. 4116, attached).

This corporate report presents potential regulations that aim to mitigate the impacts that renovations /repairs may have on renters, for consideration and feedback from the Governance and Legislation Committee. This report also describes potential legal and practical challenges that may arise if renoviction regulations are placed in a White Rock bylaw. These challenges include the relevant bylaw being potentially subject to legal challenge, and the creation of ‘unintended consequences’ that could impact tenants and/or result in end-of-life or un-safe buildings staying in their current state for lengthy periods of time.

It is also important to note that Port Coquitlam’s renoviction bylaw is currently being challenged in court by the owner of a rental building in Port Coquitlam. Based on this staff recommend that the adoption of a bylaw amendment, to add renoviction regulations to White Rock’s Business Licence Bylaw, not be considered by Council until the outcomes of this court case are known. An alternative approach could involve creating a new Council Policy regarding renoviction, that seeks to mitigate impacts on rental tenants.

BACKGROUND

At the April 8, 2019 Regular Council meeting, Council approved the following resolution:

THAT Council directs staff to bring forward a corporate report regarding “renoviction”, outlining the City’s current bylaws and policies in this area and reviewing the City of Port

Coquitlam's Bylaw No. 4116 ensuring the City of White Rock's bylaws are protecting their residents from renovictions in the same or similar manner.

Council Resolution 2019-128

This corporate report presents potential regulations regarding 'renoviction', a term that is used to describe situations where tenants in purpose-built rental buildings have to move or relocate due to the renovation/repair of their rental unit/building, and/or have to pay higher rents once the renovation or repair is complete. This report also summarizes recent updates to the Provincial *Residential Tenancy Act*, and the City's policies regarding new rental housing development, rental building redevelopment and mitigating impacts on the tenants of rental buildings that are proposed for redevelopment.

These potential regulations are being presented to the Governance and Legislation Committee, for consideration and feedback, prior to staff preparing an amendment to the City of White Rock Business Licence Bylaw, 1997, No. 1510, to add renoviction-related regulations to this Bylaw.

These potential regulations are also based on the City of Port Coquitlam's Bylaw No. 4116 (Appendix A), which includes regulations that aim to prevent renovictions. However, staff note these regulations are currently being challenged in court, by the owner of a purpose-built rental building in Port Coquitlam. Based on this, staff recommend that the adoption of a bylaw amendment regarding renovictions in the City of White Rock be not considered by Council until the outcomes of this court case are known. Staff will report back to Committee on the outcomes of this court decision and recommended steps forward.

PAST PRACTICE / POLICY / LEGISLATION

Provincial Residential Tenancy Act Updates

In May 2018 the *Residential Tenancy Act* (RTA) was updated to strengthen rental tenant rights, and now includes the following regulations, among others:

1. landlords must give four months' notice to end tenancy for demolition, renovation or repair, or conversion, and tenants have 30 days to dispute the notice;
2. compensation is being increased to 12 months' rent if a landlord (or purchaser) ends a tenancy under Section 49 (landlord use) and they don't (within a reasonable period) take steps to accomplish the purpose for ending the tenancy or use the rental unit for that stated purpose for at least 6 months;
3. tenants have a right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord if the landlord ends their tenancy to renovate or repair the rental unit;
4. a landlord must compensate a tenant 12 months' rent payable under the tenancy agreement if the tenant exercises a right of first refusal and the landlord does not give the tenant notice and a tenancy agreement to sign; and
5. if a landlord is ending a tenancy on behalf of a purchaser, the notice must contain the purchaser's name and address.

Rental Housing-Related Policies in the Official Community Plan (OCP)

The Land Use (Section 8) and Housing component (Section 11) of the OCP includes the following policies that support the renewal of the City's rental housing stock through the creation of new purpose built rental units, and support tenants affected by the redevelopment of existing purpose-built rental housing (paraphrased, see page 47-48 of the OCP for details):

- 8.2.3: allow a 40% increase in maximum FAR for new developments in the Town Centre Transition land use area, provided that at least half of the additional floorspace is composed of secured market rental units;
- 11.1.4: increase rental housing stock through considering secondary suites in duplexes/triplexes and two secondary suites in single-detached houses;
- 11.2.1.b: waive or reduce Community Amenity Contributions (CACs) for affordable rental and secured rental housing developments;
- 11.2.1.d: support rezonings for affordable rental housing developments up to 2.5 FAR and maximum six storeys on select properties (as identified in Figure 11, page 49 OCP);
- 11.2.1.e: support new secured rental housing on institutional properties, where feasible;
- 11.2.1.f: require a minimum one-to-one replacement of existing rental units when an existing rental building is proposed for redevelopment;
- 11.2.1.g: review parking, to determine if relaxations for rental units are supportable;
- 11.2.2: retain existing rental building stock in Urban Neighbourhood land use area south of Thrift Avenue, and support redevelopment with additional density; and
- 11.2.3: establish a tenant relocation policy to support those affected by redevelopment of existing rental housing. Plans for relocating tenants are the developer's responsibility.

Council Policy 514: Tenant Relocation Policy

Following OCP Policy 11.2.3, the Tenant Relocation Policy was adopted by Council in 2018 to mitigate the impacts resulting from the redevelopment of purpose-built rental apartments on current tenants. Due to situations that have occurred in other municipalities, some refer to the redevelopment of rental properties and the consequent displacement of existing tenants as 'demoviction'.

Noting this has not occurred in White Rock to date, and that the redevelopment of rental buildings will be required over the long term to renew the City's rental housing stock, it is nonetheless imperative that Council has a solid policy foundation that attempts to minimize displacement impacts on existing renters, and that redevelopment of existing rental buildings results in the same amount, or more (through OCP policy 11.2.1.f), rental units being added back into the City's rental unit inventory.

The Tenant Relocation Policy applies to all development applications involving the redevelopment of purpose-built rental housing in a building with three or more units, and requires developers and landlords to provide advanced notice and relocation/financial assistance to affected tenants beyond what is required by the Provincial RTA.

DISCUSSION/ANALYSIS

The City does not currently have policy or regulations for mitigating the impacts that rental building renovations or repairs may have on renters. Based on this, and following the April 8, 2019 Council resolution, staff have compiled a set of potential regulations (listed later in this report section) that aim to mitigate the impacts that renovations /repairs may have on renters.

If Council chooses to adopt new renoviction regulations by bylaw, they could be embedded in the City's Business Licence Bylaw 1997, No. 1510. The reasons for this include:

1. the Provincial *Community Charter* enables municipalities to issue licences to businesses, to allow them to operate within the City according to specific terms and conditions;
2. given that the City's Business Licence Bylaw requires that all property owners/landlords of apartment rental buildings obtain a business licence for their rental business, new renoviction regulations may be applied to purpose-built rental buildings within the City, through the terms and conditions of business licences issued to rental property owners/landlords; and
3. the City may, through seeking compliance with/enforcing the Business Licence Bylaw, be able to compel an owner/landlord to follow specific regulations that seek to protect renters in buildings (or parts thereof) that are subject to renovation(s).

While the intent of new renoviction regulations is to reduce the occurrence of tenants being evicted from affordable rental housing units for the purpose of increasing rents, they should not restrict repairs or renovations to rental units. This being said, the aim of these new regulations would be to require landlords to approach rental building repair and renovations in a more considerate manner.

These potential regulations, which are based on the City of Port Coquitlam's Bylaw No. 4116, should also include language that provides additional discretion for staff in responding to potential renoviction situations and life safety issues.

Potential Renoviction Regulations

With the above context in mind, the following points describe potential renoviction-based regulations, for Committee's consideration and feedback:

- a purpose-built rental building owner/landlord, who is planning to renovate or repair units in a way that requires the units to be vacant, is to obtain every permit or approval required by the City before it can deliver 'notice of termination of tenancy' to any tenant;
- owners/landlords are expected to provide copies of all permits and approvals from the City to tenants;
- owners/landlords are expected to consider tenant relocation options before renovations/repairs commence, including:
 - relocating the tenant to a unit of similar size within the building and at the same (or less) rent if the repairs or renovations require the unit to be vacant for a period of time. When the work is completed, within a reasonable time frame, the tenant is provided the opportunity to either stay in the new unit or return to the repaired or renovated unit; or
 - if there is no unit available within the building, the landlord is expected to make arrangements to temporarily accommodate the tenant elsewhere (in a comparable rental unit in another building) while the unit is being repaired or renovated. When the work is completed, within a reasonable time frame, the tenant should be able to return to the repaired/renovated unit; and

- landlords are to consider performing renovations or repairs as units in the building become vacant (ie. renters leaving on their own volition), if possible, before issuing notices of termination of tenancy.
- in relation to the options noted above, landlords should not increase rental rates for tenants moving back into their units, beyond what is permitted annually by the RTA;
- exemptions from these regulations should be contemplated as well. For example, potential regulations should give Council the ability to consider, if an owner is able to demonstrate to Council's satisfaction, that the building needs to be vacant in whole or part to ensure tenants' safety and health during a repair or renovation. This evaluation would require a report from a registered professional such as an architect or building inspector and may require staff review of such a report prior to a review and decision by Council. If a building requires units be vacated, Council may be able to set provisions pertaining to temporary relocation of tenants and rent increases in granting an exemption;
- in cases where landlords do not follow the above renoviction regulations, enforce penalties including refusal of the landlord's business licence renewals (or potential suspension of business licence) or applying a penalty fee to the business licence renewal; and
- these regulations may not apply to a building or units within a building that are damaged to the point of being unsafe through age, hazardous conditions (electrical failure, fire suppression deficiencies, widespread asbestos use, etc.) or disaster such as fire, flood, or structural failure. If the building is deemed unrepairable by a registered professional, such as an architect or building inspector, and is proposed for redevelopment, relevant OCP policies, Council Policy 514 (Tenant Relocation Policy) and RTA provisions apply. In this context, staff suggest that new Bylaw regulations include Council delegating some discretionary authority to staff (ie. Director-level) in determining if Bylaw exemptions (in certain circumstances) are warranted due to the condition of a rental building and the landlord's proposed approach.

Challenges Regarding Renoviction Regulations

While the potential regulations listed above could be a useful tool for the City in seeking to protect tenants from renoviction, there may be legal and practical challenges to implementing renoviction regulations, particularly by way of a City bylaw.

Legal Challenges

From a local government perspective, renoviction regulations similar to Port Coquitlam's, are intended to be distinct from the RTA which governs the relationship between a landlord and a tenant. However, it is possible that others see these potential regulations as conflicting with the RTA's jurisdiction and are thus unenforceable by a local government (or 'ultra vires'). If challenged, a court could find that the City does not have the authority to regulate a rental business to the extent contemplated in the above potential regulations, and/or that the regulations interfere with a landlord's property rights. A successful court challenge of these regulations could also result in the City paying damages to a landlord.

As noted earlier in this corporate report, the City of Port Coquitlam's renoviction regulations are currently being challenged in court. The challenging landlord wishes to renovate a 51 year old rental building, and is asking the court to set aside the applicable Bylaw because they view it as

being inconsistent with the RTA and that the City does not have the authority to implement the regulations. The City has responded by saying it is exercising its right to regulate businesses through the business licencing powers of the *Community Charter* and its own business licencing Bylaw. It is also notable that the Residential Tenancy Branch declared the landlords' action of terminating the tenancy of all tenants in the building as invalid and having no effect, due to the landlord not providing sufficient evidence to support the need to evict all of the tenants at once in order to conduct the renovations.

Based on the above, and noting that there has been no decision in the Port Coquitlam court case, staff suggest that Council delay consideration of adding renoviction regulations to the Business Licence Bylaw until there is a judgement and additional information is available.

Practical Challenges

New Bylaw regulations aiming to prevent or mitigate renovictions should not result in 'unintended consequences'. An example of this could be where enforcement actions, such as not renewing a business licence for an existing rental building business, may directly impact tenants if they are required to vacate that building (due to not having a valid licence to operate). Other problems could involve situations where a landlord does not have vacant units in their building or another building to re-house affected tenants (ie. if affected tenants units need to be vacated), or business licence penalty fees are too low and become a 'part of doing business' for a landlord.

Renoviction-prevention regulations could also inadvertently result in end-of-life or un-safe buildings remaining in their current state or deteriorating over lengthy periods of time. In this context these buildings would be those, as defined by a registered professional (ie. a building inspector, architect), that cannot reasonably be brought up to Building and Fire Code standards through renovations and alterations.

Beyond threatening the health and safety of tenants, end-of-life or un-safe buildings also create unsightly property conditions, could involve extensive remediation of hazardous materials (asbestos) and be hard to insure or be un-insurable. In some cases it may be preferable to encourage the redevelopment of end-of-life or unsafe rental buildings and create new (and more), up-to-date rental housing units, provided there is a viable tenant relocation strategy in place.

Potential Alternative Approach: New Council Policy

Noting it is possible that the above potential regulations conflict with the RTA's jurisdiction and are thus unenforceable by a local government, an alternative approach could involve the creation of a new Council Policy (similar to the Tenant Relocation Policy) that provides specific direction to City staff regarding renoviction issues. This policy would focus on requiring City staff to make the Residential Tenancy Branch aware of renovations/repairs to rental buildings, and to work with landlords to approach renovations and repairs in a manner that considers potential impacts on tenants and enables renovations/repairs to be completed in a logical and time-sensitive manner.

Potential key elements of this Council Policy could include City staff:

- upon receiving a building permit application involving rental building renovation/repair, seeking to reasonably resolve/mitigate tenant relocation impacts with the landlord, including requesting landlords provide considerate tenant relocation plans and submit those to staff for review and comment, prior to issuance of building permit;
- working with landlords to develop phased renovation/repair approaches that limit the need to relocate all tenants at once, by way of phased permits that allow a portion of a rental

- building to be renovated/repared at one time (where rental units need to be vacated), while the remaining portion remains ‘as is’ (where units don’t need to be vacated); and
- notifying the Residential Tenancy Branch when a building permit application for a rental building renovation/repair is received, and requesting that the Branch provide their preliminary feedback on the proposed work (ie. if it requires some or all of the rental units to be vacated or not). Staff will also seek feedback from the Branch regarding compliance with the RTA, prior to issuing a building permit for the renovation/repair.

BUDGET IMPLICATIONS

Administration of the potential renoviction regulations in this corporate can be undertaken with existing staff resources. Should Council proceed now with adding renoviction regulations to the City’s Business Licence Bylaw, without knowledge of the outcomes of a current court case involving a challenge to the validity of similar regulations in Port Coquitlam, it is possible that the City’s regulations may be challenged in court and result in damages being paid by the City.

CONCLUSION

This corporate report presents potential regulations regarding ‘renoviction’, a term that is used to describe situations where tenants in purpose-built rental buildings have to move or relocate due to the renovation of their rental unit/building, and/or have to pay higher rents once the renovation is complete. These potential regulations are being presented to the Governance and Legislation Committee, for discussion and feedback to staff, prior to preparing an amendment to the City of White Rock Business Licence Bylaw, 1997, No. 1510. Alternatively, Council could choose to place renoviction regulations into a new Council Policy, similar to the Tenant Relocation Policy.

While these potential regulations aim to mitigate the impacts that rental building renovations may have on renters, there are legal and practical challenges outlined in this corporate report that should be carefully considered in developing any new renovation-related regulations.


Respectfully submitted,



Carl Johannsen, MCIP, RPP
Director of Planning and Development Services

Comments from the Chief Administrative Officer:

This corporate report is provided for Committee’s information.



Dan Bottrill
Chief Administrative Officer

Appendix A: City of Port Coquitlam Business Amendment Bylaw, 2019, Bylaw No. 4116

CITY OF PORT COQUITLAM
BUSINESS AMENDMENT BYLAW, 2019
Bylaw No. 4116

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “Business Bylaw, 2010, No. 3725, Amendment Bylaw, 2019, No. 4116.

2. ADMINISTRATION

Business Bylaw, 2010, No. 3725 is amended as follows:

2.1 By adding the following definition to Section 2. Definitions:

“*Residential Tenancy Act*” means Chapter 78 of the Statutes of British Columbia 2002 and any successor legislation dealing with the relationship between residential landlords and their tenants.

2.2 Adding the following as Section 42. SUITE RENTAL BUSINESSES:

42.1 No owner of a **Suite Rental Business** in an apartment building shall deliver to any tenant a notice of termination of the tenant’s tenancy of a suite in the apartment building in order to renovate or repair the suite, or having delivered such a notice prior to the adoption of this Bylaw, require the tenant to vacate their suite pursuant to the notice, unless the owner has obtained every building permit, plumbing permit, development permit or heritage alteration permit required by any City bylaw and any other permit or approval required to authorize the renovation or repair, and has either:

- (a) entered into a new tenancy agreement with the tenant in respect of a comparable suite in the same building, on the same terms, including rent, as the tenancy agreement pertaining to the suite being renovated or repaired, or terms that are more favourable to the tenant, and provided a copy of the agreement to the Licence Inspector, or
- (b) made other arrangements in writing for the tenant’s temporary accommodation during the course of the renovation or repair, and for their return to their original suite following completion of the renovation or repair, with no increase in rent other than any additional rent increase allowed under Part 3 of the *Residential*

Tenancy Act, and provided to the Licence Inspector satisfactory documentation of the arrangements including evidence of the tenant's consent to the arrangement.

- 42.2 For the purposes of Section 42.1,
- (a) a suite is comparable to a suite that is being renovated or repaired if it has the same or a greater number of bedrooms and complies with the maintenance standards in Section 32 of the *Residential Tenancy Act*, and the rent for the suite is equal to or less than the rent for the suite that is being renovated or repaired; and
 - (b) the new tenancy agreement may either transfer the tenant's tenancy permanently to the other suite or entitle the tenant to occupy the other suite temporarily during the course of the renovation or repair and return to their original suite following completion of the renovation or repair with no rent increase other than any "additional rent increase" approved under Part 3 of the *Residential Tenancy Act*.
- 42.3 An owner who is subject to Section 42.1 may apply to the Council for:
- (a) an exemption from that section in respect of the owner's building, on the grounds that the owner's renovation or repair plans cannot be safely implemented unless the building is vacated, or
 - (b) an exemption from that section in respect of a portion of the owner's building, on the grounds that the owner's renovation or repair cannot be safely implemented unless that portion of the building is vacated and there are insufficient vacant suites in the building to which the owner could relocate tenants.
- 42.4 An application under Section 42.3 must be accompanied by the written opinion of a suitably qualified person that, after due consideration of all practical alternative approaches to the work, the safe implementation of the owner's renovation or repair plans requires that the owner's building be vacated or that a portion of the owner's building be vacated.
- 42.5 The Council may require an owner who has made an application under Section 42.3 to pay the City's cost in obtaining a second opinion from a suitably qualified person on whether the safe implementation of the owner's plans requires that the owner's building or portion of the owner's building be vacated.
- 42.6 The Council may, in approving an exemption, impose conditions pertaining to the relocation of tenants, including conditions relating to the accommodation of tenants during and following the renovation or repair and the rent that may be charged for the suites following the completion of the work.

- 42.7 Section 42.1 does not apply to any suite in a building that has been determined by an architect, engineer or building code consultant or any governmental authority having jurisdiction, including the local assistant to the fire commissioner, to have been damaged by natural disaster, fire, water, smoke, insect infestation or structural failure to the point that it is unsafe for any person to occupy the building, if the determination is made in writing and a copy has been delivered to a Licence Inspector before any notice of termination of a tenant's tenancy is delivered to any tenant in the building.
- 42.8 The Licence Inspector may require an owner of a suite rental business to provide, prior to obtaining a business licence or business licence renewal under this Bylaw, a statutory declaration that states the rent payable in respect of any suite prior to and following renovation or repair work for which the owner required a tenant to vacate their suite and, if the rent was increased, a copy of the director's approval of the rent increase under Part 3 of the *Residential Tenancy Act*.
- 42.9 The Licence Inspector may issue or renew a business licence under this bylaw to an owner who has applied for an additional rent increase related to renovation or repair under Part 3 of the *Residential Tenancy Act* if the director has not yet decided the rent increase application, if in doing so the Inspector indicates on the licence that a surcharge may become payable under Section 42.10 if the additional rent increase is not allowed, but the rent for the suite in question exceeds the rent that is allowed without the increase.
- 42.10 The Licence Inspector may levy a monthly business licence surcharge on any owner who increases rent contrary to this Bylaw, in the amount that is the difference between the rent permitted by this Bylaw and the rent that the owner's tenant is paying in respect of the suite that has been renovated or repaired, and may refuse to renew the business licence of any owner who, being subject to such a surcharge, has not paid the surcharge by the date on which the licence renewal is required.
- 42.11 For certainty, Sections 42.1 to 42.10 apply in respect of the renovation or repair of any suite in an apartment building regardless of whether a building permit authorizing the renovation or repair had been applied for or issued prior to the date of adoption of Business Amendment Bylaw No. 4116, 2019, and regardless of whether a notice to terminate a tenancy had been delivered prior to that date.
- 42.12 In Sections 42.1 to 42.11, "owner" means the owner of any apartment building who operates a **Suite Rental Business** in the building and includes the person who holds a Licence under this Bylaw to carry on that business."

2.3 Sections 42 - 46 are renumbered accordingly.

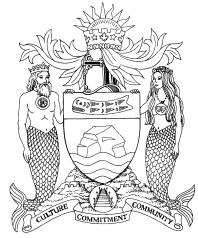
READ A FIRST TIME this	day of	, 2019
READ A SECOND TIME this	day of	, 2019
READ A THIRD TIME this	day of	, 2019
ADOPTED this	day of	, 2019

Mayor

Corporate Officer

DRAFT

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 24, 2019

TO: Governance and Legislation Committee

FROM: Carl Johannsen, Director of Planning and Development Services

SUBJECT: Draft Good Neighbour Construction Policy

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019, from the Director of Planning and Development Services, titled “Draft Good Neighbour Construction Policy.”

BACKGROUND

The City of White Rock is experiencing a high amount of redevelopment activity on private properties, involving the construction of new single family homes as well as large-scale apartment and mixed-use buildings. This redevelopment will help to renew our neighbourhoods and create new and updated housing options and business opportunities.

While redevelopment will enhance the community, and the time it takes to construct new buildings is short compared to their total life expectancy, construction activities can create nuisances and impact the neighbourhood. Based on this, construction activities need to be undertaken in a way that:

- I. Respects neighbours, the environment and the greater neighbourhood; and
- II. Minimizes impact and disruption to surrounding residents, businesses, and visitors in the City of White Rock.

In order to ensure these principles are closely followed by builders, maintain a high level of awareness amongst builders about the importance of being a Good Neighbour and create a consolidated, ‘one stop shop’ source of information for builders on how to be a Good Neighbour, staff propose that all construction projects on private property be required to follow the City of White Rock’s ‘Good Neighbour Construction Policy’ (draft GNCP; attached as Appendix A).

This corporate presents the draft GNCP to the Governance and Legislation Committee for review and feedback, prior to bringing the GNCP to Council, as an official Council Policy, for consideration of endorsement.

PAST PRACTICE / POLICY / LEGISLATION

In White Rock construction activities occurring on private property are regulated through the Building, Noise Control, Street and Traffic, Business Licence and Tree Protection Bylaws, among other City Bylaws. The builders of major development projects (apartments or mixed-use buildings 4 storeys and above) are also required to provide a construction management plan to

staff that details the builder's approach to providing parking for site workers ('trades'), street and sidewalk use, site access, site safety and security truck route plans, among other details. These construction management plans are also posted on the City's Construction Information Portal, for the public's information: <http://whiterockcity.ca/386/Construction-Information-Portal>).

Staff also require builders to obtain permits for using streets, sidewalk and boulevards during construction activities, and builders are to follow City bylaws and permit requirements in this regard. The City's Bylaw Enforcement Officers and Parking Services respond to complaints regarding construction activities, seek compliance from builders regarding the applicable Bylaws and permits, and issue fines when necessary.

DISCUSSION/ANALYSIS

As noted above, the City's current approach to managing / regulating construction activities involves the application and enforcement of numerous City Bylaws and required permits. Staff propose that the draft GNCP be adopted as a Council Policy, to ensure that Council's 'Good Neighbour' expectations of minimizing construction impacts and respecting neighbors are clearly communicated to developers, builders and their workers. The draft GNCP, which draws on similar policies from other municipalities in the region, is organized around these seven key rules (refer to Appendix A for details):

1. Get the Required Permits Before You Start

- a) Seek Permission First
- b) Know and Understand City Bylaws

2. Communicate With Your Neighbours

- a) Communications and Project Notification
- b) Keep Your Neighbours Up To Date
- c) Construction Signage

3. Protect the Neighbourhood and Environment

- a) Respect Your Neighbours Property
- b) Using City Property
- c) Protect Those Trees
- d) Have an Erosion and Sediment Control (ESC) Plan
- e) Minimize Vehicle Idling
- f) Security and Surveillance
- g) Portable Toilets
- h) No Outdoor Burning

4. Keep a Safe and Clean Work Site

- a) Protect the Public and Your Site: Fencing and Covered Walkways
- b) Prevent Unsightliness
- c) Snow Control
- d) Smoking and Vaping

5. Limit Construction to Permitted Hours

- a) When You Can and Can't Make Noise
- b) Noise Extension Permits

6. Don't Take Parking Away or Block Access

- a) Vehicle Parking and Loading
- b) Maintaining Accessibility

7. Minimize Traffic Disruptions

- a) Vehicular Traffic
- b) Notify in Advance
- c) Use Designated Truck Routes

Applying the GNCP to Construction Projects in White Rock

The draft GNCP includes detailed requirements that developers and builders are expected to comply with, and agree to do when they receive their building permits and before they start construction. The GNCP also identifies information that builders must provide to the City prior to receiving their permits to proceed, according to the type and scale of their project:

1. Small Developments

- ('Simple Construction', such as single family homes, small-scale townhouse projects)
 - a. builders will receive a copy of the GNCP when they apply for a building permit; and
 - b. builders are required to acknowledge they understand GNCP requirements to City staff prior to receiving their building permit.

2. Major Projects

- ('Complex Construction', such as residential, mixed-use buildings 4 storeys and above)
 - a. builders will receive a copy of the GNCP when they apply for a building permit;
 - b. builders are required to submit a Construction Management Plan, that includes designated off-street trades parking area(s), street/sidewalk closures and other information. The information that builders are required to provide for Construction Management Plans is listed in Appendix A of the attached draft GNCP; and
 - c. builders are required to acknowledge they understand GNCP requirements to City staff prior to receiving their building permit.

Staff note that periodic reviews and updates of construction management plans may be necessary to respond to emerging/unforeseen issues and ensure these plans remain effective in minimizing construction impacts through the duration of construction.

Staff from Building, Engineering and Municipal Operations, Bylaw Enforcement, and Parking Services collectively monitor and respond to construction issues, and seek compliance with City Bylaws and relevant permit conditions – and will also use the GNCP as a tool to remind and educate builders of their obligation to be a Good Neighbour. Planning and Development Department staff also communicate directly with major project developers, as necessary, to ensure that developers and their builders are effectively addressing construction-related issues.

BUDGET IMPLICATIONS

There are no budget implications. Administration of the proposed Good Neighbour Construction Policy can be undertaken with existing staff resources.

OPTIONS

The Governance and Legislation Committee can:

1. Receive this corporate report as information and provide feedback to staff, prior to staff bringing forward an updated Good Neighbour Construction Policy to Council for consideration of approval; or
2. Request that staff undertake further research and report back to Committee with an updated/modified policy, as directed by the Committee.

Staff recommends Option 1.

CONCLUSION

The City of White Rock is experiencing a high amount of construction on private properties, and this can create nuisances and impact the neighbourhood. Noting that the City's current approach to managing / regulating construction activities involves the enforcement of numerous Bylaws and permits, staff propose that a Good Neighbour Construction Policy (GNCP) also be adopted by Council, to create a high level of awareness amongst developers and their builders about the importance of being a Good Neighbour, and to help ensure construction is undertaken in a way that minimizes impacts and respects the surrounding neighbourhood.

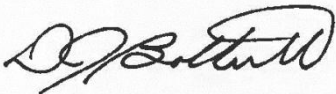
Respectfully submitted,



Carl Johannsen, MCIP, RPP
Director of Planning and Development Services

Comments from the Chief Administrative Officer:

This corporate report is provided for Committee's information.



Dan Bottrill
Chief Administrative Officer

Appendix A: Draft Council Policy 515: Good Neighbour Construction Policy

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



POLICY TITLE: GOOD NEIGHBOUR CONSTRUCTION POLICY

POLICY NUMBER: PLANNING AND DEVELOPMENT SERVICES No. 515

<i>Date of Council Adoption: xxxx, xx, 2019</i>	<i>Date of Last Amendment:</i>
<i>Council Resolution Number: 2019-xxx</i>	
<i>Originating Department: Planning and Development Services</i>	<i>Date last reviewed by the Governance and Legislation Committee:</i>

Policy:

Purpose

The purpose of the Good Neighbour Construction Policy is to communicate to property owners, developers, builders and workers that construction activities are to be undertaken in a way that:

- I. Respects neighbours, the environment and the greater neighbourhood; and
- II. Minimizes impact and disruption to surrounding residents, businesses, and visitors in the City of White Rock.

In addition to following all applicable City Bylaws, permits and policies, property owners, developers and their builders, as well as workers and sub-contractors ('trades'), are expected to be 'Good Neighbours' when undertaking construction activities, by following these seven rules:

1. Get your permits before you start;
2. Communicate with your neighbours;
3. Protect the neighbourhood and environment;
4. Keep a safe and clean work site;
5. Limit construction to permitted hours;
6. Don't take parking away or block access; and
7. Minimize traffic disruptions.

The detailed Good Neighbour Construction Policy is attached, in brochure form, as Appendix A to this policy, as amended from time to time by Council. Appendix A is considered by Council to constitute Council Policy 515 in its detailed and complete form.

Application

Appendix A to this policy includes detailed requirements that developers and builders are expected to comply with, and agree to do when they receive their building permits and undertake

construction. Appendix A also identifies information that builders must provide to the City prior to receiving their permits to proceed, according to the type and scale of their project:

- 1. Small Developments** (such as single family homes, small-scale townhouses):
 - a. builders are required to acknowledge to City staff that they understand Good Neighbour Construction Policy requirements (as included in Appendix A), prior to permit issuance, and keep a copy of the Policy on-site.

- 2. Major Projects** (such as residential, mixed-use buildings 4 storeys & above):
 - a. builders are required to acknowledge to City staff that they understand Good Neighbour Construction Policy requirements (as included in Appendix A), prior to permit issuance, and keep a copy of the Policy on-site.
 - b. builders are required to submit and follow a Construction Management Plan, that includes designated trades parking area(s), street/sidewalk use and other information. Submission requirements for Construction Management Plans include (submitted to City staff for review and approval, prior to construction):
 - i. developer/builder/contractor(s) contact information;
 - ii. project and construction information signage;
 - iii. permitted hours of works signage;
 - iv. emergency and first aid information;
 - v. site plan showing fencing/hoarding/covered walkways, lighting plan and levels, vehicle access points, loading/staging areas, office and first aid room locations, crane location(s) and swing radius;
 - vi. designated off-street trades parking area(s), that are:
 1. located on private property and not on City streets or City-owned public parking lots;
 2. large enough for the anticipated level of workers on-site and available for use by the builder for the duration of project construction; and
 3. visually identified as parking area for workers of specific project(s).
 - vii. street/sidewalk/street frontage use (identifying which areas/frontages are open or closed during construction, on a permanent and/or temporary basis);
 - viii. Traffic Management Plan; and
 - ix. other project-specific information as required by City staff.

Appendix A: Good Neighbour Construction Policy (detailed and complete form)

A large construction site under a clear blue sky. A tall yellow tower crane stands on the right side. In the foreground, there are stacks of wooden formwork and rebar structures. A small blue and white shed with 'D.E.P.' written on it is visible. In the background, there are other buildings and a clear horizon.

GOOD NEIGHBOUR CONSTRUCTION POLICY

DRAFT APPENDIX A – COUNCIL POLICY 515

WHITE ROCK
My City by the Sea!
G/L AGENDA
PAGE 25

White Rock's Good Neighbour Construction Policy

As our City grows and changes, the redevelopment of private properties helps to renew our neighbourhoods and create new housing options and business opportunities. While redevelopment helps to enhance the community, and the time it takes to construct new buildings is short compared to their total life expectancy, construction activities can create nuisances and impact the neighbourhood.

Based on this, the City of White Rock expects that construction activities are undertaken in a way that respects neighbours, the environment and the greater neighbourhood, and minimizes impact and disruption to residents, businesses, and visitors.

Property owners, developers and builders, as well as their workers and sub-contractors ('trades'), are expected to be 'Good Neighbours' by following these seven rules:

1. Get your permits before you start;
2. Communicate with your neighbours;
3. Protect the neighbourhood and environment;
4. Keep a safe and clean work site;
5. Limit construction to permitted hours;
6. Don't take parking away or block access; and
7. Minimize traffic disruptions.

White Rock's 'Good Neighbour Construction Policy'

All construction projects on private property are required to follow the '**Good Neighbour Construction Policy**' (GNCP), which is based on the above rules. To support the use of good neighbor construction practices, builders are expected to review the GNCP, and acknowledge to City staff they understand the GNCP and provide required project information, according to the type and scale of their project:

1. Small Developments ('Standard Construction', such as single family homes, small-scale townhouses):

- a. builders will receive a copy of the GNCP when they apply for a building permit; and
- b. builders will acknowledge they understand the GNCP prior to receiving their building permit.

2. Major Projects ('Complex Construction', such as residential, mixed-use buildings 4 storeys & above):

- a. builders will receive a copy of the GNCP when they apply for a building permit;
- b. builders are required to submit a Construction Management Plan, that includes designated off-street trades parking area(s), street/sidewalk closures and other information. Information that builders are required to provide for Construction Management Plans is listed in Appendix A; and
- c. builders will acknowledge they understand the GNCP prior to receiving their building permit.

Behave Like You Live in The Neighbourhood

Treat Your Neighbours Like You Would Like Them To Treat You

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Building in White Rock? *Follow the Seven Rules.*

1. Get Your Permits Before You Start

a. **Seek Permission First**

All construction projects must be approved by the City through applicable permit and licencing processes prior to starting work. Project-specific conditions may also be identified during the approval process, and these must be followed during the construction period.

All builders and their workers must be aware of the City's conditions before working on the site. All contractors, including subcontractors, require a valid business licence prior to starting work.

Failure to comply with development conditions or City bylaws may result in a stop work order, or other enforcement action. Valid permits must be available on the construction site for inspection by City staff.

b. **Know & Understand City Bylaws**

Generally all construction projects must conform to City Bylaws, except where an exemption has been granted by City Council, or a City department (such as through a noise extension permit).

All builders need to know and understand these Bylaws. This will help their construction projects run smoothly and limit impacts to neighbours. Relevant Bylaws include:

- Anti-Idling Bylaw
- Building Bylaw
- Business Licence Bylaw
- Fire Protection Bylaw
- Noise Control Bylaw
- Public Health Smoking Protection Bylaw
- Sign Bylaw
- Streets and Traffic Bylaw
- Tree Management Bylaw
- Unsightly Premises and Graffiti Control Bylaw
- Zoning Bylaw

2. Communicate With Your Neighbours

a. Communication & Project Notification

Construction is noisy and can be disruptive, but builders are expected to minimize impact to neighbours. As a good first step before starting construction, builders are to notify their neighbours prior to starting work, which includes any site clearing, demolition, construction or traffic flow changes.

Notification is to include a description of proposed works, anticipated duration, key emergency contact numbers including the builder/contractor(s), project manager, the owner/developer, or the owner's representative.

Reaching out and establishing good communications with neighbours, and providing them with detailed information on the project early on is one of the best ways to avoid and minimize future conflicts that may occur as a result of ongoing construction.

b. Keep Your Neighbours Up To Date!

Neighbouring residents and businesses are to be given written notice of construction start, any street or sidewalk closures, traffic flow changes, any parking restrictions, noise extension permits (longer construction hours), or any changes in access that may impact their premises. Any alternate arrangements to compensate for lost parking or restricted access is to be arranged with residents and businesses prior to construction, and with approval from the City.

c. Construction Signage

For major projects, signage providing project and construction information, developer and builder contact details, directional information regarding parking and access, hazard identification, construction site rules and first aid information is to be installed along the boundaries of the construction site prior to construction start. This signage can be affixed to solid hoarding/fencing surrounding the site, and a sign permit is not required.

All construction projects are to also post, in a visible place accessible to the public, a sign (minimum 1 metre by 1.2 metres in size) that clearly displays normal construction hours, that apply to the project according to the City's Noise Control Bylaw, and also provides a space to post notice of a noise extension permit and the applicable hours, if the builder has received an extension from the City to undertake construction activities beyond normal hours. This sign shall also identify the builder and their contact information, as well as the City's contact information.

Projects that involve hazard materials abatement (such as asbestos removal prior to demolition of an existing structure) must also display 'notice of project' and applicable 'danger – hazard' signage in prominent places around the boundaries of the construction site, as required by WorkSafe BC.

If traffic flow is proposed to be impacted by a specific construction activity, the builder must submit a Highways Use Permit / Roads and Right of Way ('HUP/RROW') permit application and a traffic management plan to the Director of Engineering and Municipal Operations for review and approval.

This updated traffic management plan, complete with new directional signage and flag person locations and other information, is to be submitted no less than seven (7) business days in advance of the traffic flow change, to ensure early advertisement on the City's website. As part of the HUP RROW permit, the builder must send a notification letter to residents. The following notification periods are required:

- minimum 3 business days notice for work within the Town Centre area; or
- minimum 24 hours notice for all other areas.

3. Protect the Neighbourhood & Environment

Respect Your Neighbour's Property

Builders are to ensure that construction activities do not impact or damage neighbouring properties, such as (but not limited to) buildings, fencing, trees and landscaping, retaining walls, driveway access and loading areas. Builders should also be mindful of construction dust and debris impacts, and seek ways to minimize dust spread and keep a clean site.

Waste bins, storage containers, and construction equipment should be kept away from neighbouring properties. If there is risk of damage or impacts to neighbouring properties, or if use of adjacent properties is desired, then builders should obtain the appropriate agreements with neighbouring owners prior to construction start.

Using City Property

Some construction activities may require the use of City property, such as sidewalks and streets, for site access, loading of construction materials and maintaining public safety as required by the BC Building Code. In order to use City property, builders must obtain a Highways Use Permit / Roads and Right of Way Permit ('HUP/RRROW') from the Engineering and Municipal Operations Department.

This permit and related securities are required for the following activities, including but not limited to:

- any use of City property to support construction activities;
- any construction work that takes place on City property (such as improvements or repairs to streets, roads, lanes, sidewalks, or unimproved boulevards);
- the temporary or permanent use of City property for construction vehicles, waste storage contains, and other related activities;
- the transportation of materials or heavy equipment from or to the site from City property;
- use of the City's stormwater drainage system to manage site run-off; and
- use of the City's water supply system.

Any damage that occurs to City property will result in the forfeiture of securities.

Protect Those Trees!

The protection, removal, and replacement of protected trees in White Rock is regulated under the Tree Management Bylaw. Nearly all construction projects in the City will require a Tree Management Permit to be approved by the City prior to construction start.

This permit will identify which trees are to be retained and protected during construction, which trees can be removed, where and what type of new trees are to be planted, and the amount of tree retention and replacement securities that are to be provided to the City prior to permit issuance.

As a part of permit requirements, builders are required to install tree protection barriers prior to construction. No damage or impact is to occur to protected trees on site and on neighbouring properties during construction. Builders are to also obtain written consent from neighbouring owners if proposed construction may affect the health and safety of their protected trees.

For more information, please see the City's Guide to the Tree Management Bylaw on our website. Please also be aware of Provincial and Federal bird nesting season regulations.

Any violation of the Tree Management Bylaw will result in fines and/or confiscation of securities.

Have an Erosion & Sediment Control (ESC) Plan

Construction typically involves excavations and exposing soil to the elements, where it can be vulnerable to erosion by wind, water and other factors. Soil erosion from construction sites can result in soil, sediment and runoff getting into neighbouring properties, City streets, watercourses and stormwater systems. This can damage fish-bearing streams and surrounding habitat, require costly repairs to the City's stormwater drainage system and create nuisances and hazards on City streets and sidewalks.

Based on this, sediment-filled water and soil must not enter the City's stormwater systems, or any watercourses, and run-off from construction sites onto City streets is not allowed (unless expressly permitted by the Engineering and Municipal Operations Department). Sediment, such as mud or soil, must be removed from City streets immediately.

Builders may be required to provide and follow an Erosion and Sediment Control (ESC) Plan during construction. An ESC Plan may be required by the City as a condition of Development Permit approval, of Building Permit issuance, or by Engineering and Municipal Operations staff, as necessary.

An ESC Plan will include construction practices that minimize disturbed land area, avoid work on steep slopes, and control the amount and rate of sediment and runoff leaving the site. An ESC plan should, at minimum, include location and amount of sediment settling devices, runoff controls, truck wash, plans for keeping roads around the site clean, and how the ESC plan will be monitored and maintained.

Minimize Vehicle Idling

In accordance with the City's Anti-Idling Bylaw (2015, No. 2089), builders are expected to minimize construction vehicle idling on and around their construction sites. This Bylaw prohibits vehicle idling for more than 3 minutes in a 60 minute period, unless otherwise specified in the exemptions section of the Bylaw (see the Anti-Idling Bylaw for details).

Security & Surveillance

Construction sites are to be safely fenced according to BC Building Code regulations, and sites must be secured after construction hours to prevent trespassing and vandalism. If surveillance cameras and lighting are installed to assist site security, then they must not violate the privacy of surrounding properties and should be done in accordance with the Province's Public Sector Surveillance Guidelines.

Portable Toilets

Portable toilets are required on construction sites. Toilets are to be kept in good and hygienic condition, should be situated in a way to minimize impact or nuisance to adjacent neighbours, and regularly cleaned to minimize odours. Portable toilets are not permitted on City property without prior approval from the Engineering and Municipal Operations Department.

No Outdoor Burning

All outdoor burning, including the burning of construction waste, is prohibited by the Fire Protection Bylaw. Any outdoor burning should be reported to Bylaw Enforcement immediately.

4. Keep a Safe & Clean Work Site

Protect the Public & Your Site: Fencing & Covered Walkways

Part 8 of the B.C. Building Code (Safety Measures at Construction and Demolition Sites) require builders to implement measures that protect the safety of builders and their workers, and ensure safe passage for pedestrians and vehicular traffic passing by the construction site. Key measures include:

- the installation of fencing, hoarding, or barricades over 1.8 metres in height is necessary where work is 2 or more metres from a public right of way, and along open sides of a construction site;
- if construction is proposed to occur within 2 metres of a public right of way, such as a sidewalk and boulevard, a covered overhead hoarding structure (complete with lighting, and designed by a Professional Engineer) to protect pedestrians from construction activity and overhead hazards and to prevent site entry, is required to be constructed and requires a permit from the Engineering and Municipal Operations Department:
 - hoarding permit submissions must contain engineering drawings and lighting level analysis, and electrical supply must be from a private property and not the City's; and
- excavations must be kept reasonably clear of water to minimize danger and health hazards.

Builders working on single-family dwellings and other similar sites may be requested to enact site-specific safety requirements as a part of their Building Permit and servicing agreement requirements.

Prevent Unsightliness

The appearance and maintenance of a construction site should be a 'point of pride' for any builder, and maintaining a safe and clean construction site is one of the easiest ways to minimize construction impacts, respect your surroundings, and help a construction project go smoothly.

Builders also need to be aware that the City's Unsightly Premises and Graffiti Control Bylaw prohibits the accumulation of demolition and construction waste on a property. If a construction site is unsightly, instructions will be given to remedy unsightliness, involving:

- the removal of unsightly accumulation of filth, discarded materials, rubbish or debris;
- the cleaning, stacking, or covering of any materials;
- the clearing of dead landscaping;
- the cutting of grass or weeds, or pruning of unkempt vegetation; or
- the clearing of destructive insects, rodents and invasive plants (according to the Cosmetic Pesticides Bylaw).

As noted in Section 3, and where necessary, the use of on-site truck wash station(s) will help keep City streets and sidewalks around construction sites clean and tidy.

Snow Control

Every property owner, including those currently operating as construction sites, must remove all snow, ice, or other seasonally-related debris from any sidewalk bordering their properties by no later than 10:00 AM on all days of the week (except Sunday).

Smoking & Vaping

The City's Public Health Smoking Protection Bylaw prohibits individuals from smoking or vaping within seven and a half (7.5) metres of the perimeter of a customer service area (such as a patio), doors, openable windows, or air intakes.

5. Limit Construction to Permitted Hours

When You Can & Can't Make Noise

Noise from construction work is regulated under the Noise Control Bylaw, and is permitted between:

- 7:30 AM to 7:00 PM on Mondays through to Fridays;
- 9:00 AM to 7:00 PM on Saturdays; and
- No work is permitted on Sundays and Statutory Holidays.

Property owners (or occupants) may conduct repairs, alterations, or construction activities on their own properties where they reside, on Sundays and statutory holidays, between the hours of 9:00 AM and 6:00 PM. Construction and renovation work that takes place wholly indoors is also exempt from this list, assuming that noise does not spill over to adjacent properties.

Builders need to be aware that there are other sources of noise indirectly related to construction that are regulated under the City's Noise Control Bylaw, such as amplified music, generators/pumps, or raised voices. Builders should ensure that workers under their supervision conduct themselves in manner that is respectful of their neighbours and public, and minimizes noise. No swearing please.

The City's Bylaw Enforcement Officers may issue tickets for noises or sounds that disturb the quiet, rest, enjoyment, comfort, or convenience of individuals or the public. Repeat offenders may have their sites considered to be "nuisance properties" and further bylaw enforcement action may be involved.

Noise Extension Permits

From time to time, construction projects (particularly major projects involving concrete construction) may require construction activity to start earlier or end later on a typical workday. This may, for example, involve significant concrete pours that must be done 'all at once' to ensure structural integrity.

Given that this activity may involve construction noise after permitted hours, in these cases builders are required to obtain a **noise extension permit** from the City. Builders that request a noise extension permit must obtain approval for this permit from:

- the Director of Planning and Development Services (for Mondays through to Saturdays), or
- City Council (for Sundays and other statutory holidays).

Once a builder has obtained a noise extension permit, they are required to provide 24 hour advance notice of work to neighbours and follow any other noise-related requirements identified by the Director and/or Council. The noise extension permit must also be posted on the 'permitted work hours' sign at the construction site, in a manner that is a clearly visible and publically accessible.

It is also recommended that crane installations and removals be undertaken in a manner that protects worker/public safety and minimizes traffic disruptions, ie. through appropriate traffic management plans and using Saturdays when possible.

6. Don't Take Parking Away or Block Access

Vehicle Parking & Loading

A key step builders can take to minimize construction impacts involves having their workers park their vehicles on private property and in a manner that does not take parking away from residents and businesses.

No on-street parking spaces or City-owned parking spaces are to be used for construction worker parking, unless otherwise permitted by the City.

Builders of major projects must identify off-street parking location(s) for their worker's private vehicles, as a part of their development and/or building permit application, for review and approval by City staff. This plan is a required component of the Construction Management Plan that builders of major projects are required to submit for review and approval by City staff (see Appendix A for details).

A worker or 'trades' parking plan may also be presented to Council as a part of a development application process. These plans are to clearly identify designated off-street parking areas (such as churches, commercial surface parking lots, etc.) and number of spaces, duration of use (including expected level of use during construction) and other information relevant to the proposed parking arrangement (such as potential transit use, carpooling and shuttling approaches).

In general any vehicle parking or loading related to construction must minimize parking and traffic flow disruptions, and not obstruct access to neighboring properties, boulevards, or driveways. Builders shall also follow the parking, loading and street-use provisions of their Highways Use Permit / Roads and Right of Way ('HUP/RRROW') permits, as outlined and approved by City staff.

Maintaining Accessibility

The City must remain accessible to everyone, including during construction. To ensure that residents and visitors of all abilities can continue with their daily activities, public sidewalks and building entrances are to remain, as much as possible and feasible, fully accessible during construction. Any construction-related structures that secure construction sites and protect passers-by, as well as ramps and pathways, must be consistent with the design requirements outlined the BC Building Access Handbook (2007).

While the partial or full closure of sidewalks or building entrances are necessary from time to time to enable specific construction, access and/or loading activities, alternative accessible routes must be provided that they are well-signed and are located to minimize travel distance times. For construction activities that involve simultaneous road and sidewalk use, flag persons should also be employed to identify alternate accessible routes where necessary.

Transit stops must remain fully operational during the construction process. If closure or relocation of transit stops is necessary during construction, alternative locations must be provided to the City that is consistent with TransLink's Passenger Facility Design Guidelines (2011). Alternative locations must be well-signed and be in close proximity to the original transit stop site.

7. Minimize Traffic Disruptions

Vehicular Traffic

Although construction projects are expected to have some impacts on vehicular traffic, from time to time and on a temporary basis to accommodate loading and site access, builders are expected to minimize traffic disruptions as much as possible.

Major projects, given their size and associated traffic/loading volumes, must submit an application for a Highways Use Permit / Roads and Right of Way ('HUP/RRROW') permit, which includes a Traffic Management Plan) as a part of their Construction Management Plan package, for review and approval by Engineering and Municipal Operations Department staff. This Plan is to identify how traffic is to be routed to/from and around the construction site, and where signage is proposed to be located to identify traffic changes, detours, etc.

For more information on the required contents and layout of a HUP/Traffic Management Plan, please contact the Engineering and Municipal Operations Department.

Notify in Advance

If traffic flow is proposed to be impacted by a specific construction activity, the builder must submit a Highways Use Permit / Roads and Right of Way ('HUP/RRROW') permit application and a traffic management plan to the Director of Engineering and Municipal Operations for review and approval.

This updated traffic management plan, complete with new directional signage and flag person locations and other information, is to be submitted no less than seven (7) business days in advance of the traffic flow change, to ensure early advertisement on the City's website. As part of the HUP/RRROW permit, the builder must send a notification letter to residents. The following notification periods are required:

- minimum 3 business days advance notice for work within the Town Centre area; or
- minimum 24 hours advance notice for all other areas.

Use Designated Truck Routes!

The City has designated truck routes to minimize the impact of heavy transport and construction vehicles on residents and neighbourhoods. Builders and their contractors are expected to route heavy transport and construction vehicles or 'trucks' (ie. over 5,500 kg GVW) in a manner that these vehicles utilize designated truck routes, according to the City's Street and Traffic Bylaw. Truck routing variations requires authorization from Engineering and Municipal Operations.

Any Questions?

If you have any questions regarding the Good Neighbour Construction Policy, or for finding the correct Department to contact at the City of White Rock, please see the following information below:

Planning Services

Phone: 604-541-2136

E-mail: planning@whiterockcity.ca

Bylaw Enforcement

Phone: 604-541-2146

E-mail: bylaw@whiterockcity.ca

Building Permits & Inspections

Phone: 604-541-2149

E-mail: building@whiterockcity.ca

Engineering & Municipal Operations

Phone: 604-541-2181

E-mail: operations@whiterockcity.ca

Business Licensing

Phone: 604-541-2139

E-mail: licences@whiterockcity.ca

Parking Services

Phone: 604-541-2100

E-mail: finance@whiterockcity.ca

Questions about potential on-site hazards and Provincial hazard abatement requirements?

WorkSafe BC

www.worksafefbc.com

Prior to demolition or any excavation on a construction site, be certain to **'call before you dig'**:

BC 1 Call (Underground Utility Locators)

Phone: 1-800-474-6886

Telecommunications (Shaw Cable)

Phone: 604-280-6266

Telecommunications (Telus)

Phone: Dial 611

Natural Gas (Fortis)

Phone: 888-224-2710

Electricity (BC Hydro)

Phone: 1-877-520-1355

Appendix A: Construction Management Plan Requirements

Builders of major projects, such as residential, commercial or mixed-use buildings that are 4 storeys & above, are required to submit and follow a Construction Management Plan.

These plans will be reviewed and approved by City staff in Planning and Development Services and Engineering and Municipal Operations, and submissions are to include the following details:

- developer/builder/contractor(s) contact information;
- project and construction information signage;
- permitted hours of works signage;
- emergency and first aid information;
- site plan showing fencing/hoarding/covered walkways, lighting plan and levels, vehicle access points, loading/staging areas, office and first aid room locations, crane location(s) and swing radius;
- designated off-street trades parking area(s), that are:
 - i. located on private property and not on City streets or City-owned public parking lots;
 - ii. large enough for the anticipated level of workers on-site and available for use by the builder for the duration of project construction; and
 - iii. visually identified as parking area for workers of specific project(s).
- street/sidewalk/street frontage use (identifying which areas/frontages are open or closed during construction, on a permanent and/or temporary basis);
- Traffic Management Plan; and
- other project-specific information as required by City staff.

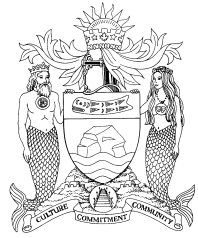
The City of White Rock may request that developers and builders update their construction management plans to respond to emerging/unforeseen issues and ensure their plans remain effective in minimizing construction impacts through the duration of project construction.

A decorative graphic consisting of several overlapping, stylized waves in shades of light blue and grey, positioned behind the main title text.

WHITE ROCK

City by the Sea!

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 24, 2019
TO: Governance and Legislation Committee
FROM: Sandra Kurylo, Director of Financial Services
SUBJECT: Proposed Vacancy Tax

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019 from the Director of Financial Services, titled “Proposed Vacancy Tax”.

INTRODUCTION

This corporate report is in follow-up to Council’s resolution of January 28, 2019, that directed staff to prepare a corporate report on a proposal that the City of White Rock implement a vacancy tax, similar to the City of Vancouver, with certain considerations. The motion states that the proposed vacancy tax be 5% of the tax assessed level of the property municipal levy on commercial and residential properties and include a 2.5% municipal levy on the sale of assignments (“flipping”). As well the motion states that all such receipts be earmarked for the acquisition and construction of affordable (or below market rate) housing in White Rock.

ANALYSIS

The first step in considering a plan for a vacancy tax is to determine if the City has the legal authority to impose it. The City has confirmed that, with the exception of the City of Vancouver who have their own Charter, local governments in British Columbia do not have the authority to impose a vacancy tax.

Section 193 (1) of the *Community Charter* states that a municipality may not impose a tax unless it is expressly authorized to do so by statute. The *Community Charter* provides the City with the authority to impose certain types of taxes, such as property value taxes, parcel taxes and local services taxes. However, there is no express authority in the *Community Charter* to impose a vacancy tax.

Unlike other municipalities in the province, the City of Vancouver is governed by the *Vancouver Charter*, rather than the *Community Charter*. Prior to imposing a vacancy tax, it was first necessary for them to work with the Province, to amend the *Vancouver Charter* granting them the authority to impose a vacancy tax. This was done as of July 2016.

If White Rock Council wanted to pursue a similar amendment to the *Community Charter*, an appropriate process would be through a UBCM resolution. The deadline for submitting

resolutions to the UBCM for debate at their fall conference is June 30, 2019. There are specific requirements for the drafting of such resolutions, and they must be adopted by the respective municipal councils before being submitted.

UBCM staff have advised that if resolutions are received past the June 30 deadline, they will be reported to the “Resolutions Committee” but not necessarily recommended to go forward for debate at the conference. All late resolutions are published and distributed to conference attendees, for information.

Another option is to submit a Council endorsed resolution to the LMLGA 2020 spring conference, which if supported, will be forwarded to the 2020 UBCM conference for consideration, if the City wishes.

CONCLUSION

It is recommended that the information contained in this corporate report be received.

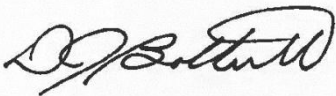
Respectfully submitted,



Sandra Kurylo
Director of Financial Services

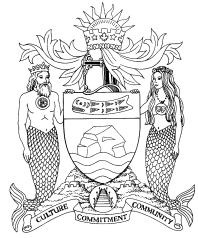
Comments from the Chief Administrative Officer:

This corporate report is provided for information.



Dan Bottrill
Chief Administrative Officer

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 24, 2019
TO: Governance and Legislation Committee
FROM: Sandra Kurylo, Director of Financial Services
SUBJECT: Community Amenity Contributions

RECOMMENDATION

THAT the Governance and Legislation Committee receive for information the corporate report dated June 24, 2019 from the Director of Financial Services, titled “Community Amenity Contributions”.

INTRODUCTION

This corporate report provides the status of the City’s Community Amenity Contributions (CACs), in response to a request made at the Governance and Legislation Committee meeting of June 10.

ANALYSIS

As of December 31, 2018, the balance in the City’s Community Amenity Reserve was \$7,697,924. A further \$8,696,000 is projected to be received this year. As of the date of the writing of this corporate report, \$2,210,000 has been received in 2019, for a current amount on-hand of \$9,907,924. Of this amount, \$6,096,100 is committed to be spent in 2019, on Memorial Park, the Parkade, the Pier Repairs/Restoration and certain public art. A further \$1,255,000 is committed in the Financial Plan to be spent in 2020 on the Pier Restoration, public art and a parkland acquisition. A total of \$150,000 is committed in 2021 to 2023 for community public art.

Based on the above commitments, \$2,407,000 of receipts to date is available for other purposes. This figure will increase to \$8,893,000 when the remaining \$6,486,000 that is expected this year is received. A further \$2,880,000 is budgeted to be received in 2020, and \$3.6 million in 2021.

At this time, there are uncertainties with regards to the funding sources of the Pier Restoration and final outcome of the expropriation of 1510 Johnston Road. Also, it has also been discussed that if the replacement of City Hall is pursued, substantial funding will be required. These are appropriate uses of CACs, if needed. It is recommended that these priorities be considered, before committing CACs for other purposes. Further details on the Pier Restoration Project are below.

At this time, \$8 million in grants and \$2 million fundraising proceeds are projected as funding sources for the Pier Restoration (Phase II). Of these amounts, \$1 million in grant funds has been received. Depending on the level of provincial Disaster Funding Assistance approved for the restoration of East Beach, some of the \$1 million in grant funds may be used for that project

instead. The City has applied for significant infrastructure grant funding for the Pier Restoration and decisions on successful applicants are expected to be announced in the fall.

CONCLUSION

It is recommended that the information contained in this corporate report be received.

Respectfully submitted,



Sandra Kurylo
Director of Financial Services

Comments from the Chief Administrative Officer:

This corporate report is provided for information.



Dan Bottrill
Chief Administrative Officer

**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

CONSOLIDATED FOR CONVENIENCE ONLY

Disclaimer: This Bylaw is a consolidation of the bylaws amending “White Rock Tree Management Bylaw, 2008, No. 1831.” Efforts are made to ensure that this consolidation is current however accuracy and completeness cannot be guaranteed. Original bylaws should be consulted for all interpretations and applications of the bylaw regarding this subject.

Consolidated as of December 2014

TABLE OF CONSOLIDATION			
Bylaw No.	Date of Adoption	Amendment No.	Purpose of Amendment
2073	December 18, 2014	1	Amends part 1 / sec. 2, part 2 / sec. 1, part 13 / sec. 2, and Schedule B.
2161	September 12, 2016	2	Amends Part 7 a) & b) Permit Fees

I hereby certify that this is a true and correct copy of Bylaw No. 1831 (consolidated) which has not been altered in any way.

Certified this 9 day of Jan, 2018

S. Alan
Deputy Corporate Officer, City of White Rock

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”;~~¹
(Amended by 2073)
 - (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.

¹ Amended by Bylaw No. 2073

"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. (Amended by 2073)~~
1. This Bylaw applies to protected trees within the municipal boundaries of the City of White Rock.²
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.
2. 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 made in accordance with the City of White Rock Planning and Procedures Bylaw. (*Amended by 2161*)
~~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~~

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
2. 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 dependent 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.~~³-(Amended by 2073)

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	26 th day of	April, 2010
RECEIVED SECOND READING on the	26 th day of	April, 2010
RECEIVED THIRD READING on the	26 th day of	April, 2010
RECONSIDERED AND FINALLY ADOPTED on the	3 rd day of	May, 2010

Catherine V. Ferguson

³ Amended by Bylaw No. 2073

MAYOR

Arthur.

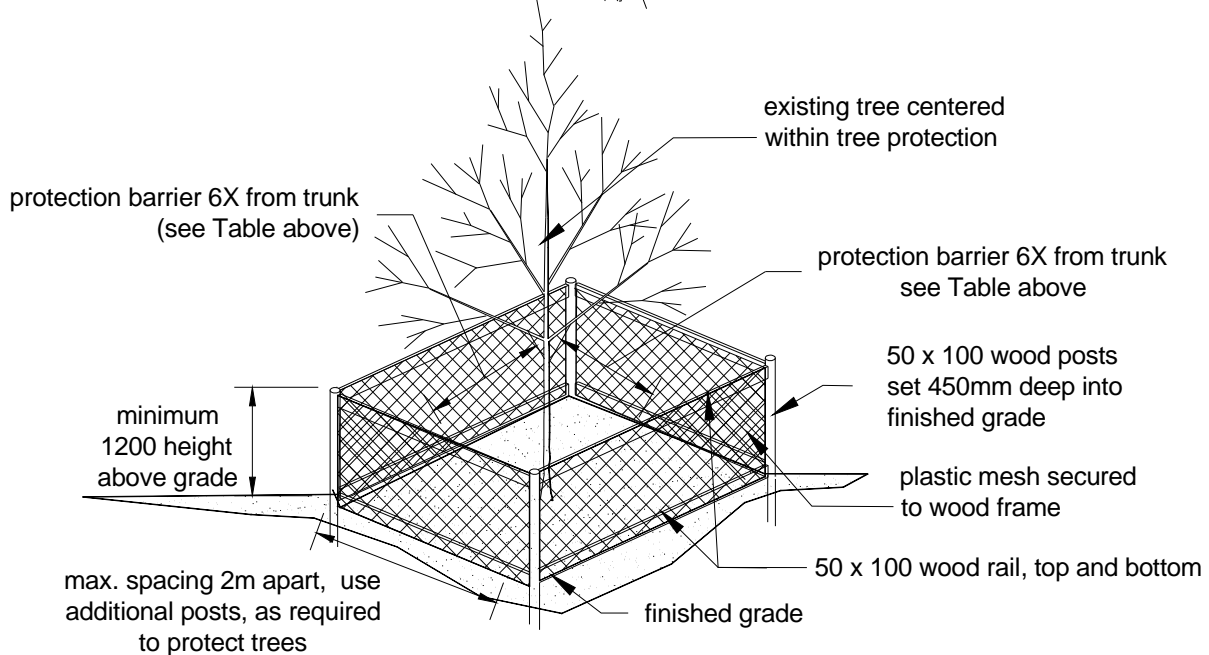
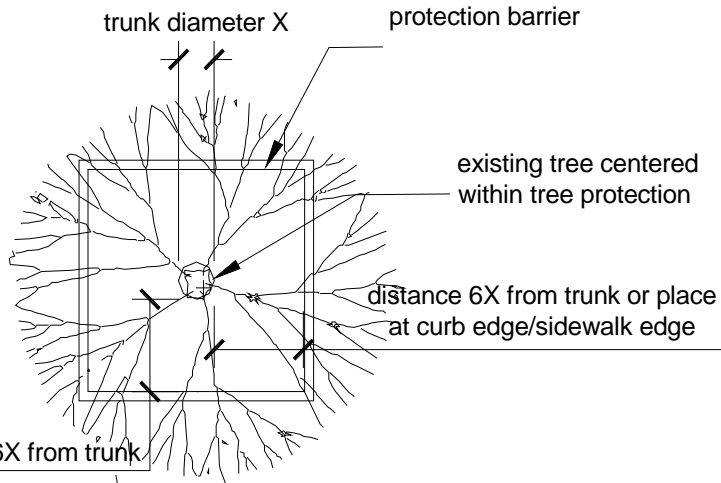
CITY CLERK

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



max. spacing 2m apart, use additional posts, as required to protect trees

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.

BC PLANT HEALTH CARE INC.

ARBORIST REPORT

JOB NAME: City of White Rock – 20190611

RE: Arborist Report for a Level 1 Risk Assessment

SITE: 1235 Oxford Street, White Rock

PREPARED FOR: Steve Whitton
City of White Rock
877 Kiel Street
White Rock, V4B 4V6
Work: 604-541-2119
Mobile: 604-541-2210
Email: swhitton@whiterockcity.ca

DATE: June 13th, 2019

PROJECT ARBORIST: Reid Hardman
I.S.A. Certified Tree Risk Assessor #651
I.S.A. Tree Risk Assessment Qualification
I.S.A. Certified Arborist/Climber Specialist-PN #5910AT
I.T.A. Certified Utility Arborist #00013-TT-14
I.T.A. BC Certificate of Qualification Arborist Technician#00007-TA-10

18465 53rd Avenue | Phone: 604-575-8727
Surrey, BC, V3S 7A4 | Fax: 604-576-2972
Email: info@bcplanthealthcare.com
24 Hour Emergency Pager 604-607-1616





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June 13th, 2019

City of White Rock

877 Kiel Street

White Rock, V4B 4V6

Work: 604-541-2119

Mobile: 604-541-2210

Email: swhitton@whiterockcity.ca

Attention: Mr. Steve Whitton

Re: Arborist Report of Level One Tree Risk Assessment at 1235 Oxford Street, White Rock

INTRODUCTION / ASSIGNMENT

BC Plant Health Care Inc. has been contracted by the City of White Rock to provide a basic level 1 tree risk assessment for [2] Douglas fir () located along Oxford Street, east of 1235 Oxford Street, White Rock. The purpose of this assignment was to perform a tree risk assessment in the context of determining the overall risk and the potential for mitigation and retention. Both trees have been monitored for several years. In 2009, the south tree started to decline and had been monitored to assess the rate of decline. In 2016, the north tree started to decline and was added to the monitoring. On December 20th, 2018, a significant windstorm hit the area, causing portions of both trees to fail and strike two homes. I, Reid Hardman, was the lead arborist for this assignment. I visited the site on May 16th, 2019 and completed a basic level 1 visual assessment. On May 17, 2019, the findings were verbally reported back to City Arborist Steve Whitton. This report was completed on the afternoon of June 13th, 2019, at the request of City staff. The report includes only the information that was discussed and included in the initial assessment.

OBSERVATIONS

- Both trees are located along the east side of property 1235 Oxford Street and adjacent Oxford Street. A basic visual inspection showed advanced decline in the upper canopy of both trees.
- Crown vigour was low and appeared to be heavily reduced on the remaining canopy.
- Multiple branch stubs remained and could be seen from the ground in both canopies which indicated multiple recent failures.





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City of White Rock

Mr. Steve Whitton

1235 Oxford Street, White Rock

June 13th, 2019

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DISCUSSION

- 🌳 The home to the west of the tree has reported multiple dead branches failing onto the home, this was supported based on the site assessment. Further discussions with the home to the east across the road, also reported similar issues, which were also supported based on the evidence of previous branch failures.
- 🌳 The site is considered an arterial road with several local connectors. Based on the height of the trees, multiple homes, including multiple sidewalks, are all within range.
- 🌳 The first concern that was obvious during my visual tree assessment was the advanced decay in the upper canopy of both trees. The tops had been dead for several years, and multiple signs of past failures were observed from the ground. The upper canopy of the south tree was dead and measured at approximately 40% total tree height. The north tree also had a dead top and was measured at approximately 35% total tree height.
- 🌳 My secondary concern was the rate of decline. In 2009 the south tree initiated a declined state and rapidly declined. Upon review, very few branches were left as the majority had already failed onto targets below. The stability of the upper trunk is a major concern as the entire section of tree will likely fail during normal wind events. The north tree has been declining since 2016 and is also quickly failing apart.
- 🌳 The option to remove the dead sections and retain the remaining portion of each tree was considered. However, after assessing the remaining canopies it was evident that the both trees were in full decline and the remaining canopies were already declining to a point that would not make retention suitable or viable due to risk.

CONCLUSION

- 🌳 At this time, the overall risk to people, property and activities is considered *High*. The assessed issues have now become very clear. The trees cannot reasonably be retained as they are in a state of heavy decline. At this stage it may be reasonable for the risk manager/owner to review whole tree removal.
- 🌳 The probability of failure of tree components as a result of advanced internal wood decay is considered *High* within the next year. The most likely target within proximity is the home to the west and the overhead power lines.





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City of White Rock

Mr. Steve Whitton

1235 Oxford Street, White Rock

June 13th, 2019

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RECOMMENDATIONS

Both trees are recommended for removal due to the current risk. These trees are not a suitable candidate for retention due to the advanced decline noted in the lower crown. Failure of both tops is only a matter of time.

ATTACHMENTS

This report includes the following supporting documents:

- Photos of the tree assessment
- An aerial site map obtained from Cosmos online mapping system
- The Overall Risk Ratings and Action Thresholds
- The Limitations of Assessment





BC Plant Health Care Inc.

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City of White Rock
Mr. Steve Whitton
1235 Oxford Street, White Rock
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Aerial Site Map
1235 Oxford Street, White Rock



Keeping it Green... One Tree at a Time.™





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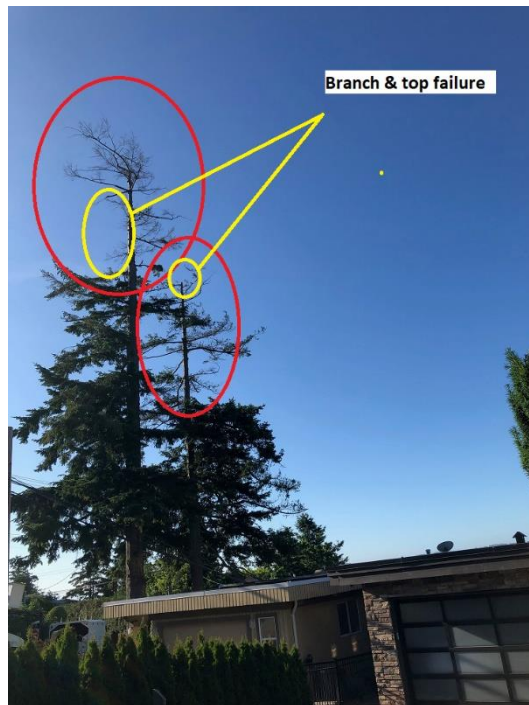
City of White Rock

Mr. Steve Whitton

1235 Oxford Street, White Rock

June 13th, 2019

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Keeping it Green... One Tree at a Time.™



Tree #	Species	Common Name	Site Description	General Health	Live Crown Ratio	Age	Bylaw Class	Condition Type	Location of Condition	Condition Notes	Severity of Condition	Target	Zone Occ. Move Restrict	Failure Probability	Impact Likelihood	Likely Consequences	Risk Rating of Condition	Mitigation
South	<i>Pseudotsuga menziesii</i>	Douglas fir	Arterial road and Residence (City Boulevard)	Poor	40-50%	Mature (40+)	Protected (size)	Dead top	Trunk	Previous failures	major	House	house within dripline frequent No No	Probable	High	Significant	High	Remove whole tree, rate of decline on remaining section is too high.
North	<i>Pseudotsuga menziesii</i>	Douglas fir	Arterial road and Residence (City Boulevard)	Poor	50-60%	Mature (40+)	Protected (size)	Dead top	Trunk	Previous failures	Major	House	house within dripline frequent No No	Probable	High	Significant	High	Remove whole tree, rate of decline on remaining section is too high.

Qualitative Tree Risk Assessment Guidelines

Qualitative risk assessment is the process of using ratings of the likelihood and consequences of an event to determine a risk level and evaluate the level of risk against qualitative criteria.

Matrix used to estimate the likelihood of a tree failure impacting a specified target

<u>Likelihood of Failure</u>	<u>Likelihood of Impact</u>			
	<i>Very Low</i>	<i>Low</i>	<i>Medium</i>	<i>High</i>
<i>Imminent</i>	Unlikely	Somewhat likely	Likely	Very likely
<i>Probable</i>	Unlikely	Unlikely	Somewhat likely	Likely
<i>Possible</i>	Unlikely	Unlikely	Unlikely	Somewhat likely
<i>Improbable</i>	Unlikely	Unlikely	Unlikely	Unlikely

Likelihood of Failure

- **Improbable** – the tree or tree part is not likely to fail during normal weather conditions and may not fail in extreme weather conditions within the specified time frame.
- **Possible** – failure may be expected in extreme weather conditions, but it is unlikely during normal weather conditions within the specified time frame.
- **Probable** – failure may be expected under normal weather conditions within the specified time frame.
- **Imminent** – failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load. This is an infrequent occurrence for a risk assessor to encounter, and it may require immediate action to protect people from harm. The imminent category overrides the stated time frame.

Likelihood of Impact

- **Very low** – the chance of the failed tree or tree part impacting the specified target is remote. Likelihood of impact could be very low if the target is outside the anticipated target zone or if occupancy rates are rare. Another example of very low likelihood of impact is people in an occasionally used area with protection against being struck by the tree failure due to the presence of other trees or structures between the tree being assessed and the targets.
- **Low** – there is a slight chance that the failed tree or tree part will impact the target. This is the case for people in an occasionally used area with no protection factors and no predictable direction of fall, a frequently used area that is partially protected, or a constant target that is well protected from the assessed tree. Examples are vehicles on an occasionally used service road next to the assessed tree, or a frequently used street that has a large tree providing protection between vehicles on the street and the assessed tree.

- **Medium** – the failed tree or tree part could impact the target but is not expected to do so. This is the case for people in a frequently used area when the direction of fall may or may not be toward the target. An example of a medium likelihood of impacting people could be passengers in a car traveling on an arterial street (frequent occupancy) next to the assessed tree with a large, dead branch over the street.
- **High** – the failed tree or tree part is likely to impact the target. This is the case when there is a constant target with no protection factors, and the direction of fall is toward the target.

Risk rating matrix showing the level of risk as the combination of likelihood of a tree failing and impacting a specified target, and severity of the associated consequences.

<u>Likelihood of Failure and Impact</u>	<u>Consequences of Failure</u>			
	<i>Negligible</i>	<i>Minor</i>	<i>Significant</i>	<i>Severe</i>
<i>Very likely</i>	Low	Moderate	High	Extreme
<i>Likely</i>	Low	Moderate	High	High
<i>Somewhat likely</i>	Low	Low	Moderate	Moderate
<i>Unlikely</i>	Low	Low	Low	Low

Consequences of Failure

- **Negligible** – no personal injury, low-value property damage, or disruptions that can be replaced or repaired.
- **Minor** – minor personal injury, low-to-moderate value property damage, or small disruption of activities.
- **Significant** – substantial personal injury, moderate- to high-value property damage, or considerable disruption of activities.
- **Severe** – serious personal injury or death, high-value property damage, or major disruption of important activities.

Overall Tree Risk Rating

- **Low** – some trees with this level of risk may benefit from mitigation and maintenance measures, but immediate action is not usually required. Tree risk assessors may recommend retaining and monitoring these trees, as well as mitigation that does not include removal of the tree.
- **Moderate** – the tree risk assessor may recommend mitigation and/or retaining and monitoring. The decision for mitigation and timing of treatment depends upon the risk tolerance of the tree owner or manager.
- **High** – tree risk assessor should recommend mitigation measures be taken as soon as is practical. The decision for mitigation and timing of treatment depends upon the risk tolerance of the tree owner or risk manager.
- **Extreme** – tree risk assessor should recommend that mitigation measures be taken as soon as possible. In some cases, this may mean immediate restriction of access to the target zone area to avoid personal injury.

Limitations of this Assessment

It is BC Plant Health Care Inc.'s policy to attach the following clause regarding limitations. We do this to ensure that developers or owners are clearly aware of what is technically and professionally realistic in retaining trees.

The assessment of the trees presented in this report has been made using accepted arboricultural techniques. These include a visual examination of the above-ground parts of each tree for structural defects, scars, external indications of decay such as fungal fruiting bodies, evidence of insect attack, discolored foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of property and people. Except where specifically noted in the report, none of the trees examined were dissected, cored, probed, or climbed, and detailed root crown examinations involving excavation were not undertaken.

Notwithstanding the recommendations and conclusions made in this report, it must be raised that trees are living organisms, and their health and vigor constantly change over time. They are not immune to changes in site conditions, or seasonal variations in the weather conditions.

While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or any parts of them, will remain standing. It is both professionally and practically impossible to predict with absolute certainty the behavior of any single tree or group of trees or their component parts in all circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential for failure in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the trees should be re-assessed periodically. The assessment presented in this report is valid at the time of inspection.



POLICY TITLE: TREE MANAGEMENT ON CITY LANDS

POLICY NUMBER: OPERATIONS / ENG. - 611

<i>Date of Council Adoption:</i> June 28, 2010	<i>Date of Last Amendment:</i> July 25, 2016
<i>Council Resolution Number:</i> 2012-008, 2013 – 134, 2016-282	
<i>Originating Department:</i> Engineering and Municipal Operations	<i>Date last reviewed by the Governance and Legislation Committee:</i> July 11, 2016

1. Policy

It is the policy of the City of White Rock to manage, preserve and enhance trees on City lands while taking into consideration established views from White Rock properties and scenic views in the City. The long-term objective is ensure the sustainability of the City’s urban forest assets by increasing the number of healthy trees and amount of tree canopy in the City, without negatively impacting established views that are important to City of White Rock property owners and the City.

2. Definitions

City Land - includes City property, *City Parkland*, public rights-of-way and easements, and property under lease to the City of White Rock.

City Parkland – means Bryant Park, Columbia & Balsam Hillside Park, Coldicutt Park, Memorial Park, Bayview Park, Oxford Street Park, Gage Park, Stager Park, Emerson Park, Upper Finlay (Davey) Park, Lower Finlay Park, Dolphin/Cliff Park, Five Corners Park, Ash Street Steps Park, Barge Park, Bergstrom Entrance Park, Hughes Park, Marine Drive Linear Park, Maccaud Park, Marine & Cypress Hillside Park, Prospect & Blackwood Hillside Park, Sanford Park, Stayte Road Entrance Park, Hodgson Park, Gogg’s Park, Totem Park, Peace Arch Elementary Park, Rotary Park, Vidal & Beachview Park.

City Tree – a living, woody plant with roots and branches that has a trunk DBH greater than 6 centimeters.

DBH (Diameter at Breast Height) - 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.

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 the entire tree falling and causing personal injury or significant property damage.

Significant Tree – means any tree on *City land* that is of particular significance to the City, due to landmark value, cultural, historical, ecological or social import and has been included in the Significant Tree Registry of the Significant Tree Policy.

Tree 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.

View/View Corridor - A three dimensional area extending out from a viewpoint. The width and depth of the view corridor depends on the focus of the view. The focus of the view may be a single object, such as a mountain, which would result in a relatively narrow corridor, or a group of objects, such as a downtown skyline, which would result in a wide corridor. Panoramic views, such as areas of ocean, have wider corridors.

3. Management of City Trees

- a) The City manages trees on City lands:
 1. for the trimming and removal of trees for health reasons, such as thinning, spacing, pruning and treatment of diseased trees;
 2. for the trimming, pruning or removal of trees for safety reasons such as hazardous, dead or diseased trees that cannot be treated;
 3. for the trimming or removal of trees and vegetation that interfere with visibility at intersections and driveway entrances, the illumination of City lands by street lighting, or pose a risk for damage to infrastructure such as water, sanitary, storm, sidewalks, power lines, etc.;
 4. for the control of invasive species;
 5. for the maintenance of views from City viewpoints;
 6. for the maintenance of slope stability and other geotechnical purposes;
 7. for the planting of replacement and new trees; and
 8. for the removal and replanting of trees as part of a parks or right-of-way (ROW) redevelopment plan.
- b) The pruning or removal of a City tree is the sole responsibility of the City of White Rock and its authorized agents. The pruning or removal of a City tree without a City permit is subject to fines as detailed in Section 9 of this Policy.
- c) The planting of trees, shrubs or other vegetation on City lands by White Rock property owners, residents or visitors is prohibited, unless authorized by a City Boulevard Improvement Permit. The City reserves the right to remove vegetation that has been planted on City property without a permit.
- d) Trees are considered to be joint property of the City and a property owner when any part of the tree trunk crosses a shared property line.

4. Exemptions

This policy does not apply to trees on City lands 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.

5. Refusal of Requests to Prune or Remove Trees on City Lands

The following types of requests to remove a tree on City land will not be considered:

- a) A tree will not be pruned or removed from City lands due to concerns related to size, shade or leaf, flower, pitch or seed litter. These are naturally occurring situations inherent to a tree and will not be considered as justification for tree pruning or removal.
- b) A tree will not be pruned or removed from City lands:
 - i) during bird nesting season from February 1 to August 31,
 - ii) which has evidence of active nesting, or
 - iii) has evidence of use by raptors, as defined in the *Section 34* of the *Wildlife Act*, R.S.B.C. 1996, c. 488.
- c) A *significant tree* on City lands will not be pruned or removed.
- d) A tree on *City parkland* will not be pruned or removed.
- e) A tree in a City ravine area will not be pruned or removed in contradiction to the federal *Fisheries Act* and the provincial *Riparian Areas Regulations*.
- f) A tree will not be pruned or removed from City lands to establish a new view.
- g) A tree on City land will not be topped. The topping of a tree can cause permanent damage by promoting decay as well as leading to hazardous conditions due to unnatural, dense and weak branching structure. Previously topped trees may be considered for re-topping, provided that the re-topping, in the opinion of the City Arborist, will not result in future hazardous conditions for the tree.

6. Applications to Permit the Pruning or Removal of a Tree on City Lands

- a) City policy is to retain trees on City lands where practical. However, residents may apply for the trimming, pruning or removal of trees on City lands as outlined below. (Application Form- Appendix A)
- b) Applications are made to the City's Department of Engineering and Municipal Operations.

- c) The pruning or removal of a healthy tree on City land is a private benefit to the property owner. All costs necessary for the approved pruning or removal of a tree on City land, as determined by the Director of Engineering and Municipal Operations, will be at the expense of the applicant.
- d) Applications to trim, prune or remove a tree on City land to re-establish a view will be considered only in those instances in which a White Rock property owner is able to clearly demonstrate that a City tree has grown over a period of time to obscure an established view from their White Rock property.

6.1 Applicant Requirements

- a) Applicants must be an owner of a property in White Rock within 30 metres of the tree under application.
- b) Applicants must have owned the property for which the application has been made for a continuous period of not less than 2 years.
- c) No more than 1 application to prune or remove a specific tree(s) will be considered from a the same property owner within a 2 year period.

6.2 Application Submission Requirements

- a) Completed tree trimming/pruning/removal application.
- b) Written rationale describing the manner in which a view has been obscured by tree growth, and the manner in which the applicant wishes to have the tree pruned or removed in order to re-establish a view.
- c) Non-refundable fee as outlined in the City of White Rock Planning and Procedures Bylaw, 2009, No. 1869.
- d) Property title demonstrating 2 years of continuous property ownership prior to the date of application.
- e) Photographic and/or graphic information that clearly demonstrates the manner in which a view has become obscured by tree growth. City staff may require a site visit to substantiate the information submitted. Refusal to allow City staff to access a property may result in the closing of the application.
- f) Funds for geotechnical/hydrological assessments, as deemed necessary by the Director of Engineering & Municipal Operations in order to review the application.

6.3 Notification Prior to Decision

The City will provide notification as follows:

- a) The City will mail letters, with an attached response form, to all White Rock property owners within 30 metres of the tree under application, notifying the property owners of the application, the rationale provided for tree pruning or removal, providing a recent photograph of the tree, and requesting that the White Rock property owners complete the response form and submit it to the Engineering and Municipal Operations Department, indicating either support or opposition to the application.
- b) Response forms indicating support or opposition to the proposed tree pruning or removal are to be received within 2 weeks of the letter delivery. Any response forms received after this time period will not be considered.

6.4 Criteria for Decision

- a) The tree under application must be clearly demonstrated to have increased in size to obscure an established view from the application property, as determined by the Director of Engineering and Municipal Operations.
- b) 65% of the response forms received by the Engineering and Municipal Operations Department from White Rock property owners within 30 metres of the tree must indicate support for the proposed tree pruning or removal. A maximum of one property owner response form will be considered from each White Rock address. Only response forms clearly indicating support or opposition to the proposed tree pruning or removal will be considered. Responses or surveys submitted on behalf of nearby property owners or residents will not be considered.

6.5 Application Approval Requirements

- a) Submission of funds for retaining systems and hydrological improvements, as determined by the Director of Engineering & Municipal Operations.
- b) Submission of tree pruning, tree removal and cleanup costs.
- c) Submission of funds for tree replacement, as follows:
 - (a) 6 – 50 cm DBH tree removed - \$2,000
 - (b) 51 cm to 65 cm DBH tree removed - \$9,000
 - (c) 66 cm to 75 cm DBH tree - \$12,000
 - (d) 76 cm to 85 cm DBH - \$15,000
 - (e) Greater than 85 cm DBH tree - \$18,000

6.6 Application Decision

- a) The approval or denial of an application to prune or remove a tree on City lands will be made by the Director of Engineering & Municipal Operations, whose decision is final.
- b) A final decision on an application to prune or remove a tree on City lands will be provided in a timely manner, and in any case within 60 days of the date of application, unless extended by mutual agreement between the applicant and the Director of Engineering and Municipal Operations.
- c) Written confirmation of the decision will be provided to the applicant, all White Rock property owners within 30 metres of the tree, and Council.

7. Tree Pruning, Removal and Planting

- a) All tree pruning, removal and replacement resulting from an approved application to prune or remove a tree on City lands will be conducted by City staff and/or their designated agents.
- b) A minimum of 2 trees will be planted on City property as replacements for each tree removed as a result of an approved tree removal application, except as detailed in the following sections c) and d).
- c) Securities submitted for tree replacement may be applied to the installation of any form of vegetation, including trees, on City lands, as determined by the Director of Engineering & Municipal Operations.
- d) Trees planted as new or replacement trees will be sited and of a species such that they will not grow to obscure established views from White Rock properties.

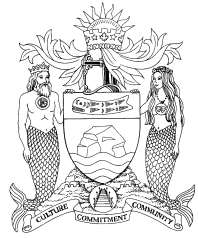
8. Trees on City Lands Impacted by Development

Requests to prune or remove City trees that are the result of applications for rezoning, development permit, demolition permit, building permit, or subdivision of properties within 30 metres of the tree will be reviewed as Type 3 requests under Tree Management Bylaw No. 1831, in conjunction with the development proposal and forwarded to Council for decision simultaneous with the development proposal. Application fees, securities, proposals for cash-in-lieu, replacement trees, tree protection, and inspection and assessment shall be as outlined in Parts 7 to 10 of Bylaw No. 1831.

9. Fines

Any person who willfully prunes, damages or removes a tree from City lands is guilty of an offense and is liable to the fines and penalties as set forth in the City of White Rock *Ticketing for Bylaw Offences Bylaw*, 2011, No. 1929, as amended, and any penalties imposed by the Offense Act R. S. B. C. 1996, C. 338.

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 24, 2019

TO: Governance and Legislation Committee

FROM: Eric Stepura, Director of Recreation and Culture

SUBJECT: Special Event Protocol Guidelines

RECOMMENDATIONS

THAT the Governance and Legislation Committee

1. Receive for information the corporate report dated June 24, 2019 from the Director of Recreation and Culture titled “Special Event Protocol Guidelines”; and
 2. Endorse the Special Event Protocol Guidelines as outlined in Appendix A of this corporate report.
-

INTRODUCTION

The City of White Rock recognizes that special events play an important role in providing opportunities for residents and visitors of all ages to connect and engage by offering quality, affordable entertainment throughout the year. It also recognizes that special events enhance tourism, culture, and recreation, while providing an economic benefit to businesses in the City. However, special events held on City property must be financially sustainable, well managed, safe, and be planned to ensure optimal success thereby minimizing negative impacts to the City, its residents, local businesses, the environment and neighboring communities.

One of the important components of a successful special event is ensuring that proper protocols are followed when involving White Rock elected officials and other dignitaries from different levels of government. Not following established protocols with Civic, Provincial, Federal, First Nation and other dignitaries can result in confusion and embarrassment to the dignitaries and portray an unprofessional image of the City to visiting dignitaries and members of the public.

City staff have conducted extensive best practices research, along with consultation with the Office of the Mayor and the Communications and Government Relations Office on correct protocols to follow for various situations involving dignitaries from various levels of government that may occur at special events held in the City. The Special Event Protocol Guidelines were developed to help City staff and community event organizers ensure that correct protocols are followed when hosting events in the City of White Rock.

The purpose of this corporate report is to request Council’s endorsement of the Special Event Protocol Guidelines as outlined in this corporate report.

ANALYSIS

Over the past few years, there has been a significant increase in the number and complexity of special events being held on City owned or leased property. The protocols used by event organizers when involving White Rock elected officials and other dignitaries from other levels of government were inconsistent, and in some instances incorrect.

White Rock City staff are responsible for ensuring that our elected civic officials and invited dignitaries representing other levels of government receive appropriate support and guidance in their official duties when attending special events in which the City is the producer, co-producing partner or supporter.

It is also the role of City staff to coach and guide community groups that organize special events held in White Rock where dignitaries from different levels of government are invited, to ensure that the City's Special Event Protocol Guidelines are followed and communicated in an accurate and timely manner.

The Special Event Protocol Guidelines document will greatly assist City staff, community event organizers, masters of ceremonies and event volunteers to deal with a variety of protocol situations including inviting VIP's, welcoming elected officials and other dignitaries, arranging correct flag placement, speaking order, seating arrangements, parade line-up order and appropriate use of the City logo and brand.

BUDGET IMPLICATIONS

There are no budget implications associated with the approval of the recommendations of this corporate report.

OPTIONS

The following options are available for the Committee's consideration:

- 1: Endorse the Special Event Protocol Guidelines as outlined in Appendix A of this corporate report; or
- 2: Not endorse the Special Event Protocol Guidelines as outlined in Appendix A of this corporate report.

Staff recommend Option 1 which is reflected in the recommendations of this corporate report.

CONCLUSION

In past years, the protocols used by City staff and other community event organizers when involving White Rock elected officials and other dignitaries from other levels of government were inconsistent, and in some instances incorrect. To address this situation, staff conducted research on correct protocols and developed a Special Event Protocol Guidelines document to help City staff and community event organizers ensure that correct protocols are followed when hosting events held on property owned or leased by the City of White Rock.

Staff request Council's endorsement of the Special Event Protocol Guidelines as outlined in this corporate report.

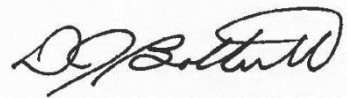
Respectfully submitted,



Eric Stepura
Director of Recreation and Culture

Comments from the Chief Administrative Officer:

I concur with the recommendations of this corporate report.



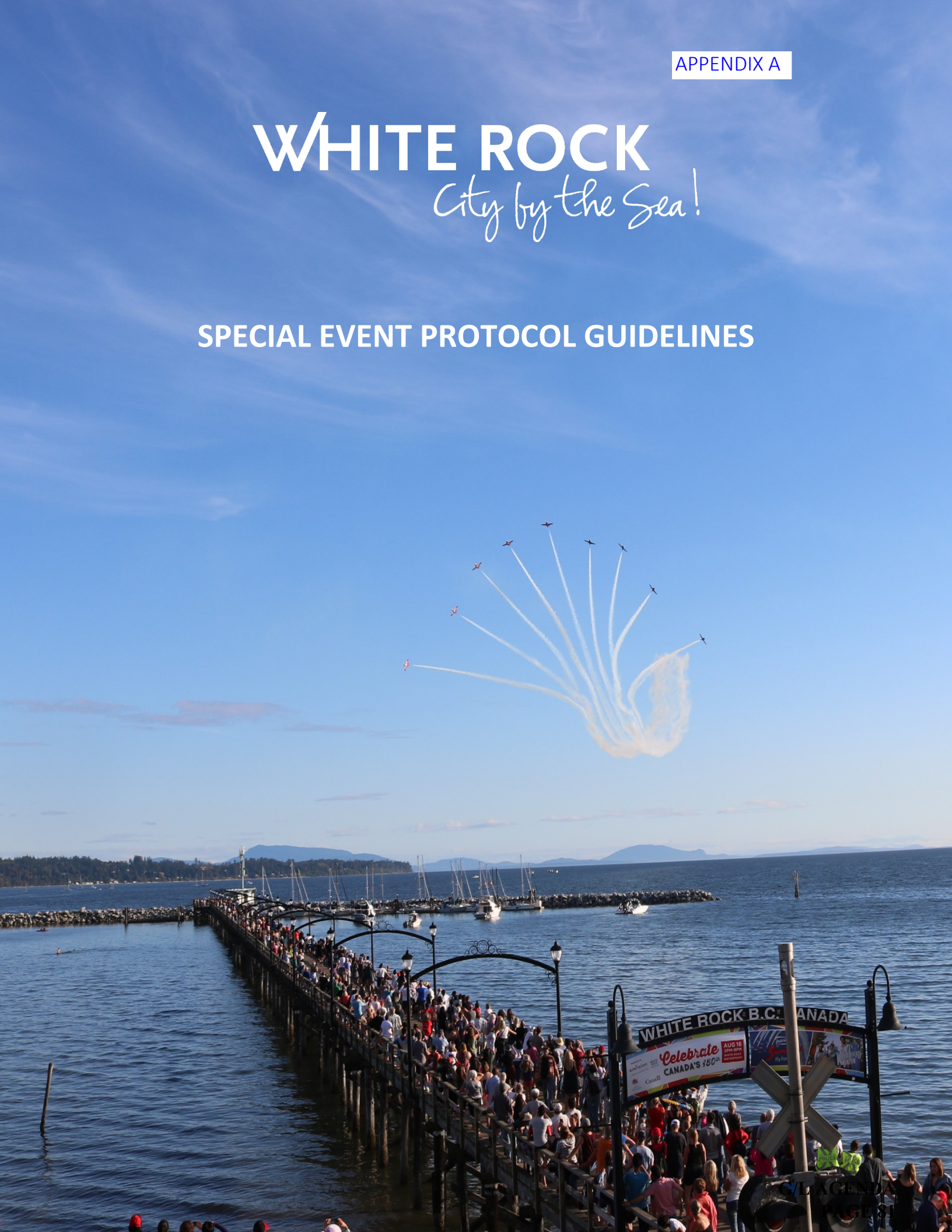
Dan Bottrill
Chief Administrative Officer

Appendix A – Special Event Protocol Guidelines

WHITE ROCK

City by the Sea!

SPECIAL EVENT PROTOCOL GUIDELINES



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INTRODUCTION

The Special Event Protocol Guidelines were developed by the Office of the Mayor, Communications and Government Relations, and Recreation and Culture to help organizers ensure that correct protocols are followed when coordinating events in the City of White Rock. By using this guide, City staff, community event organizers, masters of ceremonies, and event volunteers will be prepared to deal with a variety of situations including welcoming elected officials and other dignitaries, arranging correct flag placement, designing seating plans, use of the City's logo, etc.

Once an event is approved by the City of White Rock, organizers can expect a complete package of information to help them plan, implement and celebrate successfully:

- Welcome letter outlining the details of the event requirements and expectations
- A copy of the Special Events Policy 710
- A copy of this Special Event Protocol Guidelines
- An Event Communication Kit
- Any other relevant policies, guidelines, contact information, maps, etc.

SPECIAL EVENTS CATEGORIES

As detailed in the City of White Rock Special Events Policy 710, special events fall into three distinct categories. It is important to be aware of which category your event is, and therefore what support the City will provide.

CATEGORY A - CITY-PRODUCED EVENTS

City produced events are events where all details are organized and/or coordinated by staff usually working with a community committee to ensure the highest level of community engagement. Examples include Canada Day by the Bay, the White Rock Sea Festival and the Tour de White Rock.

CATEGORY B – CITY as a PRODUCING PARTNER

When the City is a **Producing Partner**, a high level of staff support is required to work with the organizers ensuring that the content optimizes civic engagement, planning, and production details; and that the marketing needs are sufficient to achieve strategic objectives. An example includes the TD Concerts at the Pier as a producing partner with the White Rock BIA; Culture Days as a producing partner with Peninsula Arts and Culture Alliance (PACA).

CATEGORY C – CITY as a SUPPORTER

When the City is a **Supporter**, the role of staff is to provide advice and assistance with basic logistical planning such as public safety considerations, coordinating the use of civic facilities and civic equipment such as barricades, parking lots, community centres, road use, etc. Examples include Remembrance Day supporting the Royal Canadian Legion; the Polar Bear Swim supporting the White Rock and South Surrey Rotary Clubs; Christmas on the Peninsula supporting the Christmas on the Peninsula Society; Picnic on the Pier supporting the Peace Arch Hospital Foundation.

COMMUNICATIONS GUIDELINES

CITY LOGO USE:

For internal users contact the Communications and Government Relations Department for the most up-to-date usage guidelines.

For external groups City logo approval is required from the City prior to printing, publishing and distributing event information and/or collateral.

All A, B and C level events must have the City logo included in all marketing materials as agreed upon.

Refer to the Event Communication Kit for submission deadlines and format.

CHANNELS FOR PUBLICITY AND INFORMATION SHARING:

Category A, B and C events will be posted and/or scheduled as soon as details are made available to the City's Special Events Coordinator. Channels include:

- City Website Event Calendar
- Social Media – Twitter, Facebook, Instagram
- Recreation & Culture E-newsletter and/or City E-newsletter
- Centennial Park & Leisure Centre Electronic Reader Board
- City Kiosks (space permitting)
- City of White Rock facility bulletin boards – White Rock Community Centre, Kent Street Activity Centre, Centennial Park Leisure Centre, Centre for Active Living

Explore White Rock is the City of White Rock's tourism site and a great resource for visitors who are looking for information on best places to eat in White Rock, things to do, and what events are happening and when. To advertise in the Explore White Rock Event Calendar, event organizers may submit information to the Explore White Rock website directly: <http://explorewhiterock.com/events/>

MUNICIPAL, FEDERAL, PROVINCIAL, and FIRST NATION REPRESENTATIVES

INVITING GOVERNMENT OFFICIALS/DIGNITARIES TO AN EVENT

CATEGORY A EVENT – City Produced Events

City event staff to liaise with the Mayor's Office to invite Mayor and Council and to ensure invitations are extended from White Rock City Council to Government Officials/Dignitaries. Staff to provide an event description/ backgrounder, timeline of the event, speaking agenda with timelines and VIP Parking information. The Mayor's office will follow up with City event staff and dignitaries regarding attendance and expectations about the event, (e.g. speeches, ribbon cutting, photo opportunities, etc.)

CATEGORY B EVENT – City as a Producing Partner

City event staff and the event partner will liaise with the Mayor's Office to jointly invite Mayor and Council and to ensure invitations are extended from White Rock City Council to Government Officials/Dignitaries. City event staff and/or event partner to provide an event description/ backgrounder, timeline of the event, speaking agenda with timelines and VIP parking information. The Mayor's office will follow up with City event staff and dignitaries regarding attendance and expectations about the event, (e.g. speeches, ribbon cutting, photo opportunities, etc.)

CATEGORY C EVENT – City as a Supporter

To invite Mayor and City Council please contact the City's Special Event Coordinator at 604.541.2252. The City's Special Event Coordinator will work directly with the Mayor's office to coordinate the invitation, attendance and participation of Mayor and Council.

To invite other elected officials (such as MPs, MLAs, and First Nation Leaders) please contact their offices directly and provide the following event information:

- Event name, date, time and location
- Time frame they are requested at the event
- Are you inviting them to speak at your event or to attend only?
- Any special messaging they need to be aware of and make reference to in his/her speech if speaking
- Where VIP parking is located
- Draft agenda/speaking list
- Event purpose and program highlights/schedule

ADDRESSING OFFICIALS/DIGNITARIES

There are standard protocols in place when addressing, writing or introducing elected officials/dignitaries. It is important to show respect for the office of the person being addressed, no matter how personally familiar you may be with the individual. The City of White Rock adheres to these protocols and expects all Category A, B, and C event organizers to do the same.

Mayor

Address: His/Her Worship, Mayor 'First and Last Name' **or** Mayor 'First and Last Name'

Salutation: Dear Mayor 'Last Name'

Introduction: His/Her Worship (first name, last name)

Conversation: Your Worship (formal); Mayor 'Last Name' (less formal); Mr./Ms. Mayor

Mayor and Councillors as a group

Address: His/Her Worship, Mayor 'First and Last Name' and Councillors **or** Mayor 'First and Last Name' and Councillors

Salutation: Dear Mayor 'Last Name' and Councillors

Councillors

Address: Councillor 'First and Last Name'

Salutation: Dear Councillor 'Last Name'

Introduction: Councillor 'First and Last Name'

Conversation: Councillor 'Last Name'

Acting Mayor (when Mayor is not present)

Introduction: Representing the City of White Rock, Acting Mayor 'First and Last Name'

Conversation: Acting Mayor 'Last Name'

Prime Minister of Canada

Address: The Right Honourable 'First and Last Name', Prime Minister of Canada

Salutation: Dear Prime Minister **or** Prime Minister

Introduction: The Right Honourable 'First and Last Name'

Conversation: Mr./Ms. Prime Minister **or** Sir/Madam

Members of Parliament (MP) - With a Cabinet Post

Address: The Honourable 'First and Last Name', Minister of 'Cabinet Post'

Salutation: Dear Minister 'Last Name'

Introduction: The Honourable 'First and Last Name', MP

Conversation: Minister 'Last Name'

Members of Parliament (MP) - Without a Cabinet Post

Address: Mr./Ms. 'First and Last Name', MP

Salutation: Dear Mr./Ms. 'Last Name'

Introduction: Mr./Ms. 'First and Last Name'

Conversation: Mr./Ms. 'Last Name'

Premier of British Columbia

Address: The Honourable 'First and Last Name', Premier of British Columbia

Salutation: Dear Premier 'Last Name'

Introduction: The Honourable 'First and Last Name', Premier of British Columbia

Conversation: Premier 'Last Name'

Members of Legislative Assembly (MLA) With a Cabinet Post

Address: The Honourable 'First and Last Name', Minister of 'Cabinet Post'

Salutation: Dear Minister 'Last Name'

Introduction: The Honourable 'First and Last Name', Minister of 'Cabinet Post'

Conversation: Minister 'Last Name'

Members of Legislative Assembly (MLA) Without a Cabinet Post

Address: Mr./Ms. 'First and Last Name', MLA

Salutation: Dear Mr./Ms. 'Last Name'

Introduction: Mr./Ms. 'First and Last Name'

Conversation: Mr./Ms. 'Last Name'

First Nation Chiefs

Address: Chief 'Full Name'

Salutation: Dear Chief 'Name'

Introduction: Chief 'Full Name'

Conversation: Chief 'Last Name'

First Nation Band Councillors

Address: Councillor 'First and Last Name'

Salutation: Dear Councillor 'Last Name'

Introduction: Councillor 'First and Last Name'

Conversation: Councillor 'Last Name'

SPEAKING ORDER PRIORITY

Organizers are advised to request only one speaker per level of government and then only when it is relevant to the occasion (e.g. government funding provided, special historical or cultural significance). Speaking order priority should be as follows (as applicable to the event):

1. Master of Ceremonies
2. Mayor or Mayor Designate
3. Chief of Local First Nation(s) or Designate
4. Most Senior Federal Government Representative
5. Most Senior Provincial Government Representative
6. Local School Trustee, if applicable to the event
7. President of Association/Society/Organization producing the event, if applicable to the event
8. Presenting Sponsor of the event, if applicable to the event

Note: Elected officials and dignitaries present are typically acknowledged by the Mayor. Please provide the City's Special Events Coordinator, in advance of the event, a list of elected officials and dignitaries who have confirmed attendance.

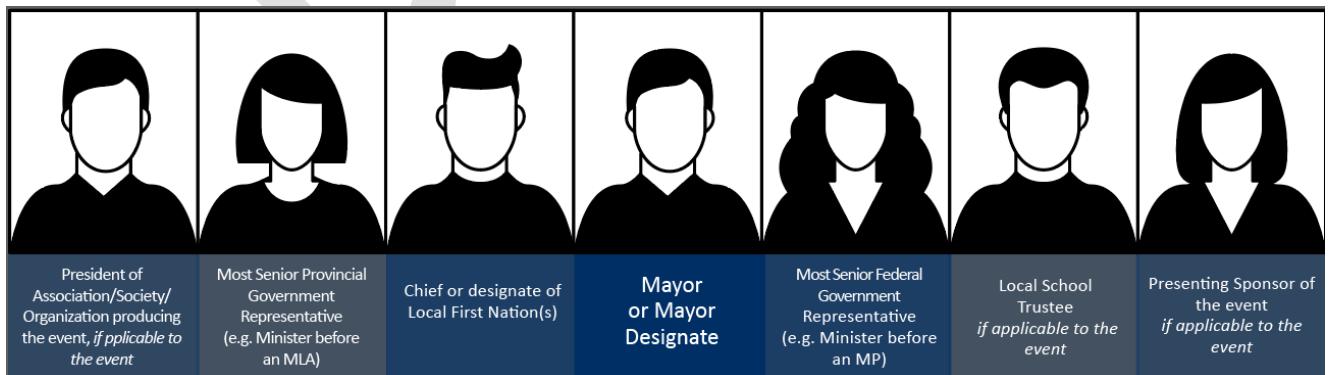
COLOUR PARTY

A Colour Party is a ceremony to lead in the small group of dignitaries to the ceremonial site (e.g. cenotaph, stage, head table) often preceded by flag bearers, pipers, etc. The order of the Colour Party should be the same as the speaking order priority (see above).

SEATING ARRANGEMENTS

Speakers and Emcee on a Stage or at a Head Table

The order as seen from the audience perspective:



Other dignitaries, who are not speaking, to be seated in a designated VIP seating area or in the general audience area. The Master of Ceremonies (MC) should always be seated at the corner of the podium, close to the microphone. The MC should not cross in front of the guests to get to the microphone.

FORMAL REMARKS

FIRST NATION LAND ACKNOWLEDGMENT

For events that the City produces or is a producing partner (Category A and B events) it is the City's expectation the First Nation land be acknowledged at the beginning of the event by a City official (typically the Mayor or designate). An example of a First Nation Land Acknowledgement statement is:

I would like to acknowledge that we are meeting/celebrating today/tonight on the traditional and unceded territory of the Coast Salish People, in particular, the Semiahmoo People.

For events that the City supports (Category C events), the City of White Rock encourages organizers to include the First Nation Land Acknowledgement above.

BLESSINGS AT EVENTS AND/OR GRACE AT MEALS

For events that the City produces or is a producing partner (Category A and B events), it is the City's practice to include a blessing on the occasion led by a First Nation representative and the City may consider also inviting a local religious leader to provide a blessing particularly when meals are served.

For Category C events, we encourage organizers to follow the City's practice as stated above in order to foster a relationship based on mutual respect and trust. We advise organizers if they are hoping to include participation by First Nation representatives, to reach out to the First Nation Council well in advance.

FLAGS

USE OF FLAG POLES AT CITY HALL

The City receives a number of requests annually to fly flags outside City Hall. This policy establishes the types of organizations that the City would consider having their flag flown in front of the City Hall facility. As per Council Policy 146:

- Requests must be made in writing to the Mayor and Council (whiterockcouncil@whiterockcity.ca) for Council's consideration of a flag to be flown outside City Hall on the single flag pole in front of the City Hall facility.
- The organization making the request must be not for profit with a noted affiliation with the City of White Rock.

- The request must clearly indicate the affiliation in order for Council to make a fully informed decision at a Regular Council Meeting.

FLAG PLACEMENT

The national, provincial, and local government flags are important symbols that show our pride for our country, province, and city. The manner in which flags are to be displayed is established by the Federal and Provincial Protocol Secretariats.

- Each flag must have its own pole
- Flags flown together must be the same size and dimension

There are also protocols around how flags are to be placed as they are ranked in order of the position of honour. Below is the Flag Placement Protocol as set by the Government of Canada and the Government of British Columbia.

Two Flags

When two flags are displayed, to an observer facing the flags, the position of honour is on the left. In the example below, the Canadian flag must be in the position of honour.



Three Flags

In Canada, when three flags are displayed, the position of honour is in the centre. To an observer facing the display, the second-ranking flag (in order of precedence) is placed to the left of center and the other to the right.

Example One:



Example Two:



Multiple Flags

When there are more than three flags that need to be flown, the position of honour is furthest to the left, following by other flags in order of precedence:

- 1) National Flag of Canada
- 2) Flag of other sovereign nations in alphabetical order (if applicable)
- 3) The flags of the provinces of Canada (in the order in which they joined Confederation)
- 4) The flags of the territories of Canada (in the order in which they joined Confederation)
- 5) The flags of municipalities/cities
- 6) Banners of organizations
- 7) Historical Flags



PARADES

PARADE ENTRIES

All parade entries must be arranged for the enjoyment of the spectators and to fit with the context of the event.

Category A and B events entries must be reviewed by the parade organizers and the City's Special Event Coordinator to ensure it complies with the purpose of the celebration, and the central theme of the event.

Please see Parade Line-Up diagram on next page.

PARADE LINE-UP ORDER

When planning the line up for a parade for any Civic or Civic-Related Event, please refer to the Government of Canada's [Table of Precedence](#) and the parade line up as outlined below.



POLITICAL CANDIDATE ENTRIES

Political candidates running, or in the process of running, for political office will not be permitted to participate on their own behalf in a parade held in White Rock (**City By-Law #1923**). Sponsored political signs, slogans or other promotional material during a campaign are not permitted on any entries. Sitting elected officials are to represent the level of Government they serve (for example the MP represents the Government of Canada, the MLA represents the Province of BC), not a distinct political party. The City's Sign Bylaw refers to "Election Signs" as:

"Political Sign" means a Sign erected to support the election of a particular candidate or the support for a particular cause at a municipal, provincial or federal election. Any sign on a vehicle is prohibited under Part 4 2.10. Political Signs are regulated in Part 6 Section 10, of interest is the time during which a political sign can be displayed. Any sign not directly mentioned in the Bylaw is prohibited in Part 4.

LIVE ANIMAL ENTRIES

The use of domestic or exotic animals in parades must be approved by the City's Special Events Coordinator and comply with applicable laws or conditions imposed by the City's By-Law Department or other authorities. Animal trainers may be required. Unless otherwise permitted, live animals must be placed at the end of the parade, along with people to pick up animal droppings and dispose appropriately.

REFERENCES

[Office of Protocol of Canada – Government of Canada](#)

The Office of Protocol, within Global Affairs Canada, contributes to shaping the international agenda to Canada's benefit and advantage, in accordance with Canadian interests and values, at home and abroad through the management and oversight of:

- Official/state visits (both in Canada and abroad)
- Official events, summits management and international events
- Diplomatic corps services and outreach programs

[Office of Protocol - Province of British Columbia](#)

The Government of British Columbia's Office of Protocol, within the Intergovernmental Relations Secretariat, leads and coordinates ceremonial, protocol and diplomatic activities for the B.C. Government. These services are vital to the well-being and positive perceptions of B.C., in Canada and internationally. The Office of Protocol provides the following services:

- Advises on all matters of protocol and [precedence](#), [provincial symbols](#) and the [use of the name of the province for a company or organization](#)
- Plans and conducts official ceremonies such as the Opening of the Legislature and Cabinet swearing-in ceremonies
- Plans and conducts [official visits](#) to B.C. for members of the Royal Family, the Governor General, heads of state and government, foreign ministers, heads of diplomatic missions and other distinguished visitors
- Acts as the principal government contact for [the Consular Corps of B.C.](#)
- Coordinates [birthday and wedding anniversary congratulatory messages](#) from The Queen, the Premier and others
- Manages the [Order of British Columbia](#) and the [British Columbia Medal of Good Citizenship](#)
- Provides information and advice on [flag protocol](#) and [flying flags at half-mast \(PDF\)](#)

EXAMPLE TEMPLATE – SPEAKING INVITATION TO OTHER ELECTED OFFICIALS

Date

[Appropriate way to address the Official(s)]:

[Address]

[City, Province, Postal Code]

Dear [Appropriate way to address the Official(s)]:

Re: _____

The [Name of Organization] cordially invites you to [Event Name] taking place at [Event Location], on [Month, Day, Year].

Write a brief description of the event any information about the event partners, donors, or entertainers.

Make sure to also include:

- Date, time, location, and purpose of the event
- Timeline/Agenda for the ceremony
- When/If the Official is required to speak and how much time is allotted to his/her speech
- VIP Parking (with map)

We hope you can come out to enjoy this [Informal/Formal] event. Please RSVP by [Month, Day, Year] to [First & Last Name], [Title] at XXX-XXX-XXXX or [Email].

Sincerely,

[First & Last Name]

[Title]

[Organization]



POLICY TITLE: COUNCIL REMUNERATION AND EXPENSES

POLICY NUMBER: COUNCIL - 106

<i>Date of Council Adoption: 2015</i>	<i>Date of Last Amendment: January 29, <u>2018 June 10, 2019</u></i>
<i>Council Resolution Number: 2004-136, 2005-441, 2008-039, 208-040, 2008-041, 2008-042, 2008-175, 2009-378 and 2009-379, 2009-477, 2010-249 and 2010-250; 2010-395, 2012-092; 2013-343; 2013-405; 2015-216; 2015-285, 2018-034</i>	
<i>Originating Department: Corporate Administration / Finance</i>	<i>Date last reviewed by the Governance and Legislation Committee: December 10, <u>2018 June 10, 2019</u></i>

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Policy:

1- Remuneration for Council Members

- 1.1 Remuneration amounts and notations contained in this section shall be effective January 1, 2015.
- 1.2 In addition to the remuneration for Councillor the appointed Deputy Mayor will receive an additional remuneration in the amount of 20% of the Mayor’s monthly rate for each month that they act in that capacity. Where an appointment to this role is made for less than a full month, the remuneration shall be prorated.
- 1.3 Directly following the swearing in of Council Members after a scheduled Municipal Election the Director of Financial Services shall revise the annual remuneration for the Mayor and Councillors using the following calculation:
 - The remuneration for the position of Mayor using the average of the remuneration for the previous year for the following three (3) noted municipalities:
 - City of Pitt Meadows
 - City of Port Moody
 - City of Langley

The remuneration for the position of Councillor is to be based on a rate ratio of 40% which is consistent with rate ratios of comparable sized municipalities to the City of White Rock.
- 1.4 Effective January 1, 2018, the remuneration paid to the Mayor and Councillors in all other years shall be adjusted by the previous year’s change in the consumer price index for the City of Vancouver. ~~For 2018 only, the remuneration paid to the Mayor and Councillors shall also be adjusted to reflect the 2015 and 2016 changes in the consumer price index for the City of Vancouver.~~

1.5 The calculation of the remuneration in subsections 1.2 to 1.4 shall be rounded to the nearest ten (10) dollars.

1.6 Authorizes the payment of remuneration and expenses be carried out in accordance with City Policy.

2.1.2 Group Insurance

2.1 Group Accident Insurance will be provided to all members of City Council while going to, returning from, or attending Council Meetings and other Council activities, or performing any duties of a Council Member.

~~2.2.3 Allowance for Incidental Expenses~~

~~One third of the annual remuneration paid to the Mayor and Councillors of the City of White Rock shall be considered an allowance for expenditures incidental to the discharge of the duties of office within the boundaries of the City. This amount is currently exempt from taxation in accordance with the Income Tax Act subsection 81(3).~~

~~Effective January 1, 2019, this exemption will no longer be allowed. Therefore, beginning on that date, one third will no longer be considered an allowance and the full remuneration paid to the Mayor and Councillors will become taxable.~~

2.3 Event Allowance

3.1 2.3.1 Event tickets for the Mayor to attend on behalf of the City will be purchased and/or reimbursed by the City. The events the Mayor attends will be at their discretion (considering budget limitations). In circumstances where the Mayor is unavailable the Deputy Mayor will be asked to attend in their place.

3.2 2.3.2 Councillors shall be reimbursed up to \$900 annually, to cover expenses of attending and representing the City of White Rock, as individual Councillors, at local community events.²

2.4.4 Business Meetings Outside of Metro Vancouver

2.4.14.1 Councillors shall be reimbursed for expenses of attending business meetings outside of Metro Vancouver when representing the City, if pre-approved by the Mayor.

2.5 Kilometre/Vehicle Allowance

5.1 Mayor and Councillors shall be reimbursed for using their personal automobiles while involved in Council business outside the boundary of White Rock. The rate claimed for mileage will be the same as that authorized for exempt City employees.

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6.2.6 Expenses Incurred

~~2.6.16.1~~ That the City reimburses members of Council for the reasonable expenses to attend the UBCM, FCM and LMLGA annual conferences. *(Amended May 3, 2010)*

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~~6.2.2.6.2~~ That the City reimburses members of Council for the reasonable expenses to attend the local Newly Elected Seminar hosted by the UBCM.

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~~2.6.36.3~~ That the City reimburses a member of Council for expenses relating to a conference where Council has designated a member of Council by motion to attend.

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~~2.6.46.4~~ That the Mayor be allocated \$8,000 for the four-year term for discretionary education conferences or education materials.

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“Discretionary” is defined as not requiring the prior approval of Council. Notwithstanding, the expenditure is still subject to scrutiny by Council. If, in the opinion of the Council, it is determined the expenditure does not comply with the intent of the policy, the expenditure may be disapproved, or if already paid, will be recovered.

“Education Conferences” is defined as a short course, seminar, or conference on subject matter directly relevant to the duties of a member of Council. It is not intended to include accredited courses leading to certification in a trade or profession, or courses leading to a degree or diploma.

~~6.5.2.6.5~~ That the Councillors be allocated \$5,400 for the four-year term for discretionary education conferences or education materials.

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“Discretionary” is defined as not requiring the prior approval of Council. Notwithstanding, the expenditure is still subject to scrutiny by Council. If, in the opinion of the Council, it is determined the expenditure does not comply with the intent of the policy, the expenditure may be disapproved, or if already paid, will be recovered.

“Education Conferences” is defined as a short course, seminar, or conference on subject matter directly relevant to the duties of a member of Council. It is not intended to include accredited courses leading to certification in a trade or profession, or courses leading to a degree or diploma.

~~2.6.6.6~~ That a member of Council who is elected via by-election, Sections ~~2.6.6.4~~ and ~~2.6.6.5~~, as applicable, these amounts would be prorated.

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~~2.6.76.7~~ That the City provides members of Council for electronic equipment, computer software, and computer hardware that is compatible with City systems for the four -year term .

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~~6.8.2.6.8~~ Reimbursement for expenses set out in Sections ~~6~~ and ~~2.6.7~~ of this policy shall be by written claim in accordance with the City of White Rock Expense Policy.

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~~6.2.6.9~~ Council members may, after reaching the term limit for their additional educational and conference expenses, apply to Council in advance of incurring the expenses, for further

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educational or conference funding. The City will reimburse further funding by motion of Council.

Note: Until December 31, 2018, Section 81(3) of the Income Tax Act stipulates that 1/3 of Council remuneration shall be considered a non-accountable allowance for expenses incidental to the discharge of the duties of office. Further, until December 31, 2018, Council Policy 106 stipulates these expenses are to be incurred within the boundaries of White Rock.

Application Guidelines:

Incidental expenses which ~~are~~ were covered by this non-accountable allowance, until December 31, 2018, included but ~~are~~ were not limited to the following (incurred within the White Rock boundaries):

- Business use of personal vehicle within the White Rock boundaries
- Meals and entertainment (except while attending a conference or seminar authorized by Council Policy 106 where per diems would be applicable).
- Home office materials and supplies such as stationary, printer paper, toner and Christmas cards. This does not include City business cards as they are provided and paid for by the City directly. Computer templates for City Councillor letterhead are also available for use where appropriate.
- Home office internet access connections and land line telephone costs etc.

Effective January 1, 2019, due to the change in the Income Tax Act, this portion of Council remuneration is now taxable. Because it is expected that the above expenses will still be incurred by members of Council, annual remuneration has been adjusted to compensate for the additional income tax paid. Therefore the above items will continue to not be reimbursed by the City.

Items not previously covered by the non-taxable allowance, which may be provided at the City's additional expense include the following:

- Technical equipment such as software, hardware, and peripherals. These items are for Council members' use for the duration of their term(s) and remain City property throughout this period. Upon the end of the term(s) of office, these items must be returned to the City
- Conferences, seminars, educational materials and other expenses incurred/reimbursed subject to the provisions of Council Policy 106.
- Business use of personal vehicle when representing the City at meetings outside of the White Rock boundaries for which no other compensation/indemnity is provided.
- City business cards.
- Mayor's City business expenses such as mobile telecommunication costs, stationary, meals and attendance to official events etc.
- Electronic Communication as per Section 2.68.

2.6

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2.7 7 Qualifying Expenses

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Expenditures that qualify for payment are:

- a) Overnight accommodation required while outside the Metro Vancouver as authorized by this policy or Council resolution, as applicable
- b) If air travel is used, flights shall be booked at the lowest available economy fare. Air travel shall be booked as far in advance as practical to take advantage of discounted fares
- c) Provision of a “gift” to a maximum of \$50 per night if the traveler stays at private accommodation
- d) Transportation other than personal vehicle
- e) Long distance telephone, facsimile transmission or other electronic communications. [Photocopying](#)
- f) Meals not otherwise provided per diem
- g) Gratuities
- h) Reading material and other office supplies
- i) Excess medical insurance for travel outside of Canada
- j) Other appropriate incidentals (Council Members shall be reimbursed for the amount of reasonable expenses necessarily incurred that comply with the City of White Rock’s Expense Policy.)
- k) Parking (airport / hotel as applicable)
- l) ~~Other~~ Other overnight expenses as pre-approved by the Mayor

~~m) That the Councillors be allocated \$5,400 for the four year term for discretionary education conferences or education materials.~~

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2.78 Electronic Communications

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- a) For City business use, a smartphone is available as an additional communications device for all members of Council; and
- b) For those members of Council wishing to pursue this, the units be purchased through three-year plans under the City’s current wireless communications contract.

Rationale:

To provide an annual remuneration and the payment of benefits and expenses for the Mayor and Councillors.

Renoviction & Potential Regulations

WHITE ROCK
My City by the Sea!

June 24, 2019

Council Resolution

April 8, 2019 Council resolution:

THAT Council directs staff to bring forward a corporate report regarding “renoviction”, outlining the City’s current bylaws and policies in this area and reviewing the City of Port Coquitlam’s Bylaw No. 4116 ensuring the City of White Rock’s bylaws are protecting their residents from renovictions in the same or similar manner.

Key Provincial Updates

Provincial Residential Tenancy Act (RTA) Updates - May 2018

- landlords must give **four months' notice to end tenancy** for demolition, renovation or repair, or conversion. Tenants have 30 days to dispute the notice;
- **compensation is being increased to 12 months' rent** if a landlord ends a tenancy for a purpose and the landlord doesn't accomplish that purpose;
- tenants have a **right of first refusal** to enter into a new tenancy agreement at a rent determined by the landlord if the landlord ends their tenancy to renovate or repair;

Potential Regulations (by Bylaw)

Potential Renovation Regulations

- for renovations/repairs that requires units to be vacant, landlords are to **obtain all permit or approvals** before giving 'notice of termination of tenancy' to any tenant;
- owners/landlords are to **provide copies of all City permits and approvals to tenants**;

Potential Regulations (by Bylaw)

- landlords are to **consider tenant relocation options** before renovations/ repairs start:
 - if the repairs or renovations require the unit to be vacant:
 - **relocating tenant to a unit of similar size within the building**, at the same (or less) rent. When work is complete the tenant has the opportunity to stay in the new unit or return to repaired/renovated unit; or
 - if there is no unit available within the building, **temporarily accommodate the tenant elsewhere** (in a comparable rental unit in another building). When the work is completed, the tenant should be able to return to the repaired/renovated unit.
 - **only do renovations/repairs as units in the building become vacant** (ie. renters leaving on their own), if possible, before issuing tenancy termination notices

Potential Regulations (by Bylaw)

- landlords **should not increase rental rates** for tenants moving back into their units, beyond what is permitted annually by the RTA;
- **exemptions** from these regulations should be contemplated as well if an owner is able to demonstrate, that the building needs to be vacant in whole or part **to ensure tenants' safety and health** during a repair or renovation:
 - this **requires a report from a registered professional** and may require staff review of such a report prior to a review and decision by Council; and
 - if a building requires units be vacated, Council may be able to **set provisions regarding temporary tenant relocation and rent increases** in granting exemption.

Potential Regulations (by Bylaw)

- If landlords do not follow these regulations, **enforce penalties** including:
 - **refusal of business licence** renewals (or suspension of licence); or
 - applying a **penalty fee** to the business licence renewal.
- **these regulations may not apply to a building or units within a building that are damaged to the point of being unsafe** through age, hazardous conditions or disaster such as fire, flood, or structural failure:
 - if the building is deemed unrepairable by a registered professional and is proposed for redevelopment, the RTA, OCP and Tenant Relocation Policy apply;

New Bylaw regulations should include discretionary authority to staff in determining if exemptions are warranted due to building condition and the landlord's approach

Legal Challenges

- these regulations may conflict with the RTA and are unenforceable ('ultra vires');
- if challenged, beyond damages, a court could find the City does not have 'authority to regulate' and/or that the regulations interfere with a landlord's property rights; and
- no decision in the Port Coquitlam court case yet;
 - staff suggest Council delay adding regulations to the Business Licence Bylaw until court judgement is available for review

Practical Challenges

- New renovation regulations may result in ‘un-intended consequences’:
 - not renewing a business licence for rental building may directly impact tenants;
 - business licence penalty fees may be too low and be a ‘part of doing business’;
 - landlord does not have vacant units in their building or another building to re-house affected tenants; and
- end-of-life or un-safe buildings remaining ‘as is’ for a long time, resulting in:
 - unsightly property conditions;
 - hazardous buildings; and/or
 - hard to insure or un-insurable buildings.

Alternative: New Council Policy

Potential key elements of a 'renoviction' - based Council Policy could include staff:

1. upon receiving a building permit application, seeking to resolve/mitigate tenant relocation impacts, including reviewing the landlords' tenant relocation plans, prior to issuing of the permit;
2. working with landlords to develop phased renovation/repair approaches that limit the need to relocate all tenants at once, by way of phased building permits; and
3. when a building permit application is received, notifying the Residential Tenancy Branch and requesting their preliminary feedback (including compliance with the RTA), prior to issuing the permit.

Recommendation

That Governance and Legislation Committee receive this corporate report for information.

- Staff also seek feedback regarding next steps; and
- Staff suggest not making any bylaw amendments until Port Coquitlam court case outcomes are known.



WHITE ROCK

My City by the Sea!

Draft Good Neighbour Construction Policy

WHITE ROCK
My City by the Sea!

June 24, 2019



Respect Neighbours, Minimize Impacts

Redevelopment helps to renew the community, but construction activities can create nuisances and impact neighbourhoods.

Based on this, construction activities need to be undertaken in a way that:

- 1. Respects neighbours, the environment and the greater neighbourhood; and**
- 2. Minimizes impact and disruption to surrounding residents, businesses, and visitors in the City of White Rock.**

GNCP: 'Follow the Seven Rules'

1. Get your permits before you start;
2. Communicate with your neighbours;
3. Protect the neighbourhood and environment;
4. Keep a safe and clean work site;
5. Limit construction to permitted hours;
6. Don't take parking away or block access; and
7. Minimize traffic disruptions.

How the GNCP Applies

GNCP is a 'one stop shop' – what builders need to know when working in White Rock.

It combines City bylaw and permit requirements, from Planning and Development Services and Engineering & Municipal Operations, into one document.

Builders are to review and acknowledge the GNCP requirements – [prior to BP issuance](#).

How the GNCP Applies

1. Small Developments (such as single family homes, small-scale townhouses):

- builders receive the GNCP when they apply for a building permit; and
- builders acknowledge they understand the GNCP before getting building permit.

2. Major Projects (such as residential, mixed-use buildings 4 storeys & above):

- builders receive the GNCP when they apply for a building permit;
- builders are required to submit a Construction Management Plan (Appendix A);
and
- builders acknowledge they understand the GNCP before getting building permit.

'The Seven Rules': Details

Specific requirements for builders, big and small:

1. Get the Required Permits Before You Start

- a) Seek Permission First
- b) Know and Understand City Bylaws

2. Communicate With Your Neighbours

- a) Communications and Project Notification
- b) Keep Your Neighbours Up To Date
- c) Construction Signage – *including 'permitted hours of work' sign*

Template – ‘permitted hours of work’ sign

Permitted Construction Activity Hours

Mon – Fri	7am – 8pm
Sat	9am – 5pm
Sunday & Holidays	PROHIBITED

CITY DEVELOPMENTS

24HR CONTACT NUMBER
604.555.5555 – W. JONES

TOWNSHIP OF LANGLEY
604.534.3211

'The Seven Rules': Details

3. Protect the Neighbourhood and Environment

- a) Respect Your Neighbours Property
- b) Using City Property
- c) Protect Those Trees
- d) Have an Erosion and Sediment Control (ESC) Plan
- e) Minimize Vehicle Idling
- f) Security and Surveillance
- g) Portable Toilets
- h) No Outdoor Burning

'The Seven Rules': Details

4. Keep a Safe and Clean Work Site

- a) Protect the Public and Your Site: Fencing and Covered Walkways
- b) Prevent Unsightliness
- c) Snow Control
- d) Smoking and Vaping

5. Limit Construction to Permitted Hours

- a) When You Can and Can't Make Noise
- b) Noise Extension Permits

'The Seven Rules': Details

6. Don't Take Parking Away or Block Access

- a) Vehicle Parking and Loading
- b) Maintaining Accessibility

7. Minimize Traffic Disruptions

- a) Vehicular Traffic
- b) Notify in Advance
- c) Use Designated Truck Routes

Construction Management Plans

Major project builders are to submit and follow a Construction Management Plan.

These plans are to include the following details:

- **developer/builder/contractor(s) contact information;**
- **project and construction information signage;**
- **permitted hours of works signage;**
- **emergency and first aid information;**
- **site plan showing fencing/hoarding/covered walkways, lighting plan and levels, vehicle access points, loading/staging areas, office & first aid room locations, crane location(s) & swing radius;**
- **designated off-street trades parking area(s), that are:**
 - **located on private property - not on City streets or City-owned public parking lots;**
 - **large enough for the anticipated level of workers on-site and available for use by the builder for the duration of project construction; and**
 - **visually identified as parking area for workers of specific project(s).**
- **street/sidewalk/street frontage use (identifying which areas/frontages are open or closed during construction, on a permanent and/or temporary basis);**
- **Traffic Management Plan; and**
- **other project-specific information as required by City staff.**

Options

That Governance and Legislation Committee:

1. Receive this corporate report for information and provide feedback to staff, prior to staff bringing the GNCP to Council for endorsement;

or

2. Request that staff undertake further research and report back to Committee with an updated/modified policy.



WHITE ROCK

My City by the Sea!

RESOLUTION FOR UBCM FOR CONSIDERATION

WHEREAS The City of Vancouver has authority through the *Vancouver Charter* to implement an Annual Vacancy Tax

WHEREAS The City of White Rock is governed through the *Community Charter* where there is no current authority to implement a Vacancy Tax and it is believed that there are a number of vacant residential and commercial properties in the City of White Rock

THEREFORE BE IT RESOLVED THAT the City of White Rock request that UBCM work with the Province of British Columbia to amend the authority given to Local Governments through the *Community Charter* permitting municipalities the authority to impose, by bylaw, an annual vacancy tax on taxable residential and commercial properties, and that the criteria and administrative requirements be similar to those of the *Vancouver Charter* .

This Act is current to May 29, 2019

See the Tables of Legislative Changes for this Act's legislative history, including any changes not in force.

VANCOUVER CHARTER [SBC 1953] CHAPTER 55

Part XXX — Vacancy Tax

Definitions for this Part

615. In this Part

"property status declaration" means a property status declaration required under section 618 (a) [*permissive vacancy tax by-law powers*];

"residential property", subject to any applicable regulations, means real property classified as class 1 property (residential) under the *Assessment Act*;

"status", in relation to a residential property, means whether the property is any of the following, as applicable:

- (a) in a category of residential property that is exempt under section 617 (f) [*required vacancy tax by-law provisions*] from the vacancy tax;
- (b) vacant property;
- (c) taxable property;

"taxable property", in relation to a vacancy tax, means residential property that is all of the following:

- (a) vacant property;
- (b) not exempt from taxation under section 373 [*annual rating by-law*];
- (c) not in a category of residential property that is exempt under section 617 (f) from the vacancy tax;

"vacancy reference period" means a period of time specified by a vacancy tax by-law for the purpose of determining whether residential property was unoccupied during the period such that it is vacant property;

"vacancy tax" means a tax imposed on taxable property by a vacancy tax by-law;

"vacancy tax by-law" means a by-law under section 616 (1) [*vacancy tax*];

"vacant property" means residential property that is unoccupied during the vacancy reference period for at least the total length of time specified by a vacancy tax by-law and in the circumstances established in the vacancy tax by-law.

2016-27-1.

Vacancy tax

- 616.** (1) The Council may, by by-law, impose an annual vacancy tax on a parcel of taxable property in accordance with this Part.
- (2) A registered owner of taxable property must pay the vacancy tax imposed on that parcel of taxable property by a vacancy tax by-law.
- (3) A vacancy tax, together with any applicable penalties and interest payable under section 618 (d) [*permissive vacancy tax by-law powers*], owed to the city is a debt due to the city and is a levy that
- (a) is a charge or lien on the real property on or in respect of which the vacancy tax is imposed,
 - (b) has priority over any claim, lien, privilege or encumbrance of any person except the Crown, and
 - (c) does not require registration to preserve it.
- (4) The city may use monies raised from a vacancy tax only for the purposes of initiatives respecting affordable housing and for the administration and collection of the vacancy tax.

2016-27-1.

Required vacancy tax by-law provisions

- 617.** A vacancy tax by-law must do the following:
- (a) provide for a process for the administration and collection of a vacancy tax;
 - (b) establish circumstances in which residential property is to be considered unoccupied;
 - (c) specify a vacancy reference period and the total length of time that apply for the purpose of determining whether a residential property is vacant property;
 - (d) establish the basis on which the vacancy tax is imposed, which may be any basis in relation to taxable property;
 - (e) establish the rate or amount of the vacancy tax;
 - (f) establish exemptions from the vacancy tax;
 - (g) establish requirements respecting notice to a registered owner of a residential property that is subject to the vacancy tax;

- (h) provide for a record of taxable properties and for a process to correct and update that record;
- (i) provide for a process to hear and determine complaints respecting the imposition of a vacancy tax, including providing for a review process for determinations of complaints;
- (j) provide for a process to refund to a registered owner any excess amount of vacancy tax paid by the registered owner and any amount of penalty and interest paid under section 618 (d) [*permissive vacancy tax by-law powers*] on the excess;
- (k) provide for the preparation of an annual report respecting the vacancy tax, which report must include the amount of monies raised from the vacancy tax and how the monies were used;
- (l) provide for making the annual report referred to in paragraph (k) available to the public.

2016-27-1.

Permissive vacancy tax by-law powers

618. A vacancy tax by-law may do any of the following:

- (a) provide that a registered owner of a residential property must make a property status declaration;
- (b) establish requirements and provide for a process respecting property status declarations;
- (c) provide for requiring a registered owner of a residential property to provide information respecting the status of the property, including providing information to support a property status declaration and submitting evidence to verify the declaration;
- (d) establish penalties and interest payable for failure to pay the vacancy tax and for failure to pay the vacancy tax by a specified date;
- (e) authorize employees of the city or other persons to enter onto residential property in accordance with section 621 [*entering onto residential property*];
- (f) provide that a vacancy tax is a levy lawfully inserted in the real-property tax roll and, if that provision is made, section 409 (2) and (3) [*special charges that are to be collected as real-property taxes*] applies.

2016-27-1.

Vacancy tax by-law variation power

619. The Council may, in a vacancy tax by-law,

- (a) establish categories of residential property, registered owners and vacant property,

- (b) make different provisions for different categories established under paragraph (a) in respect of the following:
 - (i) different vacancy reference periods and different total lengths of time that apply for the purpose of determining whether a residential property is vacant property;
 - (ii) different rates or amounts of vacancy tax;
 - (iii) different exemptions;
 - (iv) different requirements respecting notices to a registered owner;
 - (v) different requirements respecting a property status declaration, including respecting any information or evidence required under section 620 [*property status declarations*];
 - (vi) different requirements respecting information that a registered owner must provide respecting the status of a residential property of the owner, and
- (c) make different provisions for different times, conditions or circumstances.

2016-27-1.

Property status declarations

- 620.** (1) For the purposes of administering a vacancy tax, a vacancy tax by-law may do any of the following respecting property status declarations:
- (a) provide for requiring a registered owner of a residential property to provide information respecting the property and the identity and address of the registered owner and the individual occupying the property, if any, which may include information respecting the status of the property and the nature of its occupancy during the vacancy reference period;
 - (b) require a registered owner of a residential property to submit evidence necessary to verify a property status declaration and the status of the property during the vacancy reference period;
 - (c) specify the type and form of information that a registered owner must provide or of the evidence that a registered owner must submit;
 - (d) provide for determining the information and evidence that is to be considered satisfactory to demonstrate the status of a residential property;
 - (e) establish fines and penalties that may be imposed on a registered owner who, in relation to a residential property,
 - (i) fails to make a property status declaration,
 - (ii) makes a false property status declaration,
 - (iii) fails to provide required information or to submit required evidence,

- (iv) provides information or submits evidence that is not considered satisfactory, or
 - (v) provides false information or submits false evidence;
 - (f) provide that, if a registered owner does anything listed in paragraph (e) (i) to (v), the residential property is considered to be vacant property and is subject to the vacancy tax.
- (2) For certainty, a vacancy tax by-law may require a registered owner to provide information or submit evidence whether or not the owner makes a property status declaration.

2016-27-1.

Entering onto residential property

- 621.** (1) The authority to enter onto a residential property may be exercised by an authorized employee of the city or other person authorized by the city only
- (a) in relation to a residential property for which a property status declaration may be required under a vacancy tax by-law,
 - (b) for the purpose of determining the status of the property and whether the property is subject to the vacancy tax,
 - (c) at reasonable times and in a reasonable manner, and
 - (d) after reasonable steps are taken to advise the registered owner and the individual occupying the property, if any, before entering onto the property.
- (2) An authorized employee of the city or other authorized person may enter into a residential property that is a private dwelling only if the individual occupying the property, if any, consents.

2016-27-1.

Regulations

- 622.** (1) For the purposes of this Part, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations for the purposes of the definition of "residential property" in section 615 [*definitions for this Part*]
- (a) excluding real property that is expressly included as class 1 property (residential) under the *Assessment Act*, and
 - (b) including real property that is expressly excluded from class 1 property (residential) under the *Assessment Act*.

2016-27-1.

[*Note: Act effective July 2, 1953. 1953-55-563.*]

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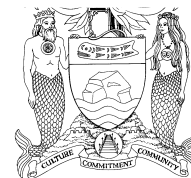
This Bylaw is a consolidation of the bylaws amending "White Rock Tree Management Bylaw, 2008, No. 1831." Efforts are made to ensure that this consolidation is current; however, accuracy and completeness cannot be guaranteed. Original bylaws should be consulted for all interpretations and applications of the bylaw regarding this subject.

ON TABLE - JUNE 24, 2019
Governance and Legislation Committee
Re: Item 9

Consolidation includes:

- Bylaw 2073 (December 18, 2014)
- Bylaw 2161 (September 12, 2016)
- Bylaw 2215 (October 23, 2017)

THE CORPORATION OF THE CITY OF WHITE ROCK BYLAW 1831



A Bylaw to regulate and prohibit the cutting, removal and damage of trees, the issuance of permits for the same, and the requirement for replacement trees and of securities for their provision and 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 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

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. In this Bylaw,
“arborist” or “Project Arborist”
means a person who is:

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

"caliper"

means the trunk size of a deciduous replacement tree, measured at 15 cm above the ground at the base of the tree.

"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, 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 must clearly identify all site works proposed within or immediately adjacent to the critical root zones of all protected trees, and clearly state 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.

"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.

“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.

“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.

“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.

“lower value tree”

means a protected tree with significant structural issues from past pruning or due to natural events, or a severely diseased protected tree with limited life expectancy, as determined at the sole discretion of the City. Fruit trees, alders, and cottonwoods also qualify as lower value trees.

“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. 2220, 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 lot.

“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 woody plant with roots and branches that has a trunk DBH of 30cm or greater, as well as:

- (a) a replacement tree of any size planted as a requirement of a tree management permit;
- (b) a tree, hedge, or shrub of any size on City-owned properties;
- (c) 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; or
- (d) an Arbutus (*Arbutus menziesii*), Garry Oak (*Quercus garryana*), or Pacific Dogwood (*Cornus nutalii*) of any size.

Invasive species (including holly trees) and hedges on private property are not considered protected trees.

“replacement tree”

means a tree required in accordance with this Bylaw, to replace a tree cut, removed or damaged. Deciduous replacement trees must have a minimum caliper of 6cm, and coniferous replacement trees must be at least 3 metres in height. Hedges will not be considered as replacement trees.

“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.

"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” or “arborist report”

means a report prepared by an arborist, that documents the size (dbh), height, location, species, live crown ratio, health, and structure of all protected trees on a lot and on the property adjacent thereto. A photo of each protected tree must also be included.

The report must include a recommendation to retain or remove each protected tree, based on the details of the proposed works. 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 that shows the location of all protected trees proposed for removal or preservation, the extent of canopy/critical root zone for each protected tree, the location of all proposed buildings, and the location of all required tree protection barriers. A separate plan must also be included that identifies all protected trees that are to be retained as well as the species and location of all proposed replacement trees.

A report remains valid for six months from the date it is signed and dated by the project arborist.

“tree barrier confirmation letter”

means a letter prepared by the project arborist confirming that all required tree protection barriers have been constructed and located correctly. The letter must include photos of the tree protection barriers and a plan showing the approved location of the tree protection barriers.

“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 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. Tree protection barriers shall be constructed in accordance to Schedule A, with the locations as recommended by the project arborist and approved by the City based on the critical root zones of protected trees.

“tree protection zone”

means the area within a tree protection barrier.

“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 clearly state when the arborist was on site and identify the works that were supervised, and include comments on the health and long-term survivability of all retained protected trees. Photos of the work that was supervised must be included in the report.

The report must also identify the size and species of all replacement trees, and include a plan showing the location of all replacement trees. The project arborist must comment on the health of the replacement trees, and confirm that all replacement trees have been planted correctly and are expected to survive long-term. A photo of each replacement tree must also be included.

“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 lines. The tree survey shall also show the dripline of each tree, the existing base elevation of each tree, and the footprint of the existing and proposed buildings.

"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. 2000, as may be amended or replaced from time to time.

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. 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. 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 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, Planning and Development Services the authority to grant exemptions in respect of a provision of this Bylaw, in circumstances where:
 - (a) the presence of utility 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) existing subject property configuration, slope and geotechnical characteristics, and constraints on the subject property by the configuration, slope and geotechnical characteristics of immediately adjacent properties, impacts the ability to fully implement the provisions of this Bylaw; or
 - (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, and smaller-sized trees are available for replacement purposes, to the satisfaction of the Director, Planning and Development Services.

Part 5 – Tree Management Permits

3. 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 of Planning and Development Services 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 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.
4. 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.
5. 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:
 - (c) the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%,
 - (d) the removal of more than 25% of the crown in one season,
 - (e) topping
 - (f) the pruning or removal of a structural root within the critical root zone of a protected tree
6. 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.

7. The fee for a tree management permit shall be as set out in City of White Rock Planning Procedures Bylaw, 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

- (a) Application Submission Requirements
 - (i) Complete application form
 - (ii) Title Search
 - (iii) Tree Assessment Report confirming the tree is a hazardous tree (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)
 - (iv) Letter from property owner with rationale for removal of protected tree
 - (v) If applicable, letter from adjacent property owner agreeing to proposed removal (for shared trees)
- (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
 - (ii) Application fee
 - (iii) Title Search
 - (iv) Tree Assessment Report
 - (v) Letter from property owner with rationale for tree removal and commitment to plant and maintain replacement trees.
 - (vi) If applicable, letter from adjacent property owner agreeing to proposed removal (for shared trees)

- (vii) Photos and plan showing the tree proposed for removal
 - (b) Tree Management Permit Issuance Requirements
 - (i) Tree replacement securities or cash-in-lieu
4. Type 3 - Tree Management Permit for a property under application for a Demolition Permit or a Building Permit
- (a) Application Submission Requirements
 - (i) Complete application form
 - (ii) Application fee
 - (iii) Title Search
 - (iv) Tree Assessment Report
 - (v) Tree Survey
 - (b) Tree Management Permit Issuance Requirements (if applicable)
 - (i) Tree protection and replacement securities or cash-in-lieu
 - (ii) Coordinated Site Development Plan (CSDP)
 - (iii) Tree Barrier Confirmation Letter
 - (iv) Letter from adjacent property owner(s) agreeing to proposed removals and acknowledging work around trees that are to be retained (for shared 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 and Securities

1. The application fee for a tree management permit shall be made in accordance with the City of White Rock Planning Procedures Bylaw.
2. Any amendment requested or required for a tree management permit that has been issued will require payment of a new application fee.
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; and
 - (b) The maintenance of preserved protected trees.
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 bylaw and for the period and terms specified in this Bylaw.

5. 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 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 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.
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 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.
7. 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 properties. 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 to be used to plant and maintain trees on City-owned properties.
8. The amount of the security for the provision and maintenance of replacement trees, or proposed cash-in-lieu of planting replacement trees, shall be \$1,500 per replacement tree.
9. The number and size of the replacement trees is dependent upon the size of the protected tree removed. Replacement trees shall be required according to the following:
 - (a) Less than 50 cm DBH protected tree removed – Two replacement trees
 - (b) 51 cm to 65 cm DBH protected tree removed – Three replacement trees
 - (c) 66 cm to 75 cm DBH protected tree – Four replacement trees
 - (d) 76 cm to 85 cm DBH protected tree – Five replacement trees
 - (e) Greater than 85 cm DBH protected tree – Six replacement trees
10. Notwithstanding Part 7, Item 9 above, two replacement trees shall be required for the removal of a *lower value tree* regardless of size (dbh).
11. The amount of security for the protection and maintenance of protected trees proposed to be retained shall be:
 - (a) \$2,500 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.
12. Notwithstanding Part 7, Item 11 above, the amount of security required for a *lower value tree* of any size (dbh) shall be \$2,500.
 13. The total amount of security deposited under Part 7, Items 8, 9, 10, 11, and 12 above will be held by the City for a period of one year after submission of an acceptable tree protection and replacement report and final building approval (if applicable), to ensure that the protected trees are properly protected and maintained in accordance with this Bylaw and the tree management permit.
 14. Securities for tree replacement may be retained by the City if the applicant does not plant a sufficient number of replacement trees, or if the replacement trees that have been planted do not meet the minimum size requirements, are planted incorrectly, have not been maintained properly, are in poor health, or have been planted in inappropriate locations. It will be a condition of release of any security provided in accordance with this Bylaw that the City will be satisfied that the owner/applicant has complied with the tree replacement and maintenance requirements of this Bylaw and the tree management permit.
 15. 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 and CSDP were 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 owner/applicant has complied with the tree protection requirements of this Bylaw and the tree management permit.

Part 8 – Replacement Trees

1. 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 and approved by the City.
2. Replacement tree species are to be proposed by the Project Arborist. The City encourages replacement trees that are of a species that will not grow to screen or block views of neighbouring properties.
3. A minimum of one replacement tree must be planted on each lot that is the location of a protected tree subject to an application.
4. Replacement Trees must meet the plant condition and structure requirements set out in the latest edition of the “Canadian Landscape Standard” published jointly by the Canadian Society of Landscape Architects and the Canadian Landscape Association to be considered acceptable by the City.
5. Replacement Trees must be planted and maintained in accordance with the requirements set out in the latest edition of the “Canadian Landscape Standard” published jointly by the Canadian Society of Landscape Architects and the Canadian Landscape Association.

Part 9 – Tree Protection

1. 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.
2. 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.
3. Tree protection barriers must remain in place throughout demolition and building, 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.
4. 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 whether 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.
5. Site disturbance within a tree protection zone is prohibited including, unless specifically permitted in the tree management permit and CSDP and 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 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.

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) 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.

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.

Part 13 – Schedules

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

Part 14 – General Provisions

1. “*White Rock Tree Management Bylaw No. 1567*”, 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	26 th day of	April, 2010
RECEIVED SECOND READING on the	26 th day of	April, 2010
RECEIVED THIRD READING on the	26 th day of	April, 2010
RECONSIDERED AND FINALLY ADOPTED on the	3 rd day of	May, 2010

Catherine V. Ferguson

MAYOR

Bother.

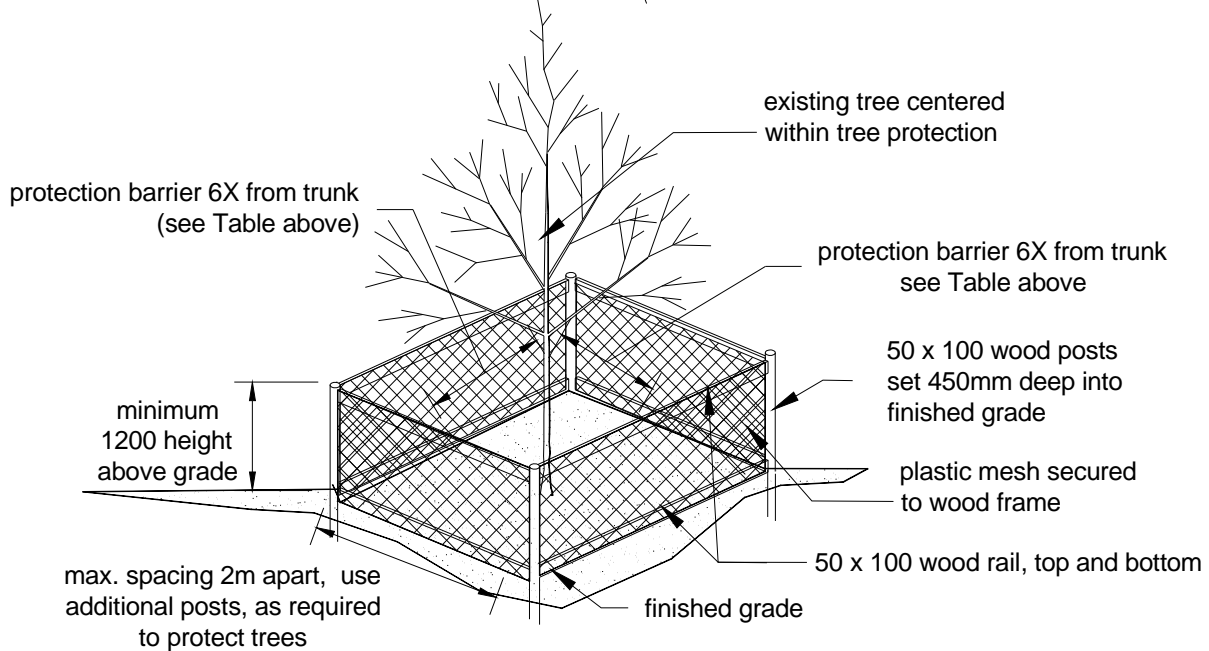
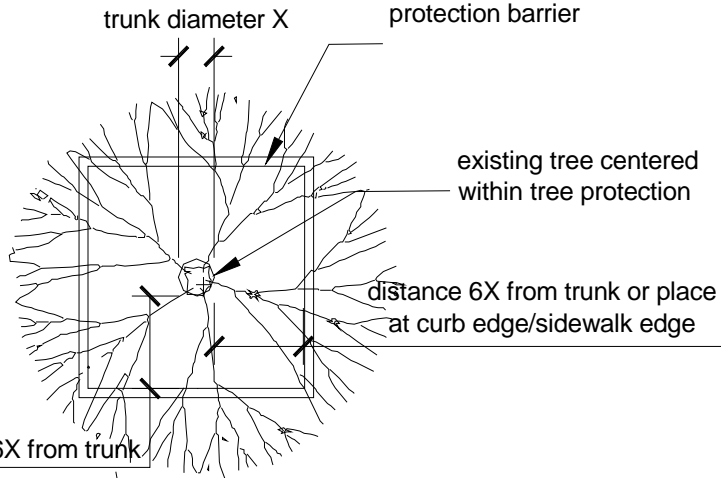
CITY CLERK

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.