

Trees on Private Property



Mount Pleasant

City of Vancouver
Community
planning program

The urban forest consists of all the trees within the city: trees in parks, along streets, and on private property.

Trees are an essential part of the urban environment. They filter polluted air, provide wildlife habitat, control erosion, provide shelter from wind and ultraviolet radiation, buffer noise, hide unwanted sights, soften the harsh urban environment, and make neighbourhoods more beautiful.

City Tree By-law

In 1994, City Council passed the *Private Property Tree By-law and Guidelines No. 7347*. The Tree By-law was last updated on July 10, 2007. The Tree By-law applies only to trees on private property and affects all private property owners in Vancouver wanting to remove a tree.

In the By-law, a tree is defined as a woody plant that is 20 centimetres (8 inches) and greater in diameter measured 1.4 metres (4.5 feet) above the ground. The Tree By-law therefore only applies to those trees that meet this definition.

The intention of the Tree By-law is to ensure that no trees are cut without a permit; to encourage the retention of trees whenever possible; and to renew the urban forest through the planting of replacement trees.

The following includes a short summary of the Tree By-law. For more detailed information, refer to the text of the actual By-law.

Tree By-law Provisions

A permit, called a Tree Permit, is required to remove any tree (greater than 20 cm and 1.4 m above the ground) on private property. A permit is required whether the property is being developed or not. In general, trees that are cut must be replaced.

Any person who commits an offence against the Tree By-law is liable to a minimum fine of \$500 and a maximum fine of \$20,000 per tree.

Tree removal application forms are available at:

vancouver.ca/commsvcs/planning/trebylaw/pdf/treeapp.pdf

Tree permits are issued at the Landscape Tree Review Counter, East Wing of City Hall, 2675 Yukon Street, Second Floor.

Tree Removal

To remove more than one or more trees in a twelve month period, one of the following five criteria must be met:

- the trees are located within the building envelope (the area where the house can be constructed), a proposed garage, or other accessory building when a building permit is being issued;
- the trees are dead or dying;
- the trees are dangerously close to utility wires and cannot be pruned;
- the tree roots are interfering with drainage or sewer system; or
- trees damaged or accidentally removed during construction

Application Process

To obtain a permit for the removal of one or more trees, the following is required:

1. A tree plan of the property showing all trees to be retained, all trees being removed and all trees to be planted in replacement. The plan must identify the number, location, species and size of these trees.
2. A non-refundable application fee of \$55 for the first tree and \$156 for each subsequent tree within a 12 month period.

In general, all trees to be removed must be replaced with appropriate trees on the property. Some exceptions apply; they are detailed in the Tree By-law.

Replacement Trees

Replacement trees are those planted on the property to make up for the trees that are removed. The Tree By-law contains several tables that detail possible choices for replacement trees, as well as the minimum size required at the time of planting.

Which Kind of Trees to Plant

Whenever a new tree is planted, careful consideration should be given to its size at maturity. Many beautiful trees are removed or severely pruned when planted under utility lines or in spaces that have proven to be too small for them.

The Tree By-law contains extensive lists of suitable replacement trees. Nurseries are also good information sources on tree selection, planting

techniques and appropriate locations for planting.

Native Trees

Many tree species native to the Lower Mainland are not suitable as street trees but grow well on private properties. Native trees in the city provide a visual link to the region, as well as provide habitat compatible with native wildlife.

When choosing native trees be careful to select the correct size of tree for your lot. Some native trees may be too large for smaller city lots.

Alternatives to Removing Trees

To encourage tree retention where possible and appropriate, the Planning Department has assembled the "Tree Retention, Relocation and Replacement Guidelines". This publication is available at <http://vancouver.ca/commsvcs/Guidelines/T005.pdf>

The following brief discussion provides additional ideas for retention in situations commonly found in Vancouver.

Tree Health and Safety

Often, large trees are cut down because the homeowner is afraid that windstorms will cause the tree to fall on the house. A certified arborist can assess the health and safety of the tree.

In many cases, a less drastic but effective alternative is to carefully prune the tree so that the wind goes through the canopy. It is akin to cutting holes into a sail. This technique can substantially reduce the risk while keeping the tree.

View Blockage

Similarly, trees that block views can often be pruned to open up the view without removing the tree. This should not be confused with the undesirable practice of topping trees which destroys the beauty and health of the tree. Trees should never be

topped. Again, the advice of a certified arborist is essential.

You can obtain a list of certified arborists from the International Society of Arboriculture at <http://www.isa-arbor.com/>.

Tree Relocation

Occasionally, trees can be successfully moved to a different location on the property. Local companies can move trees up to ten metres (thirty-three feet) in height.

Construction

Sometimes, a tree is in the way of construction when a new house is built or an existing house is being renovated. In these cases, the Director of Planning has the authority to relax some provisions of the Zoning and Development Bylaw regarding the siting of the building if this saves the tree. To find out if this applies to your situation, call the TreeHotline 604-871-6378.

Protection Barriers

Where trees are to be retained on or adjacent to a development site, procedures must be followed to adequately protect trees and their roots during development. For example, before construction begins a protection barrier or temporary fence, at least 1.2 m high, must be set-up around any existing tree. Trees located within 2 m of a development site must be protected by a root barrier. The Tree By-law describes how a tree and/or root barrier should be properly installed.

All street boulevard trees (trees located between the sidewalk and the street) adjacent to a construction site are to be protected. Please refer to the Engineering Department Guidelines "Protection of Boulevard Trees" at <http://vancouver.ca/commsvcs/planning/treebylaw/treebbly.htm> or call 604-257-8600 for more information.

Other resources are available at the City's Private Property Tree Information Website at

<http://vancouver.ca/commsvcs/planning/treebylaw/TREEIDXJ.HTM> The Landscape Tree Review Counter, located on the 2nd floor of the East Wing of City Hall also has reading material on:

- Street Trees - Tree Care and You
- Tree By-law Summary
- Planting Near Powerlines

More Information

For more information on the Private Property Tree By-law and Guidelines or the Tree Retention, Relocation and Replacement Guidelines call the City of Vancouver Tree Hotline at 604 - 871- 6378

For information on street trees call the Park Board's information line at 604-257-8600 or see the Fact Sheet on Street Trees.

Source

City of Vancouver Planning Department