



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: December 1, 2015
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Meeting Date: December 15, 2015

TO: Vancouver City Council

FROM: Acting General Manager of Planning and Development Services

SUBJECT: Urban Forest Strategy Action Item 2 - Amendments to the Ticket Offences By-law and the Protection of Trees By-law

RECOMMENDATION

- A. THAT Council receive for information a description of the approach that Urban Landscape Development staff have been taking to respond to compassionate relief requests from property owners to waive the arborist report and tree permit fee requirements of the Protection of Trees By-law.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to amend the Ticket Offences By-law to add various violations of the Protection of Trees By-law as violations enforceable by the Municipal Ticket Information (MTI) system, generally as presented in Appendix A.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to amend the Protection of Trees By-law to add provisions for the City to require security deposits by property owners to better ensure tree replacement, to allow for cash-in-lieu payments for trees that the owners elect not to plant on their own sites and to revise and clarify enforcement, administration and other provisions of the Protection of Trees By-law, generally as presented in Appendix B.
- D. THAT Council instruct the Director of Legal Services to seek amendments to the Vancouver Charter that would enable the City to use tools available to other municipalities to improve administration and enforcement of the Protection of Trees By-law, to collect security deposits for landscaping installation and materials on sites subject to a development or building permit, and to increase the maximum fine amount authorized for tree related prosecutions.

REPORT SUMMARY

In April 2014, Council endorsed the Urban Forest Strategy and implemented the first action item of the strategy, which was to repeal Section 4.5 of the Protection of Trees By-law. This section had allowed property owners to obtain one tree permit each year to remove one healthy tree per site, regardless of the reason. Under the amended Protection of Trees By-law owners and developers can no longer remove mature trees from properties without proper justification and rationale provided by a certified arborist. Section one of this report provides an update on the approach Urban Development Landscape staff have been taking to respond to compassionate relief requests from property owners to waive arborist report and tree permit fee requirements arising from the repeal of Section 4.5.

This report also addresses Action Item 2 of the Urban Forest Strategy - Retain More Trees on Development Sites by considering additional tools to enhance the protection and overall health of the urban forest canopy during development. The tools require amendments to the:

- Ticket Offences By-law to add various violations of the Protection of Trees By-law as violations enforceable by the Municipal Ticketing Information (MTI) system; and
- Protection of Trees By-law to add provisions to require the posting of security deposits by owners to ensure replacement trees are planted and maintained, to allow cash-in-lieu payments for trees that owners elect not to plant on their own sites, and to revise and clarify enforcement, administration and other provisions of the by-law.

Amendments to the Vancouver Charter are also recommended to bring the City in line with the regulatory and enforcement tools available to other lower mainland municipalities for tree protection, including the opportunity to collect security deposits for landscape materials and installation (including tree retention and tree replacement) on sites subject to a development or building permit and measures to address sites which cannot accommodate replacement trees because of site constraints. Additionally, authority to increase the maximum fine that can be imposed for a tree-related prosecution is sought to strengthen enforcement.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- 1994: Adoption of the City's first Private Property Tree By-law No. 7347.
- 2009: Repeal of By-law No. 7347 and adoption of the Protection of Trees By-law No. 9958 which incorporated the previous By-law along with Tree Retention, Relocation, and Replacement Guidelines into a single document.
- 2011: Adoption of the Greenest City 2020 Action Plan, which includes a target to increase the tree canopy to 22% and an action item to develop policies to retain healthy, mature trees on private land.
- 2012: Direction from Council to develop an Urban Forest Strategy to ensure that Vancouver has a healthy urban forest, which is to include options for protecting healthy mature trees on private property.
- 2014: Council endorsed the Urban Forest Strategy.

- 2014: Adoption of the Healthy City Strategy, which includes a target to ensure Vancouverites are engaged in active living and have incomparable access to nature, an indicator of which is tree canopy cover.
- 2014: Amendment of the Protection of Trees By-law to repeal Section 4.5 to remove the provision allowing for the right to remove one tree per year, to better protect trees on private property and the urban forest canopy. When Section 4.5 was repealed, Council passed a motion requesting staff to report back on how to deal with requests for compassionate relief by property owners.
- It is Council policy that fees and other charges be established on the basis of the cost of providing the associated services.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The Acting City Manager and the Acting General Manager of Planning and Development Services recommends approval of the foregoing.

REPORT

Background/Context

Urban Forest Strategy 2014

Vancouver is fortunate to have hundreds of thousands of mature trees, in a wide variety of species, which make up the urban forest canopy over the city. The urban forest includes over 140,000 street trees and 300,000 park trees. An unknown number of privately owned trees account for 62% of the city's urban forest (as determined through canopy cover mapping). While thousands of new trees have been planted since the approval of the Greenest City Action Plan, the canopy cover has been declining over the past few decades (from 22.5% in 1995 to 18% in 2013). Most of this decline is due to tree removal on private property.

In April 2014, Council endorsed the Urban Forest Strategy which includes goals to:

- a) stop the decline of the urban forest canopy;
- b) increase the urban forest canopy; and
- c) plant and maintain 150,000 trees by 2020.

Urban Forest Strategy Action Item 1 - Repeal of Section 4.5 of the Protection of Trees By-law

Canopy cover mapping (done in 2013) shows that 96% of canopy loss over the last two decades is a result of tree removals on private property and 47% of these removals were due to Section 4.5 of the Protection of Trees By-law. Section 4.5 allowed private property owners and developers to obtain one tree permit each year to remove one mature tree per site, regardless of the reason. When the Urban Forest Strategy was adopted by Council in April 2014, Council repealed Section 4.5 as the first action item of the Strategy to be implemented. Under the amended By-law, owners and developers can no longer remove mature trees from properties without proper justification and rationale provided by a certified arborist (i.e.

trees must be diseased, dying, hazardous, and in direct conflict with proposed construction). To implement the by-law change additional Urban Landscape Development staff with expertise in landscape and tree inspections were hired to review the increased volume of arborist reports that were required under the change, conduct more on-site inspections to substantiate the tree removal requests, and to ensure compliance with and enforcement of the By-law.

In 2013 (prior to the repeal of section 4.5), 4,900 trees were removed from private property. Of these, 1,800 trees were removed under the one-tree-per-year provision (the remainder through redevelopment or due to tree condition). Since section 4.5 was repealed and two additional inspection staff were hired, over 1,700 inspections have been conducted to assess tree removal requests based on tree health or impact to the property. As a result of the increased inspections, hundreds of tree removal requests were denied, saving an additional 700 trees. Thus in total over 2,500 trees have been saved to date as a direct result of the By-law amendments and increased inspections. These trees are generally mature, large canopy trees. Although the repeal of Section 4.5 has saved trees there are still challenges regarding tree removal and tree retention that need to be adequately addressed.

Urban Forest and Development Pressure on a Limited Land Base

Vancouver residents have long recognized that the character elements they value in their neighbourhoods are not limited to the urban design of the buildings but also include the special streetscapes made up of mature trees and landscaping on both private property and boulevards.

Over the last few decades the City has experienced significant change in its established residential neighbourhoods as more development has occurred outside the downtown core. Redevelopment in the form of laneway houses, ground-oriented townhouses, row houses and apartments is necessary to meet the needs of a growing and changing population. These low and mid-scale developments, having larger building footprints, result in existing mature trees being removed (approximately 2,700 trees are removed in annually).

The incremental redevelopment that is taking place throughout the city and the subsequent tree loss has increased public interest in strengthening the City's urban forest protection initiatives.

Tree Retention and Replacement Issues

Although the Urban Landscape Development staff work with developers and owners to determine how best to save and plant more trees, there is opportunity for improvement through more effective enforcement of the Protection of Trees By-law, as proposed in this report. The Protection of Trees By-law requires replacement trees, in most circumstances, on a one-to-one basis. However, the required replacement trees are not always planted or may not be planted in a suitable location or may be planted in locations not in accordance with an approved landscape plan. Replacement trees are sometimes poor quality and do not survive the first year or are not maintained in accordance with sound arboricultural practices, jeopardizing their longevity. Some replacement trees are removed following final inspection for building occupancy. It is estimated that 25 percent to 35 percent of new replacement trees die or are removed within the year.

Additionally, retained or relocated trees are not always properly protected and are damaged during construction or not properly maintained following construction. A review of calls to 311 indicated that, between January and August 2015, 188 complaints were received about the condition or removal of tree protection barriers on development sites and damage to retained trees.

In order to enhance by-law compliance, more inspections need to be performed after replacement trees are planted and building permits are issued to ensure the maintenance of both replacement trees and retained or relocated trees. Staff time is spent reviewing tree plans during the application process, however, limited staff resources make it challenging to follow up with inspections after construction is completed to ensure that trees are planted, retained, and maintained properly.

There are also lost opportunities when replacement trees cannot be accommodated on development sites (an average of 265 trees each year). Provisions to collect money in lieu of planting replacement trees could provide funding for tree planting initiatives elsewhere in the City.

To address these issues, amendments to the Ticket Offences By-law are proposed that will improve enforcement of the Protection of Trees By-law, as well as amendments to the Protection of Trees By-law to enable the collection of securities for replacement trees to ensure they are properly planted and maintained. Also, Council direction is sought to request amendments to the Vancouver Charter to bring the City in line with the regulatory and enforcement tools available to other lower mainland municipalities for tree protection, including the opportunity to require securities for landscaping and measures to address sites which cannot accommodate replacement trees.

Tree Protection and Retention Provisions Used by Other Municipalities

A review of the tree protection, development and subdivision by-laws of other local municipalities identified tools that could be implemented to better preserve the urban forest canopy. The most commonly used and successful tools are:

- a) using a Municipal Ticketing Information (MTI) system to enforce the Protection of Trees By-law;
- b) collecting cash security from owners to ensure tree replacement and retention; and
- c) collecting cash-in-lieu for replacement trees that cannot be accommodated on sites because of site, size and context.

Several local municipalities use an MTI system for tree by-law violations. For example: the City of Richmond collects about \$88,000 in MTI fines annually based on an average of 97 infractions; the City of Surrey collects about \$12,500 annually based on 25 infractions; while the District of North Vancouver collects \$7,250 annually based on 17 infractions. The number and types of infractions included in the MTI system and associated fines vary by municipality (as noted in Table 1 in Appendix D).

While securities to ensure tree replacement and/or retention are required by many local municipalities, including Surrey, Burnaby, District of North Vancouver and White Rock, the

amount collected varies by municipality as do the security requirements (see Table 2 in Appendix D for examples).

Several municipalities also collect cash-in-lieu of replacement trees with payments ranging from \$300 to \$3000 per tree, depending on the size of replacement tree required (see examples in Table 3 in Appendix D). The money is typically used to plant or maintain trees elsewhere in the city. For example, the City of Surrey established its Green City Fund in 2006 with a one-time contribution of \$500,000. It is funded by cash-in-lieu of tree replacement payments (\$1.6 million in 2013), tree removal penalty fees (\$154,000 in 2013) and 2% of building permit application fees (\$282,832 in 2013). The Green City program uses the money for new tree planting in parks, educational programs, and to fund a Tree Voucher program (\$75 tree vouchers are available to private property owners for planting trees on their properties).

Strategic Analysis

I. Compassionate Relief Requests

In April 2014, when Section 4.5 of the Protection of Trees By-law was repealed, Council passed a motion requesting staff report back on:

- a) a mechanism for providing compassionate relief for those financially unable to undertake the arborist assessment of an unhealthy or dangerous tree;
- b) an expedited and low cost alternative to an arborist report for assessing trees that are clearly dead or pose an immediate danger to property;
- c) an additional provision in the By-law to allow for removal in cases where the retention of an otherwise healthy tree would cause undue hardship; and
- d) waiving the application fee for a tree permit to remove a tree as described in a), b) and c) above.

Compassionate relief requests to waive the arborist report requirement, the application fee, or permit the removal of a healthy tree have been reviewed on a case-by-case basis. Out of the approximately 1,200 tree permit applications reviewed since October 2014, 15 requests for relief were made and relief was granted in all cases after consideration of the merits and consequences of each. Staff conducted site inspections and reviewed photographs, Google maps and VanMap to document the dead trees. The number and nature of the requests were:

- 11 requests to waive the arborist report requirement as the trees were clearly dead;
- two requests to remove trees for which the tree removal permits had expired;
- one request to remove a healthy tree because the tree species posed well documented toxicity to horses being housed in close proximity to the tree; and
- one request to waive the arborist report requirement because the property owner suffered extreme allergies to a particular species of tree on their property which was verified by a doctor's letter.

Compassionate relief requests will continue to be reviewed on a case-by-case basis and monitored, in keeping with practices in other municipalities, including Surrey, Richmond and Burnaby. Also, a new clause is proposed for section 4.5 of the Protection of Trees

By-law which provides flexibility to consider proof other than an arborist report that a tree is dead or a danger to property.

To date, there have been no requests to waive the \$65 tree permit application fee, including for the situations described above. Public response has been supportive of the tree permit fee requirement. The fees are generally viewed as reasonable in order to compensate for staff inspection time and to retain the urban forest.

II. Urban Forest Strategy Action 2 - Retain More Trees on Development Sites

The following additional tools are proposed to protect and enhance the tree canopy in the City:

a) Amend the Ticket Offences By-law

It is proposed that the Ticket Offences By-law be amended to add various common violations of the Protection of Trees By-law (e.g. failure to apply for a permit or to comply with a permit) as violations enforceable by the MTI system. MTI is a less complicated method of prosecuting persons alleged to have breached a by-law. Tickets can be issued by staff and served on the alleged offender at the time of the offence.

The MTI system streamlines prosecution by requiring offenders who wish to challenge a ticket to file a formal notice of dispute within 14 days of the offence. If no dispute is filed, the offender is deemed to be guilty of the offence charged and the specified penalty is automatically imposed. The MTI system is a less costly and administratively more effective and efficient way of seeking compliance with provisions of the by-law, while acting as an immediate deterrent to offenders. Payment in a timely manner constitutes a successful prosecution.

The MTI system typically involves less staff and court time. Since April 2014, there have been 72 prosecution referrals for Protection of Trees Bylaw infractions, each requiring approximately 5 hours of preparation time by Urban Landscape Development staff, plus additional time when the trial is held. It is anticipated that the average staff time required for an MTI system offence will be one hour.

The MTI system will not replace all traditional prosecutions. Traditional, or long form, prosecutions will still be used when higher fines are sought or when an order to comply with the by-law is appropriate. Allowing prosecution of common violations through the MTI system will simply provide an additional enforcement tool.

b) Collect Security Deposits to Ensure Tree Replacement

Amendments to the Protection of Trees By-law are proposed that would require owners to provide security deposits to the City for each replacement tree that is required to be planted and maintained as a result of a tree permit or the By-law. The proposed security deposit of \$500 per replacement tree less than 8 cm caliper (diameter) or \$750 per replacement tree 8 cm caliper (diameter) or more would be held as cash or letters of credit.

The security deposit will be collected from applicants prior to issuance of a tree permit. The money will be held by the City for a minimum of one year after a replacement tree is planted to ensure that the tree is planted and maintained. If a tree is not properly planted or maintained, the security will be used to either plant or maintain the tree on the property, or be deposited into a reserve, as described in the next section, to support the City's tree planting initiatives. Failing to comply with the By-law could lead to prosecution, even if the security is used to fulfil the requirements of the By-law.

c) Collect Cash-in-Lieu Payments for Replacement Trees

The Protection of Trees By-law currently requires that replacement trees be planted on the site from which they are removed, but only to the extent that the site can accommodate and sustain the healthy growth of the replacement trees. It is proposed that new provisions be incorporated into the By-law to enable the City to collect cash-in-lieu payments from owners who elect not to plant the number of replacement trees lawfully required by the By-law. If the number of trees on a site exceeds the number specified for that size of a lot in Schedule C of the Protection of Trees By-law, a property owner would have the option to pay to the City \$1,000 per tree (based on security deposit rate at a ratio of two replacement trees for each tree that is removed).

It is proposed that the cash-in-lieu funds be used to support the tree planting initiatives of the Urban Forest Strategy. The cash-in-lieu funds will be placed into an Urban Tree Canopy Reserve (a tree planting reserve account) and used to plant trees on public property throughout the City. The funds would also be available to support tree planting efforts on private property. The Parks Board has been proactive in this regard, working with the volunteer group, Tree Keepers, to distribute more than 4,500 trees to Vancouver residents in 2014. The Parks Board is currently developing strategies to expand private property planting programs and community partnerships that align with the City's Bird Strategy and Biodiversity Strategy.

III. Proposed Future Urban Forest Strategy Actions

Council direction to request amendments to the Vancouver Charter is also being sought to bring the City of Vancouver in line with the regulatory tools used in other municipalities to maintain the urban tree canopy and ensure that trees and landscaping are properly planted and maintained. Under the Community Charter and the Local Government Act, other municipalities enjoy greater authority in relation to trees than the City is granted by the Vancouver Charter. The powers to be sought through an amendment to the Vancouver Charter include:

- improved enforcement measures;
- collecting security deposits for the value of landscape materials and installation, including tree replacement and retention, on sites subject to a development or building permit to ensure that landscape materials are installed according to the development permit, replacement trees are planted and existing trees are protected during construction; and

- measures to address sites which cannot accommodate replacement trees because of site constraints.

Authority is also being sought to authorize fines greater than the \$10,000 maximum currently authorized in Vancouver, and in other municipalities because in many circumstances, a \$10,000 fine may not be a sufficient deterrent.

Should amendments to the Vancouver Charter be approved, these additional actions will be the subject of a subsequent report to Council.

Other Housekeeping Amendments

Several housekeeping amendments to the Protection of Trees By-law are also proposed as detailed below:

- In Section 4.5, 'Issuance of a tree permit', a clause is added to clarify that evidence demonstrating a tree is dead or a significant hardship is required before a permit to remove the tree can be issued.
- In Section 4.7, 'Conditions of a tree permit', the phrase "*retention of a tree*" is added to allow a tree permit to include conditions regarding retained trees.
- In Section 6.1, 'Requirement for replacement tree', the wording is revised to clarify that all trees removed from a site must be replaced.
- In Section 6.3, 'Type of replacement tree and number', in the last sentence "*Part 1 or Part 3*" is replaced with "*Part 2*". Part 2 provides more flexibility for property owners about the selection of replacement tree species on sloping sites.
- A new section 6.7 is added which requires property owners to plant and maintain replacement trees in accordance with "*sound arboricultural practices and standards*", to ensure the viability of replacement trees.
- In Section 7.8 (a), 'Requirements for trees on boulevards', the wording is revised to add "*Chief Building Official*" and "*Director of Planning*". The word "*lane*" is added to provide further protection of trees located in lanes.
- In Section 7.10, 'Condition of protection barriers and retention trees', the wording is revised to add "*any person working on construction at the site*" to ensure tree protection barriers are maintained during construction.
- In subsection 8.2 'Treatment of a tree', (e) and (f) are deleted and replaced with "*(e) top a tree; (f) prune a tree to the extent that it is unlikely ever to regain its characteristic appearance; (g) climb a retention tree using climbing gaffs, spurs or spikes; or (h) prune, cut, or alter a tree so as to create a risk to the health or future health of the tree.*", to clarify the intent to protect retained trees.
- In Section 11, 'Enforcement', sections 11.1 to 11.6 are revised to update the wording and improve clarity;
- Schedule C, Number of Trees Required on a Site, is amended to add a minimum required number of replacement trees on large sites.
- Schedule D, Types of Replacement Trees (see Appendix C), is amended to update the list and to provide information about each species to assist property owners in choosing an appropriate replacement tree.

Next Steps

If the proposed amendments to the Ticket Offences By-law and Protection of Trees By-law are approved by Council, they will be brought forward for enactment in early 2016 to provide sufficient time for staff to receive training on implementing the MTI system, make administrative changes and hire additional staff in the Urban Landscape Development Division and the By-law Compliance and Administration Division.

This will also provide an opportunity to post an information bulletin about the upcoming changes to the by-laws on the City's website and to provide paper copies at the front counter in Development Services. A notice will also be placed in the Vancouver Courier and the Urban Development Institute and Home Builders Associations will be advised about the upcoming changes.

Financial Implications

Additional staff resources are required to carry out the increased inspections and enforcement. Annual funding for two full-time positions in the Urban Landscape Development Group, which administers the Protection of Trees By-law, is included in the 2016 operating budget, which is being brought forward for Council approval. This cost of these positions will be off-set by revenue from increased fines generated through the MTI.

As previously noted, all security deposits will be collected prior to the issuance of a tree permit and held for a minimum of one year after a replacement tree is planted to ensure proper planting and maintenance. If a tree is not properly planted or maintained, the security will be used to either plant or maintain the tree on the property, or be deposited into a reserve to support the City's tree planting initiatives.

Should amendments to the Vancouver Charter be approved, the financial implications of these additional actions will be included in a subsequent report to Council.

Environmental

The proposed amendments will help to ensure that replacement trees will be planted and properly maintained so that they survive, and that retained and relocated trees are properly protected and maintained. The cash-in-lieu program will enable the planting of trees throughout the city to offset trees lost through redevelopment on sites that cannot accommodate them. This will sustain and enhance Vancouver's urban forest and support City policy to protect and enrich the natural environment and green space.

CONCLUSION

The proposed amendments to the Ticket Offences By-law and the Protection of Trees By-law will better support tree retention and tree replacement on private property and, where sites cannot accommodate additional trees, will provide funds to plant trees on other sites throughout the city. Through better compliance and scrutiny, the proposed changes will help to preserve, protect and strengthen Vancouver's urban forest and tree canopy for the future, thereby creating and maintaining a healthy ecosystem and enriching neighbourhoods.

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BY-LAW NO. _____

A By-law to amend Ticket Offences By-law No. 9360
regarding Protection of Trees By-law

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

1. This By-law amends the indicated provisions of Ticket Offences By-law No. 9360.
2. Council adds the following definition to section 1.2 in alphabetical order:

““Manager, Urban Landscape Development” means all persons employed by the City in the capacity of Manager, Urban Landscape Development and includes any person whose employment involves the enforcement of the Protection of Trees By-law or the protection of trees within the City;.”

3. Council inserts the words “Protection of Trees By-law” in section 2.6 after the words “Fire By-law,”.
4. Council adds the following Table 10 to the By-law:

“
Table 10
Protection of Trees By-law

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Manager, Urban Landscape Development	No permit	Section 4.1	\$1,000.00
	Fail to comply with permit	Section 4.7	\$1,000.00
	Fail to post permit	Section 4.8	\$150.00
Chief License Inspector	Fail to plant replacement tree	Section 6.1	\$750.00
	Fail to maintain replacement tree	Section 6.7	\$750.00
	Commence or carry on work unlawfully or without permit	Section 7.4	\$1,000.00
	Fail to care for tree	Section 7.10(a)	\$750.00
	Fail to prune	Section 7.10(b)	\$750.00
	Fail to protect roots	Section 7.10(c)	\$750.00
	Expose roots	Section 7.10(d)	\$750.00

BY-LAW NO. _____

A By-law to amend
Protection of Trees By-law No. 9958
regarding security and miscellaneous matters

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

1. This by-law amends the indicated provisions of the Protection of Trees By-law.
2. Council strikes “or” from the end of subsection 4.5(g), and the period “.” from the end of subsection 4.5(h) and replaces the period “.” with “; or” and inserts as a new subsection 4.5(i) the following:

“(i) proof satisfactory to the Director of Planning is submitted demonstrating that the tree is either dead or such a significant hardship that its removal is necessary.”

3. Council strikes the old subsection 4.5(i) and inserts the following as 4.6(b):

“(b) The conditions on the permit include the recommended construction practices to protect trees during and after construction that are contained in the arborist’s report referred to in section 7.2 of this By-law;”

4. Council renumbers the former 4.6(b) and 4.6(c) as 4.6(c) and 4.6(d), respectively.

5. Council deletes section 4.7 and replaces it as follows:

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

6. Council inserts a new section 4.10 as follows:

“Security for replacement trees

4.10 If a replacement tree is required as a condition of a tree permit or as a result of cutting, removing or damaging protected trees in contravention of this By-law, the owner shall provide to the City a security deposit in cash or letter of credit in the amount, and for the duration specified in this By-law;

- (a) every letter of credit required under this By-law shall be a clean, unconditional and irrevocable letter of credit drawn from a Canadian financial institution acceptable to the City and in a form acceptable to the City. If, for any reason, the irrevocable letter of credit ceases to be effective security or becomes 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 the letter of credit with cash;

- (b) if an owner fails to comply with the provisions of this By-law related to requirements for planting and maintaining replacement trees, the City may by its employees or others under its direction enter upon the lands that are the subject to the requirements to plant and maintain a replacement tree and undertake the planting or maintenance required, and for such purposes may draw upon the securities provided and expend the funds to cover all costs and expenses of so doing;
- (c) the amount of security that the owner shall provide to the City for the provision, installation and maintenance of replacement trees required and described in Section 6.3 and 6.4 of this By-law shall be:
 - (i) FIVE HUNDRED (\$500.00) DOLLARS per replacement tree, or
 - (ii) SEVEN HUNDRED FIFTY (\$750.00) DOLLARS per replacement tree when the tree is 8 cm caliper or more; and
- (d) any security held by the City under this By-law shall be released in accordance with this section. No security will be released until the Director of Planning is satisfied that the owner has complied with all tree replacement and maintenance requirements of this By-law and any applicable tree permit. The City shall return a security deposit once the condition of all replacement trees has been approved in accordance with the inspection requirements set out in section 10.2 of this By-law.”

7. Council strikes sections 6.1 and 6.2 and replaces them as follows:

“Requirement for replacement tree

6.1 The owner of the site must plant a replacement tree in accordance with this By-law for every tree removed from the site in contravention of this By-law, or as required by the tree permit issued for the removal of a tree.

Exemption from requirement for replacement tree

6.2 Despite section 6.1 and section 4.10, if a site, immediately after removal of a tree pursuant to a permit or in contravention of this By-law, 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 and provide security for such trees if the owner elects to pay the City cash-in-lieu of those trees at the rate of \$1,000.00 for each tree that would otherwise have to be planted, and such money shall then be used for the planting of trees on other sites. ”

8. Council strikes the words “in either Part 1 or Part 3” from section 6.3, and replaces those words with “Part 2”.

9. Council inserts a new section 6.7, as follows:

“6.7 Every owner required to plant a replacement tree under this By-law shall plant and maintain the replacement tree in accordance with sound arboricultural practice.”.

10. Council strikes subsection 7.8(a) and replaces it as follows:

“(a) comply with the requirements of the City Engineer, Chief Building Official and Director of Planning with respect to any tree on a boulevard or lane adjacent to the site;”.

11. Council strikes the words “A person who installs a protection barrier under this Section 7 must;” from section 7.10 and replaces those words with “If a protection barrier has been installed under this section 7, the owner and any person working on construction at the site must:”.

12. Council strikes subsection 8.2(e) and 8.2(f) and replaces them with a new 8.2 (e),(f),(g) and (h) as follows:

“(e) top a tree;

(f) prune a tree to the extent that it is unlikely ever to regain its characteristic appearance;

(g) climb a retention tree using climbing gaffs, spurs or spikes; or

(h) prune, cut, or alter a tree so as to create a risk to the health or future health of the tree.”

13. Council inserts a new section 10.2 as follows:

“Inspection and Release of Securities for Replacement Trees

10.2 Once all replacement trees required under a tree permit or as a result of a breach of this By-law have been planted, the owner or an agent of the owner shall:

(a) request the Director of Planning or his representative to conduct a site inspection to confirm that the replacement trees have been planted in accordance with this By-law and any related permits; and

(b) if an inspection conducted under subsection 10.2 (a) is not satisfactory to the City because the trees have not been planted in accordance with a permit or this By-law, the City shall inform the owner of this by issuing an order to plant the required trees under section 11.4 (b), and the owner shall request another inspection at another date until such time as a satisfactory inspection has been conducted, or the City has taken action under section 4.10(b);

(c) one year after a satisfactory inspection has been conducted under subsection 10.2 (a) or (b), or the City has taken action under section

4.10(b), the Director of Planning or a representative shall conduct another site inspection to confirm that the replacement trees have been maintained in accordance with this By-law and any related permits, and are in satisfactory condition;

- (d) if an inspection conducted under section 10.2 (c) is not satisfactory to the City because the trees have not been maintained in accordance with the permit or this By-law, the City shall inform the owner of this by an order issued under section 11.4 (a) or (b), and the owner shall request another inspection at another date until such time as a satisfactory inspection has been conducted; and
- (e) nothing in this section shall limit the authority of the City to take action under subsection 4.10(b), and draw upon the security posted under this By-law.

14. Council strikes section 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and replaces them as follows:

“Revocation of tree permit

11.1 The Director of Planning may revoke a tree permit by issuing a written notice to the permit holder or owner if:

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

Unlawful damage to or removal of a tree

11.2 No person shall, in contravention of this By-law or a tree permit:

- (a) cut or damage a tree on a site to the extent that, in the opinion, of the Director of Planning, the tree:
 - i. is or will become a hazardous tree;
 - ii. has lost its characteristic appearance;
 - iii. is or will become diseased; or
 - iv. it is dead or will die prematurely; or

- (b) remove a tree from a site.

Replacement of unlawfully damaged or removed tree

11.3 The Director of Planning may order a person in breach of section 11.2 to:

- (a) apply for a tree permit to replace any tree referred to in such order within 14 days after receipt of such order,
- (b) to take all action necessary to obtain such a tree permit; and
- (c) plant the replacement tree in accordance with the permit.

Requirement to discontinue or carry out work

11.4 Any inspector or other employee of the city may 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 Any person authorized to issue an order, direction or notice under this By-law may do so by:

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

Offence under By-law

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, causes or allows any other person to do any act or thing which contravenes any provision of this By-law;
- (b) contravenes any condition of a permit issued under this By-law, or does any act or thing which contravenes any condition of a permit issued under this By-law, or suffers, causes or allows any other person to do any act or thing which contravenes any condition of a permit issued under this By-law;

Schedule D: Types of Replacement Trees, Section 6.3

Part 1

The following minimum tree size measurements apply to the tree at time of planting (not at maturity). Replacement Trees must have a caliper of at least six centimetres (trunk width measured at 15 centimetres above the ground) or measure 3.5 metres tall at the time of planting (root ball excluded).

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
European Ash	<i>Fraxinus excelsior</i>	D							
Flowering Ash	<i>Fraxinus ornus</i>	D						x	x
Green Ash	<i>Fraxinus pennsylvanica</i>	D							
White Ash	<i>Fraxinus americana</i>	D				x			
Amur Cork Tree	<i>Phellodendron amurense</i>	D			x				
European Mountain Ash	<i>Sorbus aucuparia</i>	D	x	x		x		x	x
Basswood	<i>Tilia americana</i>	D		x				x	x
American Beech	<i>Fagus grandifolia</i>	D				x	x		
European Beech	<i>Fagus sylvatica</i>	D					x		
Copper Beech	<i>Fagus sylvatica</i> 'Atropunicea'	D			x		x		
Asian White Birch	<i>Betula platyphylla</i>	D			x	x			
European White Birch	<i>Betula pendula</i>	D		x	x	x			
Jacquemontii Birch	<i>Betula jacquemontii</i>	D			x				
Paper Birch	<i>Betula papyrifera</i>	D	x	x	x	x			
River Birch	<i>Betula nigra</i>	D		x					
Common Catalpa	<i>Catalpa bignonioides</i>	D						x	x
Western Catalpa	<i>Catalpa speciosa</i>	D						x	x
California Incense Cedar	<i>Calocedrus decurrens</i>	E		x					
Atlas Cedar	<i>Cedrus atlantica</i>	E							
Blue Atlas Cedar	<i>Cedrus atlantica</i>	E			x				
Deodar Cedar	<i>Cedrus deodara</i>	E							
Cedar Of Lebanon	<i>Cedrus libani</i>	E			x				
Western Red Cedar	<i>Thuja plicata</i>	E	x	x					

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Common Horsechestnut	<i>Aesculus hippocastanum</i>	D		x			x	x	x
Red Horsechestnut	<i>Aesculus x carnea</i>	D		x	x		x	x	x
Ruby Red Horsechestnut	<i>Aesculus x carnea</i> 'Brilotti'	D		x	x		x	x	x
Sweet Chestnut	<i>Castanea sativa</i>	D					x	x	
Hinoki False Cypress	<i>Chamaecyparis obtusa</i>	E		x					
Nootka Cypress	<i>Chamaecyparis nootkatensis</i>	E	x	x					
Drooping Nootka Cypress	<i>Chamaecyparis nootkatensis</i> 'Pendula'	E		x					
Sawara False Cypress	<i>Chamaecyparis pisifera</i>	E							
Eddie's White Wonder	<i>Cornus</i> 'Eddie's White Wonder'	D		x		x	x	x	x
Giant Dogwood	<i>Cornus controversa</i>	D		x		x	x		x
Pacific Dogwood	<i>Cornus nuttallii</i>	D	x	x		x	x	x	x
Dove Tree	<i>Davidia involucrata</i>	D			x		x		
American Elm	<i>Ulmus americana</i>	D				x			
Scotch Elm	<i>Ulmus glabra</i>	D							
Siberian Elm	<i>Ulmus pumila</i>	D							
Empress Tree	<i>Paulownia tomentosa</i>	D						x	x
Alpine Fir	<i>Abies lasiocarpa</i>	E		x	x				
Balsam Fir	<i>Abies balsamea</i>	E		x					
Fraser's Fir	<i>Abies fraseri</i>	E		x					
Grand Fir	<i>Abies grandis</i>	E	x	x					
Noble Fir	<i>Abies procera</i>	E		x					
White Fir	<i>Abies concolor</i>	E		x					
Douglas Fir	<i>Pseudotsuga menziesii</i>	E	x	x					
Ginkgo	<i>Ginkgo biloba</i>	D			x	x	x		
Common Hackberry	<i>Celtis occidentalis</i>	D		x			x	x	
Canadian Hemlock	<i>Tsuga canadensis</i>	E							
Mountain Hemlock	<i>Tsuga mertensiana</i>	E							
Western Hemlock	<i>Tsuga heterophylla</i>	E	x	x					

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Red Oak	<i>Quercus rubra</i>	D		x	x		x		
Shumard Oak	<i>Quercus shumardii</i>	D					x		
Pacific Madrone	<i>Arbutus menziesii</i>	E	x	x	x		x	x	x
Austrian Pine	<i>Pinus nigra</i>	E		x					
Eastern White Pine	<i>Pinus strobus</i>	E							
Himalayan White Pine	<i>Pinus agriffithii</i>	E		x					
Japanese Black Pine	<i>Pinus thunbergii</i>	E		x					
Monterey Pine	<i>Pinus radiata</i>	E							
Ponderosa Pine	<i>Pinus ponderosa</i>	E		x					
Red Pine	<i>Pinus resinosa</i>	E		x					
Scotch Pine	<i>Pinus sylvestris</i>	E							
Umbrella Pine	<i>Sciadopitys verticillata</i>	E			x				
London Plane Tree	<i>Platanus acerifolia</i>	D							
Oriental Plane Tree	<i>Platanus orientalis</i>	D							
Black Cherry	<i>Prunus serotina</i>	D	x				x	x	x
Sour Cherry	<i>Prunus cerasus</i>	D		x			x	x	x
Dawn Redwood	<i>Metasequoia glyptostroboides</i>	D		x	x	x			
Giant Sequoia	<i>Sequoiadendron giganteum</i>	E		x					
Redwood	<i>Sequoia sempervirens</i>	E		x	x				
Fragrant Snowbell	<i>Styrax obassia</i>	D						x	x
Japanese Snowbell	<i>Styrax japonica</i>	D						x	x
Sourwood	<i>Oxydendrum arboreum</i>	D			x	x		x	x
Colorado Spruce	<i>Picea pungens</i>	E		x					
Norway Spruce	<i>Picea abies</i>	E		x					
Serbian Spruce	<i>Picea omorika</i>	E		x	x				
Sitka Spruce	<i>Picea sitchensis</i>	E	x	x					
White Spruce	<i>Picea glauca</i>	E		x					
Sweetgum	<i>Liquidambar styraciflua</i>	D				x		x	

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
European Hornbeam	<i>Carpinus betulus</i> 'Fastigata'	D					x		
Japanese Zelkova	<i>Zelkova serrata</i>	D			x		x		
Katsura	<i>Cercidiphyllum japonicum</i>	D			x	x			
European Larch	<i>Larix decidua</i>	D			x	x			
Crimean Linden	<i>Tilia euchlora</i>	D		x				x	x
Little Leaf Linden	<i>Tilia cordata</i>	D		x				x	x
Honey Locust	<i>Gleditsia triacanthos</i>	D				x		x	x
Sunburst Honey Locust	<i>Gleditsia triacanthos</i>	D				x		x	
Black Locust	<i>Robinia pseudoacacia</i>	D						x	x
Yellow Leafed Black Locust	<i>Robinia pseudoacacia</i> 'Frisia'	D			x			x	x
Red Maple	<i>Acer rubrum</i>	D		x		x		x	
Armstrong Red Maple	<i>Acer rubrum</i> 'Armstrong'	D		x		x		x	
Morgan Red Maple	<i>Acer rubrum</i> 'Morgan'	D		x		x		x	
Red Sunset Maple	<i>Acer rubrum</i> 'Red Sunset'	D		x		x		x	
Scanlon Red Maple	<i>Acer rubrum</i> 'Scanlon'	D		x		x		x	
Scarlet Sentinel Maple	<i>Acer rubrum</i> 'Scarlet Sentinel'	D		x		x		x	
Bigleaf Maple	<i>Acer macrophyllum</i>	D	x	x				x	
David Maple	<i>Acer davidii</i>	D			x	x		x	
Hedge Maple	<i>Acer campestre</i>	D				x		x	
Norway Maple	<i>Acer platanoides</i>	D				x		x	
King Norway	<i>Acer platanoides</i> 'Crimson King'	D				x		x	
Deborah's Norway Maple	<i>Acer platanoides</i> 'Deborah'	D				x		x	
Schwedler Norway Maple	<i>Acer platanoides</i> 'Schwedleri'	D				x		x	
Silver Variety Norway Maple	<i>Acer platanoides</i> 'Drummond'	D				x		x	
Purplebow Maple	<i>Acer truncatum</i>	D				x		x	
Sugar Maple	<i>Acer saccharum</i>	D						x	
Silver Maple	<i>Acer saccharinum</i>	D						x	
Sycamore Maple	<i>Acer pseudoplatanus</i>	D						x	
Monkey Puzzle	<i>Araucaria araucana</i>	E			x				
English Oak	<i>Quercus robur</i>	D						x	
Pin Oak	<i>Quercus palustris</i>	D		x				x	
Scarlet Oak	<i>Quercus coccinea</i>	D		x		x		x	

Schedule D: Part 2

The following minimum tree size measurements apply to the tree at time of planting (not at maturity).
Replacement Trees must have a caliper of at least six centimetres (trunk width measured at 15 centimetres above the ground) or measure 3.5 metres tall at the time of planting (root ball excluded).

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Apple	<i>Malus</i> - species	D		x			x	x	x
Higan Cherry	<i>Prunus subhirtella</i>	D					x	x	x
Sweet Cherry	<i>Prunus avium</i>	D					x	x	x
Japanese Flowering Cherry	<i>Prunus serrulata</i>	D						x	x
Sargent Flowering Cherry	<i>Prunus sargentii</i>	D						x	x
Yoshino Cherry	<i>Prunus yedoensis</i>	D						x	x
Common Chokecherry	<i>Prunus virginiana</i>	D	x					x	
Prairifire Crab Apple	<i>Malus prairifire</i>	D		x			x	x	x
Wild Crab Apple	<i>Malus fusca</i>	D	x	x			x	x	x
Cucumber Tree	<i>Magnolia acuminata</i>	D							x
Chinese Dogwood	<i>Cornus chinensis</i>	D		x		x	x		x
Flowering Dogwood	<i>Cornus florida</i>	D	x	x		x	x	x	x
Kousa Dogwood	<i>Cornus kousa</i>	D		x		x	x	x	x
Common Fig	<i>Ficus carica</i>	D					x	x	
European Filbert	<i>Corylus avellana</i>	D		x			x	x	
Giant Filbert	<i>Corylus maxima</i>	D		x			x	x	
Goldenchain	<i>Laburnum watereri</i>	D			x			x	x
Gold Rain	<i>Koelreuteria paniculata</i>	D			x	x		x	x
Lavalle Hawthorne	<i>Crataegus lavellei</i>	D	x	x		x	x	x	x
English Holly	<i>Ilex aquifolium</i>	E		x			x		x

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
American Sycamore	<i>Platanus occidentalis</i>	D							
Tree-Of-Heaven	<i>Ailanthus altissima</i>	D						x	
Tulip Tree	<i>Liriodendron tulipifera</i>	D				x		x	x
Black Walnut	<i>Juglans nigra</i>	D		x			x		
Persian Walnut	<i>Juglans regia</i>	D		x			x		
Corkscrew Willow	<i>Salix matsudana</i>	D			x			x	
Golden Weeping Willow	<i>Salix alba tristis</i>	D			x			x	
Weeping Willow	<i>Salix babylonica</i>	D			x			x	
White Willow	<i>Salix alba</i>	D				x		x	

Note: All tree species should be selected for disease resistance and hardiness for the Vancouver region.

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Japanese Aralia	<i>Aralia elata</i>	D		x		x	x	x	x
Japanese Pagoda	<i>Sophora japonica</i>	D							x
Portuguese Laurel	<i>Prunus lusitanica</i>	E					x		x
Dawson Magnolia	<i>Magnolia dawsoniana</i>	D							x
Kobus Magnolia	<i>Magnolia kobus</i>	D							x
Saucer Magnolia	<i>Magnolia soulangiana</i>	D							x
Southern Magnolia	<i>Magnolia grandiflora</i>	E			x				x
Amur Maple	<i>Acer ginnala</i>	D				x		x	x
Japanese Maple	<i>Acer palmatum</i>	D		x		x		x	x
Paperbark Maple	<i>Acer griseum</i>	D		x	x	x		x	
Vine Maple	<i>Acer circinatum</i>	D	x	x		x		x	
Mulberry	<i>Morus nigra</i>	D		x		x	x	x	x
White Mulberry	<i>Morus alba</i>	D		x		x	x	x	x
Windmill Palm	<i>Trachycarpus fortunei</i>	*			x				
Common Pear	<i>Pyrus communis</i>	D				x	x		x
Persian Ironwood	<i>Parrotia persica</i> 'Vanessa'	D				x			x
Shore Pine	<i>Pinus contorta</i>	E	x	x					
Weeping Red Pine	<i>Pinus densiflora</i>	E		x	x				
Italian Prune Plum	<i>Prunus italica</i>	D					x	x	x
Japanese Plum	<i>Prunus salicina</i>	D					x	x	x
Double Flowering Plum	<i>Prunus triloba</i>	D						x	x
Japanese Flowering Plum	<i>Prunus btiereiana</i>	D						x	x
Purple Leaf Plum	<i>Prunus cerasifera</i>	D					x	x	x
Quince	<i>Cydonia oblonga</i>	D					x		x
Eastern Redbud	<i>Cercis canadensis</i>	D							x
Persian Silk	<i>Albizia julibrissin</i>	D		x	x			x	x

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Mountain Silverbell	<i>Halesia monticola</i>	D			x	x		x	x
Colorado Blue Spruce	<i>Picea pungens</i> 'Glauca Globosa'	E		x	x				
Hoop's Blue Spruce	<i>Picea pungens</i> 'Hoopsii'	E		x	x				
Koster Blue Spruce	<i>Picea pungens</i> 'Koster'	E		x					
Strawberry	<i>Arbutus unedo</i>	E	x		x		x	x	x
Staghorn Sumac	<i>Rhus typhina</i>	D				x	x		x
Stewartii	<i>Stewartii ovata</i>	D		x		x			x

Note: All tree species should be selected for disease resistance and hardiness for the Vancouver region.

Legend

Deciduous	Drops foliage annually (leaves or needles).
Evergreen	Year-round foliage (leaves or needles).
Native	Indigenous to the Pacific Northwest.
Bird Friendly	Provides habitat for birds (shelter, food, nesting opportunity, etc.).
Unique Characteristics	Interesting bark, colour, shape, etc.
Fall Colour	Interesting fall foliage.
Fruiting or Nutting	Bears fruit or nuts.
Pollinator Friendly	Provides a seasonal source of flower nectar for beneficial insects.
Flowering	Provides ornamental significant flower.

Table 1. Examples of MTI Fines for Tree Infractions in Local Municipalities

Infraction	Fine (\$) Richmond	Fine (\$) Surrey	Fine (\$) District of North Vancouver
Cutting or removing a tree without a valid permit	1,000	500	500 for cutting/ 1000 for removing
Failure to comply with terms and conditions of a valid permit	750	500	500 for cutting/ 1000 for removing
Causing physical damage to any tree	750	500	500 or 1,000 if a heritage tree
Failure to post a valid permit	75	50	
Failure to plant and maintain trees in accordance with sound horticultural and arboricultural practices	500	300 (failure to plant replacement tree); 500 (improper pruning)	500
Failure to dispose of tree parts and woodwaste in the prescribed manner	750		
Failure to clearly identify in the prescribed manor a tree to be cut or removed	75		
Failure to place or maintain a prescribed protection barrier around trees to be cut or removed for the duration of all construction or demolition	1,000	500	250
Cutting or removing any tree or replacement tree between 6:00 pm and 8:00 am on the following day	250		
Failure to keep watercourse including ditches, drains and sewers clear of tree parts and woodwaste	500		
Failure to fence all hazards arising from tree cutting or removal	250		
Cutting or removing any tree or replacement tree beyond the prescribed area set out in a valid permit	500		
Failure to clearly mark or maintain the prescribed areas for tree cutting or removal for the duration of a valid permit	250		
Expired permit		100	
Disturbance within a tree protection zone		1,000	
Removal of felled tree		1,000	

Table 2. Examples of Securities Required for Replacement and Retention Trees in Local Municipalities

Municipality	Type of Security	Amount of Security (\$)
Burnaby	For replacement trees only	<p>The greater of:</p> <ul style="list-style-type: none"> • \$820 per tree permit; or • an amount equal to 120% of the cost of the replacement trees as reasonably estimated by a certified arborist or landscape architect, or at option of applicant, by the Director of Planning
District of North Vancouver	For both replacement and retained trees	<p>An amount equal to 125% of either:</p> <ul style="list-style-type: none"> • the estimated cost of the work to be performed under the tree permit, including the cost of obtaining and planting replacement trees; OR • the appraised value of the trees according to methods as established by the International Society of Arboriculture <p>to a maximum of \$10,000</p>
Surrey	For both replacement and retained trees	<p>For replacement trees:</p> <ul style="list-style-type: none"> • \$300 per tree (for 5 cm caliper deciduous tree or 3 m tall conifer); • \$600 per tree (for 8 cm caliper deciduous tree or 4 m tall conifer); or • as specified by General Manager when size of replacement tree differs from above <p>For retained trees:</p> <ul style="list-style-type: none"> • \$10,000 per significant tree • \$5,000 per specimen quality tree • \$3,000 per protected tree <p>To a maximum of \$100,000 (or, in case of single family subdivision, \$10,000 per lot created by subdivision, whichever amount is lower) for each tree cutting permit, subdivision application or development permit.</p>
White Rock	For both replacement and retained trees	<p>For replacement trees:</p> <ul style="list-style-type: none"> • \$1,000 per tree for 6 cm caliper deciduous tree or 3 m tall conifer; • \$3,000 per tree for 10 cm caliper deciduous tree or 4 m tall conifer <p>For retained trees:</p> <ul style="list-style-type: none"> • \$2,500 per deciduous or coniferous tree with a trunk diameter at breast height ≤ 50 cm, or a native flowering or ornamental tree with a trunk diameter at breast height ≤ 30 cm; • \$4,500 per deciduous or coniferous retained specimen tree with a trunk diameter at breast height > 50 cm, or a native flowering or ornamental tree with a trunk diameter at breast height > 30 cm; or • \$10,000 per retained heritage tree, or specimen tree with a trunk diameter at breast height > 65 cm.

Table 3. Examples of Cash-in-Lieu of Replacement Trees Requirements

Municipality	Cash-in-lieu for replacement trees that cannot be planted on a development site	How is Cash-in-lieu is used?
Burnaby	\$513 per tree	Deposited into Civic Tree Reserve Fund (for planting and maintenance of trees in City parks, conservation lands, and as part of street and boulevard beautification projects on City-owned lands)
District of North Vancouver	\$530.40 total for all trees	Environmental Compensation Permit funds used for planting trees and upgrading, improving or maintaining forested areas elsewhere within the District
Richmond	\$500 per tree (for rezonings and development permit applications only)	Transferred to the Parks Dept. where it is earmarked specifically for tree planting throughout the City.
Delta	An amount equal to the cost for the Corporation to purchase, plant and maintain the required number and type of trees on city property	To purchase, plant and maintain trees on city property
Surrey	\$300 per replacement tree (or, if the General Manager decides upsizing is required, \$600 per replacement tree) to a maximum of \$15,000 per acre of land from which trees are removed	Deposited to Green City Fund for new tree planting in parks, educational programs, and to fund a Tree Voucher program
White Rock	<ul style="list-style-type: none"> • \$1000 per tree for 6 cm caliper deciduous tree or 3 m tall conifer; • \$3,000 per tree for 10 cm caliper deciduous tree or 4 m tall conifer 	City uses cash-in-lieu funds to plant trees elsewhere in the City on City-owned property.