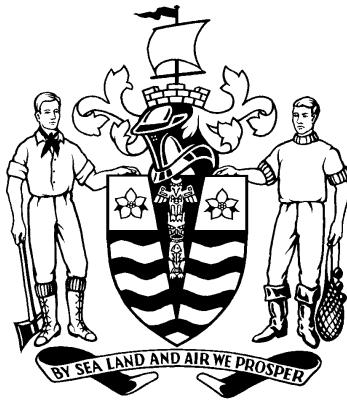


# CITY OF VANCOUVER BRITISH COLUMBIA



## PROTECTION OF TREES BY-LAW NO. 9958

This By-law is printed under and  
by authority of the Council of  
the City of Vancouver

(Consolidated for convenience only  
to October 18, 2011)

# PROTECTION OF TREES BY-LAW

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BY-LAW NO. 9958

A By-law to provide for the protection of trees

(Consolidated for convenience only,  
amended to include By-law No. 10371  
effective October 18, 2011)

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THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

SECTION 1  
INTERPRETATION

Name of By-law

1.1 The name of this By-law, for citation, is the "Protection of Trees By-law".

Definitions

1.2 In this By-law:

"arborist" means an arborist certified by the International Society of Arboriculture;

"building permit" means a building permit issued under the Building By-law in connection with a development;

"Chief Building Official" means the individual appointed by Council to be the city building inspector or a person duly authorized to carry out the powers and duties of the city building inspector;

"City Engineer" means the individual appointed by Council to be the General Manager of Engineering Services or a person duly authorized to carry out the powers and duties of the General Manager of Engineering Services;

"development" means a change in the use of any land or building, or the carrying out of any construction, engineering, or other operations in, on, over, or under land or land covered by water, or an existing building or group of buildings;

"development permit" means a development permit issued under the Zoning and Development By-law in connection with a development;

“Director of Licences and Inspections” means the individual appointed by Council to be the Director of Licences and Inspections or a person duly authorized to carry out the powers and duties of the Director of Licences and Inspections;

“Director of Planning” means the individual appointed by Council to be the director of planning or a person duly authorized to carry out the powers and duties of the director of planning;

“drip line” means a circle drawn on the ground around a tree directly under the tips of the outermost branches of the canopy of the tree;

“hazardous tree” means a tree that is in imminent danger of falling and causing injury to a person or damage to property;

“hedge” means five or more trees or shrubs less than five metres high, and planted less than 1.25 metres apart;

“owner” includes a registered owner, an owner under agreement, an occupier of Crown lands, an owner of a strata lot if the subject tree is within the boundaries of the strata lot, a strata corporation if the subject tree is within the boundaries of the common property, and a cooperative association;

“protection barrier” means a barrier erected to protect a tree and its roots that:

- (a) is at least 1.2 metres high measured from the ground,
- (b) meets the distance requirements, measured 1.4 m above the existing grade of the ground adjoining the base of the tree, set out in Schedule A,
- (c) with respect to its construction, consists of snow fencing fastened securely to metal or wood stakes spaced no more than one metre apart, or other fencing acceptable to the Chief Building Official or City Engineer, and
- (d) in the case of a barrier:
  - (i) on the site or on adjacent property, is acceptable to the Chief Building Official, or
  - (ii) in the case of a barrier on a street, is acceptable to the City Engineer;

“relocation tree” means a living tree that, according to a tree plan, an owner intends to relocate or has relocated or that, according to this By-law, an owner must relocate on a site;

“replacement tree” means a living tree that, according to a tree plan, an owner intends to plant or has planted or that, according to this By-law, an owner must plant to replace a tree on a site;

“retention tree” means a living tree that, according to a tree plan, an owner intends to retain or has retained, or that, according to this By-law, an owner must retain, in its original or existing location on a site;

“site” means one or more parcels of land that adjoin one another or which only a street or body of water separates and that is common to a development, and includes a strata lot, the common property of a strata corporation, and a leasehold parcel created under section 99(1)(k) of the Land Title Act;

“sloping site” means a site where any portion of the rear boundary is more than 3.7 metres higher or lower than any portion of the front boundary;

“tree” means a self-supporting, perennial, woody plant that has a trunk or stem and a root system;

“tree permit” means a permit issued by the Director of Planning under section 4.4 or 4.5;

“tree plan” means a plan required under section 4.3(a); and

“tree protection area” means the land between a tree and a protection barrier.

## **Table of contents**

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

## **Schedules**

1.4 Schedules attached to this By-law form part of this By-law.

## **Severability**

1.5 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

## **SECTION 2 APPLICATION OF BY-LAW AND EXEMPTIONS**

### **Application of By-law to hedges**

2.1 All provisions of this By-law apply to individual trees in a hedge, except only to the extent that any such provision specifically excepts, excludes, or exempts a hedge.

#### **Exemption for small trees**

2.2 This By-law does not apply to a tree that has a trunk or stem the diameter of which, or two or more trunks or stems the combined diameter of the two or three largest trunks or stems of which, measured 1.4 m above the existing grade of the ground adjoining its base, is less than 20 cm, except for a replacement tree or a tree that is part of a hedge.

#### **Exemption for public utility**

2.3 This By-law does not apply to the removal, relocation, or replacement of a tree in connection with the construction or maintenance of a public utility in a public utility easement or statutory right of way.

#### **Exemption for Park Board**

2.4 This By-law does not apply to the removal, relocation, or replacement of a tree in connection with any site or development under the jurisdiction of the Park Board.

### **SECTION 3 CERTIFICATES**

#### **Qualifications of certifier**

3.1 A person who issues a certificate under this By-law must:

- (a) possess a certification or accreditation from an organization or under a statute, or membership in an organization, referred to in this By-law; and
- (b) possess a license under the License By-law;

that is current at the time the certifier signs the certificate.

#### **Requirements for certificate**

3.2 Each certificate required under this By-law must be in writing, signed by the certifier, and dated no more than 30 days before the date of submission of an application for a tree permit, development permit, or building permit.

#### **Need for second certificate**

3.3 Despite anything to the contrary in this By-law, if a report, opinion, survey, or other instrument that is the subject of a certificate is not satisfactory to the Director of Planning, the applicant or owner who submitted the certificate must submit a second certificate concerning

the same subject matter, and signed by a person who is at arm's length from the person who signed the first certificate.

## SECTION 4 TREE PERMITS

### Requirement for tree permit

4.1 A person must not cut down or kill a tree on a site, remove a tree from a site, relocate a tree on a site, or plant a replacement tree on a site, except in compliance with this By-law and the tree permit issued for such removal, relocation, or replacement.

### Application for tree permit

4.2 An owner of a site may apply for a tree permit to remove a tree from a site, to relocate a tree on a site, or to plant a replacement tree on a site, which application must be in the form prescribed by the Director of Planning.

### Submissions with tree permit application

4.3 With the tree permit application, the applicant must submit all information, certificates, and fees required under this By-law for issuance of the tree permit including:

- (a) a tree plan with respect to the site that complies with section 4.1.4 of the Zoning and Development By-law, and that identifies the:
  - (i) location and trunk diameter of each retention tree, relocation tree, or replacement tree,
  - (ii) location and trunk diameter of each such tree the owner intends to remove,
  - (iii) location and trunk diameter of each tree located on adjacent property within two metres of any boundary of the site,
  - (iv) location and trunk diameter of each tree located on a street that is adjacent to the site, and
  - (v) location of the proposed protection barrier for each tree referred to in subsection (i), (iii), or (iv);
- (b) each certificate required under section 4.4, 4.5, or 4.6;
- (c) a non-refundable application fee of:

- (i) \$62.00 for a tree permit to remove the first tree in a 12 month period, and
- (ii) \$176.00 for the tree permit to remove each subsequent tree during that same 12 month period; and
- (d) if the applicant is the owner of a strata lot, written confirmation from the strata council that the applicant has the right to apply for a tree permit regarding the tree that is the subject of the application, whether or not the strata council or strata corporation has imposed any requirements on the applicant regarding the tree, and, if it has imposed requirements, a description of them.

#### Issuance of tree permit

4.4 The Director of Planning may issue a permit to remove a tree from, or to relocate or replace a tree on, a site only if:

- (a) the location of the tree is within a building envelope defined or described under a development permit or building permit, and changing the siting of an accessory building within that envelope to allow retention of the tree is not possible;
- (b) a plumber, accredited under the Industry Training Authority Act of British Columbia, certifies that the roots of the tree are interfering with, blocking, or damaging a drainage or sewage system;
- (c) an arborist certifies that:
  - (i) the tree is interfering with, or is in such close proximity to, utility wires as to be a danger, and
  - (ii) topping or pruning the tree to avoid such interference, or lessening the proximity, would result in the tree being unlikely ever to regain its health or characteristic appearance;
- (d) an arborist certifies that the tree is causing damage to property, including damage to roofs, retaining walls and sidewalks, that standard arboriculture practices cannot rectify;
- (e) an arborist who is a tree risk assessor certified by the International Society of Arboriculture certifies that the tree is a hazardous tree;
- (f) an arborist certifies that damage to the tree has occurred to the extent that the tree is likely to suffer from disease or die prematurely; or
- (g) an arborist certifies that the tree is dying and is likely to be dead within six

months or is dead.

#### **Issuance of one additional tree permit**

4.5 Despite section 4.4, the Director of Planning must issue a tree permit to remove a tree from a site if:

- (a) during the 12 months immediately preceding the date of the application to remove the tree, a person has not removed a tree from the site, except under:
  - (i) one of subsections (a) to (g) of section 4.4, or
  - (ii) section 9.1 so long as the person who removed the tree has obtained a tree permit under section 9.2;
- (b) removal of the tree under one of subsections (a) to (g) of section 4.4 or under section 9.1 would not be a consequence of the applicant having committed an offence against the By-law; and
- (c) retention of the tree was not a condition of the Director of Planning granting a relaxation for the siting of a building under section 3.2.7 of the Zoning and Development By-law.

#### **Prerequisites for issuance of tree permit**

4.6 In addition to the requirements of sections 4.4 and 4.5, the Director of Planning may issue a tree permit only if:

- (a) the Director of Planning approves the tree plan referred to in section 4.3(a) with respect to the tree that is the subject of the application;
- (b) an engineer, who is a member of The Association of Professional Engineers and Geoscientists of the Province of British Columbia, certifies that removing the tree will not destabilize any soil on a sloping site; and
- (c) the applicant has complied with all other applicable by-laws.

#### **Conditions of tree permit**

4.7 The Director of Planning may include conditions regarding the removal, relocation, or replacement of a tree in a tree permit, and the tree permit holder must comply with those conditions.

### **Posting of tree permit**

4.8 During the removal, relocation, or replacement of a tree, the tree permit holder must post the tree permit, and keep it posted, in a conspicuous location on the site that is visible from an adjacent street.

### **Duration of tree permit**

4.9 If a tree permit holder has not removed a tree within six months after the date of issuance of the tree permit:

- (a) the tree permit expires, and has no further force or effect; and
- (b) the tree permit holder must obtain a new tree permit before removing or re-locating the tree.

## **SECTION 5 TREE COUNTING AND MEASUREMENTS**

### **Inclusions in counting**

5.1 Subject to section 5.2, for the purpose only of determining the number of trees required on a site, as described in Schedule C, counting the number of trees on a site is to include each retention tree, relocation tree, and replacement tree.

### **Exclusions from counting**

5.2 For the purpose only of determining the number of trees required on a site, as described in Schedule C, counting the number of trees on a site is to exclude each tree:

- (a) that a person, under a tree permit, intends to remove or has removed from the site;
- (b) that meets the criteria set out in section 4.4(a).
- (c) in respect of which a person has issued a certificate under section 4.4(b), (c), (d), (e), (f), or (g);
- (d) that forms part of a hedge;
- (e) that is closer to a proposed principal building under a development permit or building permit than the distance indicated in Part 1 of Schedule B;

- (f) that is closer to a proposed accessory building under a development permit or building permit than the distance indicated in Part 2 of Schedule B.

### **Counting a group of trees**

5.3 Despite sections 5.1 and 5.2, if the Director of Planning is of the opinion that a tree is part of a group of trees in such close proximity to one another that removal of one tree is likely to damage it or other trees in the group, the Director of Planning may allow or require counting of the group of trees as one tree.

### **Measurement of distance**

5.4 Measurement of the distance between a tree and a proposed or existing building under this By-law is to occur at 1.4 metres above grade, and is to be the shortest distance from a point on the main trunk of the tree to a point on the exterior wall of the proposed or existing principal or accessory building.

### **Relaxation of distance requirement**

5.5 Under subsections (e) and (f) of section 5.2, if the Director of Planning is satisfied that a tree warrants retention and can survive with standard arboricultural care and appropriate construction techniques, the Director of Planning may relax the minimum distance referred to in section 5.4.

## **SECTION 6 RELOCATION TREES AND REPLACEMENT TREES**

### **Requirement for replacement tree**

6.1 The owner of the site must plant a replacement tree in compliance with this By-law and the tree permit issued for the tree removal.

### **Exemption from requirement for replacement tree**

6.2 Despite section 6.1, if a site, immediately after removal of a tree, includes at least the number of trees set out in Schedule C, the owner of the site does not need to plant a replacement tree.

### **Type of replacement tree and number**

6.3 For each tree a person removes from a site, the owner of the site must plant:

- (a) one replacement tree described in Part 1 of Schedule D;
- (b) two replacement trees described in Part 2 of Schedule D; or
- (c) a tree or trees acceptable to the Director of Planning;

except that in the case of a sloping site, the owner may plant one replacement tree set out in either Part 1 or Part 3 of Schedule D.

### **Size of replacement tree**

6.4 Each replacement tree an owner plants on a site must meet the size requirements that apply to it as set out in Schedule D.

### **Siting of relocation tree or replacement tree**

6.5 An owner must plant a relocation tree or replacement tree:

- (a) on the same site as the tree the owner is replacing or relocating;
- (b) at least one metre from:
  - (i) any side boundary of the site,
  - (ii) any accessory building on or adjacent to the site, or
  - (iii) any other structure or thing on or adjacent to the site that, in the opinion of the Director of Planning, the tree may adversely affect or that may adversely affect the tree;
- (c) at least 1.5 metres from any principal building on or adjacent to the site;
- (d) at least 2.5 metres from any other tree on or adjacent to the site; and
- (e) in accordance with any approved tree plan.

### Timing for planting of relocation tree or replacement tree

6.6 An owner must plant a relocation tree or replacement tree:

- a) in the case of development under the Zoning and Development by-law, before:
  - (i) issuance of an occupancy permit, or
  - (ii) occupancy of a development not requiring an occupancy permit;
- (b) in any other case, within six months after the date of issuance of the tree permit for such relocation tree or replacement tree;

except if the Director of Planning specifies, as a condition of such tree permit, another deadline for such relocation or replacement.

## SECTION 7 PROTECTION OF TREES DURING CONSTRUCTION

### Submission of survey

7.1 With an application for issuance of a development permit or building permit, the applicant must submit a survey, certified correct by a BC land surveyor who is a member of the Association of British Columbia Land Surveyors that shows:

- (a) each tree located on the site, on adjacent property within two metres of any boundary of the site, and on any street adjacent to the site;
- (b) the tree grade or tree elevation for each tree referred to in subsection (a);
- (c) the drip line for each such tree; and
- (d) the location, height, and diameter of each stump on the site.

### Submission of arborist's report

7.2 With an application for issuance of a development permit or building permit, the applicant must also submit a report, certified correct by an arborist, that sets out:

- (a) the condition, size, and species of proposed retention trees on the site;

- (b) the impact of the proposed development on the health of trees on the site, and potential hazards to them during or after construction;
- (c) development limitations;
- (d) recommended construction practices to protect trees during and after construction; and
- (e) an undertaking from the arborist to the city that the arborist will perform or supervise performance of:
  - (i) pre-construction treatment of trees including root and branch pruning,
  - (ii) regular on-site inspections during construction, and will report any offence against this By-law on the site to the Director of Planning or on a street adjacent to the site to the City Engineer,
  - (iii) restorative landscape treatment including soil renovation,
  - (iv) selection and planting of any replacement trees required under this By-law, and
  - (v) a post construction inspection of the site, and will prepare a report, certified correct by the arborist, for submission, in a timely manner, to the Director of Planning.

#### **Exception for interior alterations**

7.3 If a development permit or building permit is for alterations only to the interior of a building, and, in the opinion of the Director of Planning, none of the work, or storage, transport, or removal of materials, will affect any tree located on the site, sections 7.1 and 7.2 do not apply.

#### **Demolition, excavation, or construction**

7.4 A person must not commence or carry on demolition, excavation, or construction on a site, except in accordance with the requirements of this By-law, and any applicable tree permit.

#### **Protection barrier**

7.5 Before a person commences demolition, excavation, or construction on a site, the owner of the site must install a protection barrier:

- (a) for each retention tree located on the site, on adjacent property within two metres of any boundary of the site, and on any street adjacent to the site; and

- (b) that meets the requirements set out in the definition of “protection barrier” under section 1.2.

### **Location of protection barrier**

7.6 Each protection barrier referred to in section 7.5 must, if the tree is on adjacent property within two metres of any boundary of the site, extend into the site from the nearest boundary of the adjacent site by the greater of two metres or such other distance determined by an arborist or the Director of Planning to be necessary to protect the tree and the adjacent property.

### **Requirements for trees on boulevards**

7.7 In addition to the requirements of section 7.5, before and during demolition, excavation, or construction on a site, the owner of the site must:

- (a) comply with the requirements of the City Engineer with respect to any tree on a boulevard in a street adjacent to the site;
- (b) not prune, move, or otherwise disturb such tree unless the Park Board has given its prior written permission;
- (c) ensure that each protection barrier:
  - (i) allows for free and clear passage of pedestrians on the surrounding portion of the boulevard and on the sidewalk adjacent to the boulevard,
  - (ii) allows for clear visibility of fire hydrants, driveway accesses, and crosswalks,
  - (iii) is 0.6 m or more from the curb to allow for the opening of car doors, and
  - (iv) is 0.3 m or more from the edge of any sidewalk located within a grass boulevard.

### **Issuance of building permit**

7.8 Despite the Zoning and Development By-law and Building By-law, a person is not entitled to a permit for demolition, excavation, or construction on a site, except if:

- (a) the Chief Building Official has inspected and approved each protection barrier on the site or on adjacent property; and
- (b) the City Engineer has inspected and approved each protection barrier on a street.

## Condition of protection barriers and retention trees

7.9 A person who installs a protection barrier under this Section 7 must:

- (a) care for the retention tree within the tree protection area, during the construction process, including sufficient watering, particularly if excavation has disturbed the tree root system;
- (b) attend to proper root pruning and care for the remaining root system;
- (c) to minimize root damage, soil erosion and tree disturbance, wrap a temporary root curtain around the root zone to retain and protect the exposed area, which root curtain is to consist of heavy wire mesh or similar material lined with burlap and supported by posts;
- (d) use backfill to ensure that none of the roots remain exposed;
- (e) if required by the Director of Planning, tunnel rather than trench when installing underground utilities and drainage lines, which technique includes boring a hole under or through the root system with minimum disturbance, and carry out any excavation within the tree protection area to accommodate underground installations, including services and footings, by hand; and
- (f) maintain such protection barrier, repair any damage to it, and not alter or remove it until construction is complete.

## No encroachment

7.10 A person must not encroach into a tree protection area, with or without vehicles, and must not store anything in such area until construction is complete.

## SECTION 8 CARE AND MAINTENANCE OF TREES

### Care of a tree

8.1 The owner of a site must care for each tree on the site in accordance with the requirements of this By-law and any applicable tree permit.

### Treatment of a tree

8.2 A person must not:

- (a) remove bark from, or cause any damage to, a tree;

- (b) alter the existing grade around a tree, except to raise the grade by no more than:
  - (i) five centimeters within a one metre circumference around the trunk, and
  - (ii) a further five centimetres between the one metre circumference and the circumference of the drip line of the tree;
- (c) do anything that would cause a tree to become a hazardous tree;
- (d) do anything that would cause a tree to die;
- (e) top or prune a tree to the extent that it is unlikely ever to regain its health or characteristic appearance; or
- (f) climb a retention tree using climbing gaffs, spurs, or spikes.

### **Root pruning**

8.3 A person must not prune the roots of a tree unless that person is an arborist.

## **SECTION 9 EMERGENCY REMOVAL**

### **Emergency removal**

9.1 If a tree on a site becomes a hazardous tree as a result of damage from a natural cause, the owner or occupier of the site may remove the tree before obtaining a tree permit.

### **Issuance of tree permit after emergency**

9.2 A person who has removed a tree under section 9.1 must, within 24 hours of the date of removal, or in the case of a removal which takes place on a weekend or holiday, on the next business day after the date of removal, apply for a tree permit for such removal, and take all action necessary to obtain issuance of such tree permit.

## **SECTION 10 ASSESSMENTS AND INSPECTIONS**

### **Entry on property**

10. The Director of Planning or Chief Building Official, or any representative of either of them, may enter a site to assess or inspect the site, and trees or stumps on the site, to determine:

- (a) whether or not a person is in compliance with the requirements of the Vancouver Charter, this By-law, a tree permit, or any condition attached to such tree permit;
- (b) whether or not to issue a tree permit, and whether or not to include conditions in such tree permit; and
- (c) the state of any tree on the site.

## **SECTION 11 ENFORCEMENT**

### **Revocation of tree permit**

11.1 If:

- (a) the Director of Planning has issued a tree permit in error;
- (b) the Director of Planning has issued a tree permit on the basis of false, misleading, or incorrect information; or
- (c) a tree permit holder has failed to comply with the tree permit;

the Director of Planning, upon giving notice to a tree permit holder, may revoke the tree permit.

### **Unlawful damage to or removal of a tree**

11.2 In addition to a fine under this Section 11, a person who, in contravention of this By-law or a tree permit:

- (a) cuts or damages a tree on a site to the extent that, in the opinion, of the Director of Planning, it is or will become a hazardous tree, it has lost its characteristic appearance, it is or will become diseased, or it is dead or will die prematurely; or
- (b) removes a tree from a site;

promptly upon receipt of an order from the Director of Planning, Director of Licences and Inspections or City Building Official, must comply with section 11.3.

### **Replacement of unlawfully damaged or removed tree**

11.3 A person referred to in section 11.2 must:

- (a) within 14 days after receipt of an order from the Director of Planning, Director of Licences and Inspections or City Building Official under section 11.2, apply for a tree permit to replace any tree referred to in such order, and take all action necessary to obtain issuance of such tree permit; and
- (b) upon issuance of such tree permit, replace such tree.

#### **Requirement to discontinue or carry out work**

11.4 Council empowers any inspector or other employee of the city to order or direct any person to:

- (a) discontinue or refrain from proceeding with any work or doing anything that is in contravention of this By-law; and
- (b) carry out any work or do anything required by this By-law or any tree permit;

and failure on the part of such person to comply with such order or direction within the time specified in such order or direction is a violation of this By-law.

#### **Service of notice**

11.5 An inspector or official of the city, or a by-law enforcement officer, may serve an order, direction, or notice under this By-law:

- (a) by mailing it by registered post to the owner of the applicable site at the address shown on the real property tax assessment roll;
- (b) by mailing it by registered post to the person who is the addressee of the notice;
- (c) by handing it to the person who is the addressee of the notice; or
- (d) if the notice refers to real property, by posting it on the real property.

#### **Offence under By-law**

11.6 Council deems guilty of an offence against this By-law, and liable to the penalties imposed under this Section 11.6, any person who:

- (a) contravenes any provision of this By-law, or does any act or thing which contravenes any provision of this By-law, or suffers or allows any other person to do any act or thing which contravenes any provision of this By-law;
- (b) neglects to do or refrains from doing anything required to be done by any

provision of this By-law; or

- (c) fails to comply with an order, direction, or notice given under any provision of this By-law, or suffers or allows any other person to fail to comply with an order, direction, or notice given under any provision of this By-law.

#### **Separate offence**

11.7 If a person breaches this By-law in a manner or to an extent that affects more than one tree, Council deems that person guilty of an offence against this By-law in respect of each tree.

#### **Fine for offence**

11.8 Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$500.00 and not more than \$10,000.00 for each offence.

#### **Fine for continuing offence**

11.9 Every person who commits an offence of a continuing nature against this By-law is punishable on conviction by a fine of not less than \$250.00 and not more than \$10,000.00 for each day such offence continues.

### **SECTION 12 REPEAL, TRANSITION, AND ENACTMENT**

#### **Repeal**

12.1 This By-law repeals By-law No. 7347.

#### **Transition**

12.2 Council deems any plan showing trees affected by development or replacement trees being provided as part of a development and submitted pursuant to section 4.1.4 of the Zoning and Development By-law as it existed immediately before the coming into force of this By-law to be a tree plan for the purpose of this By-law.

**Force and effect**

12.3 This By-law is to come into force and take effect on the date of its enactment except that the fees referred to in clauses (i) and (ii) of section 4.3(c) are to come into force and take effect on January 1, 2010.

ENACTED by Council this 1<sup>st</sup> day of December, 2009

Signed \_\_\_\_\_ “Gregor Robertson”  
Mayor

Signed \_\_\_\_\_ “Marg Coulson”  
City Clerk

SCHEDULE A

PROTECTION BARRIER  
DISTANCE FROM TREE  
Section 1.2

TRUNK DIAMETER	MINIMUM PROTECTION REQUIRED AROUND TREE
Trunk diameter	Distance from trunk
20 cm	1.2 m
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

**SCHEDULE B**

**EXCLUSIONS FROM TREE COUNTING  
DISTANCES FROM BUILDINGS  
Section 5.2(e) and (f)**

**PART 1**

<b>DISTANCES FROM PRINCIPAL BUILDINGS</b>			
<b>Tree diameter</b>	<b>Distance</b>	<b>Tree diameter</b>	<b>Distance</b>
<b>cm</b>	<b>m</b>	<b>cm</b>	<b>m</b>
20 - 30	2.0	39	2.6
31 - 32	2.1	40 - 44	2.7
33	2.2	45 - 49	3.0
34 - 35	2.3	50 - 54	3.3
36	2.4	55 - 59	3.7
37 - 38	2.5	60 and above	4.0

**PART 2**

<b>DISTANCES FROM ACCESSORY BUILDINGS</b>			
<b>Tree diameter</b>	<b>Distance</b>	<b>Tree diameter</b>	<b>Distance</b>
<b>cm</b>	<b>m</b>	<b>cm</b>	<b>m</b>
20 - 24	1.0	50 - 54	2.5
25 - 29	1.3	55 - 59	2.8
30 - 34	1.5	60 - 64	3.0
35 - 39	1.8	65 - 69	3.3
40 - 44	2.0	70 and above	3.5
45 - 49	2.3		

SCHEDULE C

NUMBER OF TREES  
REQUIRED ON A SITE  
Section 5.2

TREE DETERMINATION SCHEDULE	
Site area (m <sup>2</sup> )	Number of trees required
0 - 365	2
365 - 450	3
451 - 565	4
566 - 750	5
from 751 - 1000	6
from 1001 - 1250	7
from 1251 - 1600	8
from 1601 - 1850	9
from 1851 - 2200	12
from 2201 - 2550	16
from 2551 - 2900	20
from 2901 - 3250	25
over 3250	30

**SCHEDULE D**

**TYPES OF REPLACEMENT TREES**

**Section 6.3**

**PART 1**

In the third column of this Schedule D, reference to a figure in centimetres means that measurement of trunk diameter must occur 15 cm above the ground, and reference to a figure in metres means that measurement of height must occur from the ground.

Common name	Botanical name	Minimum size
AMUR CORK TREE	PHELLODENDRON AMURENSE	6 cm
ASH		6 cm
AUTUMN PURPLE	FRAXINUS AMERICANA AUTUMN PURPLE	6 cm
EUROPEAN ASH	FRAXINUS EXCELSIOR	6 cm
EUROPEAN MOUNTAIN ASH	SORBUS AUCUPARIA	6 cm
FLOWERING ASH	FRAXINUS ORNUS	6 cm
GREEN ASH	FRAXINUS PENNSYLVANICA	6 cm
RAYWOOD ASH	FRAXINUS OXYCARPA RAYWOODII	6 cm
WHITE ASH	FRAXINUS AMERICANA	6 cm
BASSWOOD	TILIA AMERICANA	6 cm
BEECH		
AMERICAN BEECH	FAGUS GRANDIFOLIA	6 cm
EUROPEAN BEECH	FAGUS SYLVATICA	6 cm
COPPER BEECH	FAGUS SYLVATICA 'ATROPURPUREA'	6 cm
BIRCH		
ASIAN WHITE BIRCH	BETULA PLATYPHYLLA	6 cm
EUROPEAN WHITE BIRCH	BETULA PENDULA	6 cm
JACQUEMONTII BIRCH	BETULA JACQUEMONTII	6 cm
PAPER BIRCH	BETULA PAPYRIFERA	6 cm
RIVER BIRCH	BETULA NIGRA	6 cm

CATALPA COMMON CATALPA	CATALPA BIGNONIOIDES	6 cm
CEDAR ATLAS CEDAR GOLDEN CEDAR BLUE ATLAS CEDAR CALIFORNIA INCENSE CEDAR DEODAR CEDAR WESTERN RED CEDAR CEDAR OF LEBANON	CEDRUS ATLANTICA THUJA PLICATA AUREA CEDRUS ATLANTICA GLAUCA CALO CEDRUS DECURRENS CEDRUS DEODARA THUJA PLICATA EXCELSA CEDRUS LIBANI	3.5 m 3.5 m 3.5 m 3.5 m 3.5 m 3.5 m 3.5 m
CHESTNUT COMMON HORSECHESTNUT RED HORSECHESTNUT RUBY RED HORSECHESTNUT SWEET CHESTNUT	AESCULUS HIPPOCASTANUM AESCULUS X CARNEA AESCULUS X CARNEA BRIOTTI CASTANEA SATIVA	6 cm 6 cm 6 cm 6 cm
Cypress Nootka cypress	chamaecyparis nootkatensis	3.5 m
DOGWOOD CHINESE DOGWOOD EDDIE'S WHITE WONDER GIANT DOGWOOD KOUSA DOGWOOD PACIFIC DOGWOOD	CORNUS CHINENSIS CORNUS EDDIE'S WHITE WONDER CORNUS CONTROVERSA CORNUS KOUSA CORNUS NUTTALLII	5 cm 5 cm 5 cm 3.5 m 5 cm
DOVE TREE	DAVIDIA INVOLUCRATA	5 cm
ELM AMERICAN ELM SCOTCH ELM SIBERIAN ELM	ULMUS AMERICANA ULMUS GLABRA ULMUS PUMILA	6 cm 6 cm 6 cm
EMPRESS TREE	PAULOWNIA TOMENTOSA	6 cm
FIR		

ALPINE FIR	ABIES LASIOCARPA	3.5 m
BALSAM FIR	ABIES BALSAMEA	3 m
DOUGLAS FIR	PSEUDOTSUGA MENZIESII	3.5 m
FRASER'S FIR	ABIES FRASERI	3.5 m
GRAND FIR	ABIES GRANDIS	3.5 m
NOBLE FIR	ABIES PROCERA	3.5 m
WHITE FIR	ABIES CONCOLOR	3.5 m
GINKGO	GINKGO BILOBA	6 cm
COMMON HACKBERRY	CELTIS OCCIDENTALIS	6 cm
HEMLOCK		
MOUNTAIN HEMLOCK	TSUGA MERTENSIANA	3 m
WESTERN HEMLOCK	TSUGA HETEROPHYLLA	3.5 m
HORNBEAM		
EUROPEAN HORNBEAM	CARPINUS BETULUS	6 cm
JAPANESE ZELKOVA	ZELKOVA SERRATA	6 cm
KATSURA TREE	CERCIDIPHYLLUM JAPONICUM	3.5 m
KATSURA TREE	CERCIDIPHYLLUM JAPONICUM	6 cm
EUROPEAN LARCH	LARIX DECIDUA	3.5 m
LINDEN		
CRIMEAN LINDEN	TILIA EUCHLORA	6 cm
LITTLE LEAF LINDEN	TILIA CORDATA	6 cm
LOCUST		
BLACK LOCUST	ROBINIA PSEUDOACACIA	6 cm
HONEY LOCUST	GLEDITSIA TRIACANTHOS	6 cm
PINK LOCUST	ROBINIA AMBIGUA IDAHOENSIS	6 cm
SUNBURST HONEY LOCUST	GLEDITSIA TRIACANTHOS SUNBURST	6 cm
THORNLESS HONEY LOCUST	GLEDITSIA TRIACANTHOS INERMIS	6 cm
YELLOW LEAFED BLACK LOCUST	ROBINIA PSEUDOACACIA FRISIA	6 cm

MAPLE		
ARMSTRONG RED MAPLE	ACER RUBRUM ARMSTRONG	6 cm
BIGLEAF MAPLE	ACER MACROPHYLLUM	3.5 m
CRIMSON KING NORWAY	ACER PLATANOIDES CRIMSON KING	6 cm
CRIMSON SENTRY NORWAY	ACER PLATANOIDES CRIMSON SENTRY	6 cm
DAVID MAPLE	ACER DAVIDII	6 cm
HEDGE MAPLE	ACER CAMPESTRE	6 cm
MORGAN RED MAPLE	ACER RUBRUM MORGAN	6 cm
NORWAY MAPLE	ACER PLATANOIDES	6 cm
DEBORAH'S NORWAY MAPLE	ACER PLATANOIDES DEBORAH	6 cm
PACIFIC SUNSET MAPLE	ACER TRUNCATUM WARREN RED	6 cm
PAPERBARK MAPLE	ACER GRISEUM	5 cm
RED MAPLE	ACER RUBRUM	6 cm
RED SUNSET MAPLE	ACER RUBRUM RED SUNSET	6 cm
SCANLON RED MAPLE	ACER RUBRUM SCANLON	6 cm
SCARLET SENTINEL MAPLE	ACER RUBRUM SCARLET SENTINEL	6 cm
SCHWEDLER NORWAY MAPLE	ACER PLATANOIDES SCHWEDLERI	6 cm
SILVER VAR NORWAY MAPLE	ACER PLATANOIDES DRUMMONDI	6 cm
SUGAR MAPLE	ACER SACCHARUM	6 cm
SILVER MAPLE	ACER SACCHARINUM	6 cm
SYCAMORE MAPLE	ACER PSEUDOPLATANUS	6 cm
MONKEY PUZZLE TREE		
	ARAUCARIA ARAUCANA	3 m
OAK		
ENGLISH OAK	QUERCUS ROBUR	6 cm
PIN OAK	QUERCUS PALUSTRIS	6 cm
RED OAK	QUERCUS RUBRA	6 cm
SCARLET OAK	QUERCUS COCCINEA	6 cm
SHUMARD OAK	QUERCUS SHUMARDII	6 cm
MADRONE		
PACIFIC MADRONE	ARBUTUS MENZIESII	3 m
PINE		
AUSTRIAN PINE	PINUS NIGRA	3.5 m
EASTERN WHITE PINE	PINUS STROBUS	3.5 m
HIMALAYAN WHITE PINE	PINUS AGRIFITHII WALLICHIANA	3.5 m
JAPANESE BLACK PINE	PINUS THUNBERGII	3.5 m
MONTEREY PINE	PINUS RADIATA	3.5 m

PONDEROSA PINE	PINUS PONDEROSA	3.5 m
RED PINE	PINUS RESINOSA	3.5 m
SCOTCH PINE	PINUS SYLVESTRIS	3.5 m
UMBRELLA PINE	SCIADOPITYS VERTICILLATA	3.0 m
WESTERN WHITE PINE	PINUS MONTICOLA	3.5 m
PLANE TREE		
LONDON PLANE TREE	PLATANUS ACERIFOLIA	6 cm
ORIENTAL PLANE TREE	PLATANUS ORIENTALIS	6 cm
DAWN REDWOOD	METASEQUOIA GLYPTOSTROBOIDES	3 m
SEQUOIA		
GIANT SEQUOIA	SEQUIADENDRON GIGANTEUM	3 m
REDWOOD	SEQUOIA SEMPERVIRENS	3 m
SNOWBELL		
FRAGRANT SNOWBELL	STYRAX OBASSIA	6 cm
JAPANESE SNOWBELL	STYRAX JAPONIC	6 cm
SOURWOOD	OXYDENDRUM ARBOREUM	3.5 m
SPRUCE		
NORWAY SPRUCE	PICEA ABIES	3.5 m
SERBIAN SPRUCE	PICEA OMORIKA	3.5 m
SITKA SPRUCE	PICEA SITCHENSIS	3.5 m
WHITE SPRUCE	PICEA GLAUCA	3.5 m
SWEETGUM	LIQUIDAMBAR STYRACIFLUA	6 cm
AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	6 cm
TREE-OF-HEAVEN	AILANTHUS ALTISSIMA	3.5 m
TULIP TREE	LIRIODENDRON TULIPIFERA	6 cm
PERSIAN WALNUT	JUGLANS REGIA	6 cm

WILLOW		
CORKSCREW WILLOW	SALIX MATSUDANA TORTUOSA	6 cm
GOLDEN WEEPING WILLOW	SALIX ALBA TRISTIS	8 cm
WEEPING WILLOW	SALIX BABYLONICA	8 cm
WHITE WILLOW	SALIX ALBA	6 cm

NOTE: All fruit tree species should be standard specimens (not dwarfing root stock or espaliered) and selected for disease resistance and hardiness for the Vancouver region.

**SCHEDULE D**

**TYPES OF REPLACEMENT TREES**

**Section 6.3**

**PART 2**

In the third column of this Schedule D, reference to a figure in centimetres means that measurement of trunk diameter must occur 15 cm above the ground, and reference to a figure in metres means that measurement of height must occur from the ground.

Common name	Botanical name	Minimum size
APPLE	MALUS SPECIES	6 cm
WEeping BIRCH	BETULA LANCINIATA	6 cm
BOXELDER	ACER NEGUNDO	6 cm
CHERRY		
SOUR CHERRY	PRUNUS CERASUS	6 cm
SWEET CHERRY	PRUNUS AVIUM	6 cm
ORNAMENTAL CHERRY		
BLACK CHERRY	PRUNUS SEROTINA	6 cm
CORNELIAN CHERRY	CORNUS MAS	3 m
HIGAN CHERRY	PRUNUS SUBHIRTELLA	6 cm
JAPANESE FLOWERING CHERRY	PRUNUS SERRULATA	6 cm
SARGENT FLOWERING CHERRY	PRUNUS SARGENTII	6 cm
YOSHINO CHERRY	PRUNUS YEDOENSIS	6 cm
COMMON CHOKECHERRY	PRUNUS VIRGINIANA	6 cm
CRAB APPLE		
PRAIRIFIRE CRAB APPLE	MALUS PRAIRIFIRE	6 cm
WILD CRAB APPLE	MALUS FUSCA	6 cm
CUCUMBER TREE		
CUCUMBER TREE	MAGNOLIA ACUMINATA	3 m
YELLOW CUCUMBER TREE	MAGNOLIA CORDATA	3 m

CYPRESS			
	DROOPING NOOTKA CYPRESS	CHAMAECYPARIS NOOTKATENSIS	3 m
	HINOKI FALSE CYPRESS	CHAMAECYPARIS OBTUSA	3 m
	SAWARA FALSE CYPRESS	CHAMAECYPARIS PISIFERA	3 m
FLOWERING DOGWOOD		CORNUS FLORIDA	5 cm
FIG		FICUS CARICA	6 cm
FILBERT			
	EUROPEAN FILBERT	CORYLUS AVELLANA	3 m
	GIANT FILBERT	CORYLUS MAXIMA	3 m
	PURPLE GIANT FILBERT	CORYLUS MAXIMA PURPUREA	3 m
GOLDENCHAIN TREE		LABURNUM WATERERI 'VOSSII'	6 cm
GOLDENRAIN TREE		KOELREUTERIA PANICULATA	3 m
LAVALLE HAWTHORNE		CRATAEGUS LAVALLEI	6 cm
HEMLOCK			
	CANADIAN HEMLOCK	TSUGA CANADENSIS	3.5 m
HOLLY			
	ENGLISH HOLLY	ILEX AQUIFOLIUM	3.5 m
JAPANESE ANGELICA TREE		ARALIA ELATA	3 m
JAPANESE PAGODA TREE		SOPHORA JAPONICA	3 m
PORTUGAL LAUREL		PRUNUS LUSITANICA	3 m
MAGNOLIA			
	DAWSON MAGNOLIA	MAGNOLIA DAWSONIANA	3 m
	KOBUS MAGNOLIA	MAGNOLIA KOBUS	3 m
	SAUCER MAGNOLIA	MAGNOLIA SOULANGIANA	3 m
	SOUTHERN MAGNOLIA	MAGNOLIA GRANDIFLORA	3 m
	SOUTHERN MAGNOLIA	MAGNOLIA GRANDIFLORA	5 cm
MAPLE			
	AMUR MAPLE	ACER GINNALA	4 cm
	JAPANESE MAPLE	ACER PALMATUM	3 m

MANITOBA MAPLE ROCKY MOUNTAIN MAPLE VINE MAPLE	ACER NEGUNDO ACER GLABRUM ACER CIRCINATUM	6 cm 3 m 3.5 m
MULBERRY MULBERRY WHITE MULBERRY	MORUS NIGRA MORUS ALBA	5 cm 5 cm
PALM WINDMILL PALM	TRACHYCARPUS FORTUNEI	3 m
PEAR	PYRUS COMMUNIS	6 cm
PERSIAN PARROTIA	PARROTIA PERSICA	6 cm
PINE SHORE PINE WEeping RED PINE	PINUS CONTORTA PINUS DENSIFLORA PENDULA	3.5 m 3.5 m
PLUM ITALIAN PRUNE PLUM JAPANESE PLUM	PRUNUS 'ITALIAN PRUNE' PRUNUS SALICINA	6 cm 6 cm
ORNAMENTAL PLUM FLOWERING PLUM JAPANESE FLOWERING PLUM PURPLE LEAF PLUM	PRUNUS TRILOBA PRUNUS BLIREANA PRUNUS CERASIFERA PISSARDI	6 cm 6 cm 6 cm
QUINCE	CYDONIA OBLONGA	6 cm
REDBUD EASTERN REDBUD	CERCIS CANADENSIS	5 cm
SILK TREE	ALBIZIA JULIBRISSIN	3 m
SILVERBELL MOUNTAIN SILVERBELL	HALSESIA MONTICOLA	3 m
SPRUCE COLORADO SPRUCE COLORADO BLUE SPRUCE HOOP'S BLUE SPRUCE KOSTER BLUE SPRUCE	PICEA PUNGENS PICEA PUNGENS GLAUCA PICEA PUNGENS HOOPSII PICEA PUNGENS KOSTER	3 m 3 m 3 m 3 m

STRAWBERRY TREE	ARBUTUS UNEDO	3 m
STAGHORN SUMAC	RHUS TYPHINA	3 m

NOTE: All fruit tree species should be standard specimens (not dwarfing root stock or espaliered) and selected for disease resistance and hardiness for the Vancouver region.

**SCHEDULE D**

**TYPES OF REPLACEMENT TREES  
Section 6.3**

**PART 3**

In the third column of this Schedule D, reference to a figure in centimetres means that measurement of trunk diameter must occur 15 cm above the ground, and reference to a figure in metres means that measurement of height must occur from the ground.

Common name	Botanical name	Minimum size
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MOUNTAIN ASH EUROPEAN MOUNTAIN ASH	SORBUS AUCUPARIA	6 cm
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ORNAMENTAL CHERRY BLACK CHERRY CORNELIAN CHERRY HIGAN CHERRY JAPANESE FLOWERING CHERRY SARGENT FLOWERING CHERRY YOSHINO CHERRY	PRUNUS SEROTINA CORNUS MAS PRUNUS SUBHIRTELLA PRUNUS SERRULATA PRUNUS SARGENTII PRUNUS YEDOENSIS	6 cm 3 m 6 cm 6 cm 6 cm 6 cm
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COMMON CHOKECHERRY	PRUNUS VIRGINIANA	6 cm
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CRAB APPLE PRAIRIFIRE CRAB APPLE	MALUS PRAIRIFIRE	6 cm
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CUCUMBER TREE CUCUMBER TREE YELLOW CUCUMBER TREE	MAGNOLIA ACUMINATA MAGNOLIA CORDATA	3 m 3 m
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DOGWOOD FLOWERING DOGWOOD	CORNUS FLORIDA	3.5 m
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CYPRESS HINOKI FALSE CYPRESS SAWARA FALSE CYPRESS	CHAMAECYPARIS OBTUSA CHAMAECYPARIS PISIFERA	3 m 3 m
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FILBERT GIANT FILBERT PURPLE GIANT FILBERT	CORYLUS MAXIMA CORYLUS MAXIMA PURPUREA	3 m 3 m
FRINGE TREE	CHIONANTHUS VIRGINICUS	3 m
HEMLOCK CANADIAN HEMLOCK	TSUGA CANADENSIS	3.5 m
HOLLY ENGLISH HOLLY	ILEX AQUIFOLIUM	3.5 m
JAPANESE ANGELICA TREE	ARALIA ELATA	3 m
PORTUGAL LAUREL	PRUNUS LUSITANICA	3 m
MAGNOLIA SAUCER MAGNOLIA	MAGNOLIA SOULANGIANA	3 m
MAPLE HEDGE MAPLE JAPANESE MAPLE VINE MAPLE	ACER CAMPESTRE ACER PALMATUM ACER CIRCINATUM	6 cm 5 cm 3.5 m
MULBERRY WHITE MULBERRY	MORUS ALBA	5 cm
PALM WINDMILL PALM	TRACHYCARPUS FORTUNEI	3 m
PERSIAN PARROTIA	PARROTIA PERSICA	3 m
UMBRELLA PINE	SCIADOPITYS VERTICILLATA	3 m
ORNAMENTAL PLUM FLOWERING PLUM JAPANESE FLOWERING PLUM PURPLE LEAF PLUM	PRUNUS TRILOBA PRUNUS BLIREANA PRUNUS CERASIFERA PISSARDI	6 cm 6 cm 6 cm
EASTERN REDBUD	CERCIS CANADENSIS	5 cm

SILK TREE	ALBIZIA JULIBRISSIN	3 m
SNOWBELL FRAGRANT SNOWBELL JAPANESE SNOWBELL	STYRAX OBASSIA STYRAX JAPONICA	6 cm 6 cm
STRAWBERRY TREE	ARBUTUS UNEDO	3 m
STAGHORN SUMAC	RHUS TYPHINA	3 m