

EAC Recommendation	Status of Change	Discussion
Directs staff to prepare for Council’s consideration a proposed revision of Tree Management Bylaw 1831 , based on the EAC’s recommendations		
a. Change the title of the Bylaw to “White Rock Tree Protection Bylaw”. [R3]	The requested change has been made (see Part 1 Section 1).	None.
b. Reduce the minimum size for the definition of “protected tree” to a trunk DBH of 20 cm or less. [R5]	The requested change has been made (see Part 1 Section 2.a).	<p>With more trees being subject to the Bylaw there will be a need for more permitting. Without additional resources it is anticipated that the time associated with processing applications will increase.</p> <p>Further, with more trees subject to the Bylaw it is likely that there will be a need for more on-site replacement, or cash-in-lieu thereof. In many instances it is difficult to accommodate on-site tree replacement as a result of lot constraints relative to development permissions. Additional requirements for landscaped open space, proposed for inclusion in the Zoning Bylaw, may help with this challenge.</p>
c. Provide that “significant trees” on private or City lands, to be defined pursuant to a “Significant Tree Policy” to be developed and presented to Council by Staff, will not be removed for other than safety reasons or as approved by Council. [R6]	Staff have not incorporated the change into the draft Bylaw for the reasons noted.	<p>The Bylaw establishes a minimum threshold for the protection of trees (now 20cm DBH). Staff believe that any “significant tree” warranting protection will be captured by this threshold. Staff have consulted with their counterparts at the District of Saanich where the municipality’s Tree Protection Bylaw (link) includes reference to “Significant Trees” (see Part 4).</p> <p>The related provisions establish a process for recognizing, with a plaque or marker, “significant trees”, being those that have importance to the community, including importance for heritage, landmark value or as wildlife habitat”. The Bylaw provides that “no person shall alter, cut, damage or remove a Significant Tree”. Further, the provisions require a permit before any pruning of the branches or roots of a Significant Tree; there is no fee for such work. Staff at the District have provided that the administration of this element of the Tree Protection Bylaw is onerous.</p> <p>White Rock staff believe that the intention to protect “significant trees” from removal can be upheld within the provisions of the amended Tree Protection Bylaw. Furthermore, staff note that Council’s “Heritage Tree Policy” (No. 607 – link), provides a mechanism for the recognition of trees that are believed to have local significance.</p>

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d. Remove fruit trees, alders and cottonwoods from the definition of "lower value trees". [R7]	The requested change has been made (see Part 1 Section 3 – See definitions).	All fruit, alder and poplar trees will now qualify for the replacement tree ratio according to their DBH rather than a maximum of 2:1 as per lower value trees.
e. Authorize the utilization of tree replacement security and deposit revenues for a broadened range of activities to enhance and protect the City’s tree canopy. [R12]	The requested change has been made (see Part 7 Section 14)	<p>Proposed amendments would allow cash received in lieu of tree replacements, and forfeited securities tied to tree protection, to be used by the City for:</p> <ol style="list-style-type: none"> 1. tree plantings on City property; 2. support for a local tree subsidy program (offered by a number of municipalities in the region); and 3. support for educational programs and the production of materials that may be used to raise awareness of the benefits of supporting the growth of the City’s tree canopy.
f. Incorporate Policy 510’s provisions regarding notice to adjacent property owners and applicant appeals for Type 2 permit applications and extend these provisions to Type 3 applications, as well as incorporate Planning Procedures Bylaw 2234’s appeal provisions. [R14(a), R18(a)].	Staff have not incorporated the change regarding the giving of notice into the draft Bylaw.	<p>Policy 510 pertains to unwanted protected trees on private property, the removal of which is subject to a “Type 2” Tree Management Permit. The Policy includes explicit criteria against which a Type 2 permit request is to be evaluated. These criteria have been incorporated into the amended Bylaw and include a) damage to property that cannot be resolved, and b) presence of tree that completely obstructs views that cannot be improved through “sound arboricultural practices” (see Part 6 Section 1).</p> <p>The Bylaw now establishes a clear regulatory framework for the removal of unwanted (Type 2) protected trees. Where a tree subject to a permit request is a “shared tree”, the requestor of the permit must obtain a letter from the co-owner of the tree supporting its removal. In instances where the tree sought for removal is not a shared tree, giving the adjacent land owner(s) the opportunity to formally comment on the removal has the potential to not only delay the permit administration process but seems to give implied rights to a neighbour to control tree removal on lands not owned by that person(s). This is believed to be problematic, particularly in the absence of any decision-making framework. Notice of all issued tree management permits is required to be posted on site per Part 5 Section 3 and Part 9 Section 2 of the Bylaw; a notice template is included in the Bylaw as Schedule “B”.</p> <p>Council may wish to rescind Policy 510 as it is no longer necessary and may cause confusion.</p>

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<p>g. Require that notice of, and opportunity to comment on, any application or proposal to remove a “City tree” be provided to property owners within 100 metres of the affected tree at least 14 days in advance of a decision. [R15]</p>	<p>Staff have not incorporated the change into the draft Bylaw.</p>	<p>Staff strive to retain City trees and generally only remove a tree when it is dead, diseased, poses high risk to the safety of the public or where it interrupts utility services and redesign is not possible due to extreme topography challenges. Notice of proposed City tree removals is provided to Council.</p>
<p>h. Establish International Society of Arboriculture (ISA) certification as the sole and exclusive credential in the definition of “arborist”. [R16(a)]</p>	<p>The requested change has been made. See Part 1, Section 3 (Definitions).</p>	<p>In addition to requiring that an “Arborist” be certified by the ISA, staff are recommending that the professional be Tree Risk Assessor Qualified (TRAQ). This qualification, through ISA, is a requirement to assess trees for safety. Many tree removal applications claim that a tree is a “risk” to human safety and or property. The TRAQ credential ensures that the assessors of risk are basing their assessment on an industry standard.</p>
<p>i. Require that City Arborists visit and inspect all sites under consideration for a tree permit. [R16(b)]</p>	<p>The change has been made (see Part 5, Section 4).</p>	<p>None</p>
<p>j. Provide that only City Staff or agents are allowed to remove or plant trees on City lands. [R16(c)]</p>	<p>The change has been made (see Part 8, Section 8).</p>	<p>None</p>
<p>k. Establish explicit criteria for approval of Type 2 and Type 3 permits and to govern decisions by officials regarding the management of trees on City land, taking into account the provisions of Policy 510 and best practices in other jurisdictions. [R17(a)]</p>	<p>Changes made within Part 5, Section 2 and Part 6, Section 1 to address recommendation.</p>	<p>A clause has been added in Part 5, Section 2, to require that building designs, and other site features, be implemented with the goal of maximizing tree retention provided such retention does not take away rights to established density permissions.</p> <p>There are two criteria tied to the removal of an unwanted tree, subject to a Type 2 permit (see Part 6, Section 1). These include situations where a tree is causing damage to property which cannot be resolved through pruning or other interventions and situations where a tree is completely obstructing views, which again cannot be improved through sound arboricultural practices.</p>
<p>l. Incorporate any amendments, consistent with the EAC’s recommendations, that may be needed to ensure currency and clarity and consistency with other bylaws and policies. [R19]</p>	<p>Numerous amendments have been made to address matters of consistency while aiding in the administration of the Bylaw.</p>	