



**DISTRICT OF SOOKE
TREE MANAGEMENT
BYLAW No. 795**

A Bylaw of the **District** of Sooke to Provide for the Management and Protection of
Trees.

The **Council** of the **District** of Sooke, in open meeting assembled, enacts as follows:

PART I – INTERPRETATION

Citation/Title

1. This Bylaw may be cited as the "Tree Management Bylaw No. 795, 2020".

Definitions

2. In this bylaw:

- (1) "**applicant**" means the **owner** or agent for the **owner** of the land who is applying to the **District** for a permit to cut or remove a **protected tree**;
- (2) "**Arborist**" means an **Arborist** who:
 - (a) is certified by the International Society of Arboriculture; and
 - (b) is qualified as a tree risk assessor by the International Society of Arboriculture or is qualified by the Province of British Columbia as a Wildlife/Danger Tree Assessor.
- (3) "**Bylaw Enforcement Officer**" means a person appointed by **Council** as a **Bylaw Enforcement Officer**;
- (4) "**canopy**" means the extent of the outer layers of leaves or needles of an individual tree or group of trees
- (5) "**canopy area**" means the total canopy of trees within the legal lot lines of the parcel where the trees are located, in meters squared, when viewed from above.
- (6) "**Council**" means the **Council** of the **District** of Sooke;
- (7) "**critical root zone**" means the area of land surrounding the trunk of a tree contained within a circle of radius equal to the **diameter breast height (DBH)** of the tree multiplied by 6, or the area of land surrounding the tree that extends one meter beyond the **drip line** of the tree, whichever is greater;

- (8) "**crow**n" means the entire system of branches, leaves and reproductive structures of a tree extending away from the trunk or main stems, measured from the lowest branch;
- (9) "**crow**n raising" means to shorten or remove the lower branches of a tree;
- (10) "**cut**" or "**cutting**" means to cut down a tree and shall include to pull up, push or pull over, or otherwise fall a tree;
- (11) "**damage**", "**damaged**", or "**damaging**" means any action which will cause a **protected tree** to die or to decline in health, including, but not limited to girdling, ringing, removing bark from a **protected tree**, denting, gouging, puncturing or **damaging** a **protected tree** trunk, poisoning, burning, undermining structural roots within the **critical root zone** of a **protected tree**, depositing or removing soil from the base of a **protected tree**, excessive **pruning**, excessive **crow**n raising, topping, or any **pruning** in a manner not in accordance with the most recent edition of the "American National Standards Institute Publication (ANSI) A300" and the most recent edition of the companion publication "Best Management Practices -Tree **Pruning**", published by the International Society of Arboriculture;
- (12) "**diameter breast height (DBH)**" means the diameter of the trunk of a tree at 1.4 meters above the base of a tree. For multi-stemmed trees, each trunk shall be measured 1.4 meters above the highest point of the natural grade of the ground measured from grade and the **DBH** of the tree shall be calculated as the square root of the sum of all squared stem **DBHs** rounded to the nearest centimeter (e.g. $\sqrt{[(12\text{cm})^2 + (14\text{ cm})^2 + (17\text{ cm})^2]} = \sqrt{629} = 25\text{ cm}$);
- (13) "**development**" includes the following activities:
- (a) Removal, alteration, disruption, or destruction of vegetation;
 - (b) Removal, deposit or disturbance of soils;
 - (c) Construction, erection, or alteration of buildings and structures;
 - (d) Creation of non-structural impervious or semi-pervious surfaces;
 - (e) Preparation for or construction of roads, trails, docks and bridges;
 - (f) Construction and maintenance of sewer and water services;
 - (g) Construction and maintenance of open and closed rainwater (stormwater) drainage systems;
 - (h) Construction of utility corridors; and
 - (i) Subdivision.
- (14) "**development application**" means an application to the **District** for approval to conduct any **development** including but not limited to applications for rezoning, **development** permit, **development** variance permit, and subdivision;
- (15) "**Director**" includes the person duly appointed by **Council** to serve as **Director** of Operations or Manager of Parks and Environmental Services, and includes any employee authorized to act on their behalf;

- (16) "**District**" means the **District** of Sooke;
- (17) "**District lands**" means property owned, controlled, or maintained by the **District** including parks, green-spaces, walkways, medians, boulevards, road rights-of-way and statutory rights-of-way;
- (18) "**drip line**" means the outermost perimeter of the **canopy** of a tree;
- (19) "**engineer**" means a person registered or licensed as a professional **engineer** pursuant to the provisions of the **Engineers** and Geoscientists Act, R.S.B.C. 1996, c. 116, as amended;
- (20) "**Environmentally Sensitive Area (ESA)**" includes:
- (a) Watercourses including the sea, ponds, lakes, rivers, **streams**, natural drainage courses and wetlands;
 - (b) Riparian and wildlife habitat; and
 - (c) Significant geographical features outlined in the Environmental **Development** Permit Areas **ESA** descriptions contained within the **District's** "Official Community Plan".
- (21) "**existing trees**" means those trees in existence on the date of the adoption of this bylaw;
- (22) "**greenfield**" means land that is undeveloped prior to an application, or forestry purposes, is not serviced by municipal infrastructure and is left largely in its natural state, or has been fully returned to its predevelopment natural stage following prior use.
- (23) "**highway**" refers to the *Transportation Act's* definition of **highway**;
- (24) "**landscape architect**" means a **landscape architect** registered with the British Columbia Society of **Landscape architects**;
- (25) "**lot**" means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the Land Title Office;
- (26) "**natural causes**" means death or decline in health of a tree as a result of natural diseases, pests, climatic, hydrological and geotechnical conditions, inherent structural defects, or aging;
- (27) "**owner**" means the **owner** of real property as defined in the *Community Charter* and, where a property has more than one **owner**, **owner** shall mean the **owner** or **owners** who control the real property;
- (28) "**protected tree**" means any of the following trees:
- (a) any tree having a **DBH** that is 100 centimeters or more;
 - (b) any tree located within 15 meters of the natural boundary of the sea;
 - (c) any tree located within a **riparian assessment area**;

- (d) any tree with evidence of a nest used by:
- (i) raptors as defined in the Wildlife Act, R.S.B.C. 1996, c. 488;
 - (ii) osprey;
 - (iii) cormorants; or
 - (iv) a heron colony.
- (e) **existing trees** on any greenfield **development** of the following tree species
- (i) 2.0 meters or more in height or 4 centimeters **DBH** or more when measured 15 cm above natural grade:
 - Arbutus (*Arbutus menziesii*);
 - Garry Oak (*Quercus garryana*);
 - Pacific Dogwood (*Cornus nuttallii*); and
 - Pacific Yew (*Taxus brevifolia*).
 - (ii) the following tree species when having a **DBH** of 60 centimeters or more:
 - Douglas-fir (*Pseudotsuga menziesii*);
 - Grand Fir (*Abies grandis*);
 - Big Leaf Maple (*Acer macrophyllum*); and
 - Western Red Cedar (*Thuja plicata*).
- (f) trees protected by a restrictive covenant registered on title in favor of the **District** of Sooke pursuant to section 219 of the *Land Title Act*.
- (28) “**prune**” or “**pruning**” means to trim or remove any five (5)-centimeter diameter or greater live limb, or root of a **protected tree**.
- (29) “**ravine**” means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1 for a minimum horizontal distance of 15 meters;
- (30) “**registered professional biologist**” means a person registered or licensed as a professional in the College of Applied Biology Act;
- (31) “**riparian assessment area**” means:
- (a) for a **stream**, the 30-meter strip on both sides of the **stream**, measured from the riparian area high water mark;
 - (b) for a **ravine** less than 60 meters wide, a strip on both sides of the **stream** measured from the riparian area high water mark to a point that is 30 meters beyond the top of the **ravine** bank; and
 - (c) for a **ravine** 60 meters wide or greater, a strip on both sides of the **stream** measured from the riparian area high water mark to a point that is 10 meters beyond the top of the **ravine** bank.
- (32) “**replacement tree**” means a tree required to be planted to replace a tree that has been altered, cut, **damaged** or removed in accordance with this Bylaw.
- (33) “**standard cut limit**” means 70% of the **existing trees** or **canopy area** on any greenfield **development**;

- (34) “**stream**” means any of the following that provides fish habitat:
- (a) a watercourse, whether it contains water or not;
 - (b) a pond, lake, river, creek or brook; or
 - (c) a ditch, spring or wetland that is connected by surface flow to something referred to in subsection (a) or (b).
- (35) “**tree permit**” means the written authority granted by the **Director** pursuant to this Bylaw for the altering, cutting, **damaging**, **pruning** or removal of a specified **protected tree(s)**;
- (36) “**tree protection barrier**” means a barrier constructed around a **protected tree** in accordance with Schedule A of this Bylaw to protect the tree from **damage** during site work or construction; and
- (37) “**tree survey**” means a survey plan prepared by an **engineer**, **Arborist** or by a surveyor registered as a British Columbia land surveyor, that illustrates the location of trees in relation to the property lines of a **lot**, along with the size and species of each tree, plus any other information required by the **Director** for the purpose of assessing a **tree permit** application.

PART II

Application and Exemptions

3. This Bylaw applies to all lands within the municipal boundaries of the **District** except for those under section 4. (*attached map of properties*)
4. This Bylaw does not apply to:
- (1) trees outside the Community Growth Area as defined in the **District’s** “Official Community Plan” notwithstanding trees defined as **protected trees** a, b, c and d;
 - (2) trees within the Community Growth Area as defined in the **District’s** “Official Community Plan” on **lots** with an area less than one (1) hectare notwithstanding trees defined as **protected trees** a, b, c, and d;
 - (3) trees within the Town Centre as defined in the **District’s** Official Community Plan notwithstanding trees defined as **protected trees** a, b, c, and d;
 - (4) trees on property owned by either the Government of Canada or the Province of British Columbia;
 - (5) trees on property if forestry practices on the land are governed by a tree farm license, permit or other authority or tenure under the *Forest Act*;
 - (6) trees on property governed by the *Private Managed Forest Land Act*;
 - (7) cutting and removal of trees within the Agricultural Land Reserve established under the *Agricultural Land Commission Act* and amendments thereto; and
 - (8) the cutting and removal of trees by a British Columbia Land Surveyor when cutting survey lines of a width of less than two (2) meters.

PART III

General Prohibitions

5. This Bylaw does not apply to:
 - (1) **pruning of protected trees** in accordance with good arboricultural practice; and
 - (2) regular landscape maintenance such as lawn mowing providing such activities are not **protected tree damaging** activities.
6. No person shall **cut** or **damage** any **protected tree** on a site that requires a **development application** (permit) under the **District's** "Official Community Plan" until such time as a **development application** (permit) is issued.

No person shall cut or **damage** any **protected tree** on a site that will be subject to a subdivision-related application.

Cutting and Removal of Protected trees

Tree Cutting Permit

7. A **protected tree** shall only be cut where the **owner** holds a **tree permit**.
8. A **tree permit** shall not be issued until the application has been reviewed by the **Director**. Before approving the **tree permit** the **Director** shall ensure that all requirements of section 25 have been met, that the **standard cut limit** has not been exceeded, and that the **tree cutting and replacement plan** is not in conflict with any other bylaw, or with any license or permit granted or issued by the **District**, including any subdivision-related application, **development** permit, or with any covenant or other agreement entered into with the **District**.
9. Where a **tree permit** is required under this bylaw, no **excess trees** may be cut or removed unless the **Director** so allows in accordance with section 11.
10. Where the **Director** determines that in the circumstances it is inappropriate, impractical or infeasible to apply the **standard cut limit**, they may allow **excess trees** to be cut. The **Director** shall, however, require the replacement of any **excess trees** and such requirement shall become a condition of the **tree permit** and shall be included in the **tree replacement** plan. In such circumstances, section 19 of this bylaw applies.
11. For the duration of the **tree permit**, the **tree permit** shall be displayed in an accessible, conspicuous location on the subject parcel. A **tree permit** shall not be issued for more than one year from the date of issuance. Any obligation to maintain **replacement trees** survives the expiry of the **tree permit**.
12. The authorization to cut or remove **protected trees** shall expire within one year after the date of issuance of a **tree permit**, after which time a new application must be submitted.
13. If a **protected tree** is in imminent danger of falling and injuring persons or property due to **natural causes**, and it is not possible to obtain a **tree permit** prior to the tree falling, the **owner** may cut the **protected tree** or have it cut, but shall report

the cutting to the **Director** within the next business day. The **owner** shall not remove the **protected tree** from the **lot** until the **District** has visited the **lot** and confirmed that the **protected tree** was in imminent danger of falling and injuring persons or property. If the **District** determines that the **protected tree** was not dangerous, nor was an imminent danger, but cut for reasons other than **hazardous**, the **District** shall impose a penalty on the **owner** in accordance with section 39.

Tree Removal, Protection and Management Conditions General

14. In connection with the issuance of a **tree permit**, the **Director** may impose, including, without limitation, any or all the following requirements:
- (1) identify with a flag, paint, survey tape or other adequate means each **protected tree** to be retained;
 - (2) prior to the commencement of the **development** works, install a barrier fence to protect the retained **protected trees' critical root zone** in accordance with Schedule A;
 - (3) plant **replacement trees**, in accordance with Schedule B, maintain **replacement trees** for one year and implement maintenance measures such as watering, fertilization, or mulching in accordance with the specified frequency;
 - (4) remove and dispose of invasive species growing on the **protected tree** or within the **drip line** in a responsible manner;
 - (5) restrictions on timing of removal given sensitivities to bird nesting, fish or sediment and erosion control;
 - (6) cut or modify a **protected tree** to retain wildlife habitat, subject to written confirmation from the **Arborist** that doing so will not create a hazard;
 - (7) submit a communication plan to ensure that all parties working on the site are aware of the **tree permit** requirements; and
 - (8) retain an **Arborist** or **registered professional biologist** to supervise, monitor or report on any **development**, including site visit requirements:
 - (a) prior to the commencement of the **development** works, install a barrier fence to protect the retained **protected trees' critical root zone** in accordance with Schedule A;
 - (b) at critical phases of construction and/or at regular intervals in the construction schedule;
 - (c) to monitor **protected tree** adaptations to changes in their environment caused by the **development**;
 - (d) to advise on the creation of hazardous conditions;
 - (e) to advise on maintenance requirements where such a condition is stipulated;
 - (f) at the time of planting of a **replacement tree**;
 - (g) to confirm the successful establishment of a **replacement tree** prior to release of securities held for that **replacement tree**; and
 - (h) submit a post-construction **Arborist** report following construction activities.

15. As per section 15(8)11(h), provide monitoring securities for an **Arborist** or **Registered professional biologist**, in the amount of 125% of an estimate or quote of the cost of monitoring works required to ensure that the mitigation conditions of the **tree permit** are completed.
16. A detailed **protected tree survey** prepared by a registered BC Land Surveyor to indicate proposed **protected tree** retention and replacement areas that require restrictive covenants.
17. Remit a protection security to the **District** as per the **District's** "Fees and Charges Bylaw" for each **protected tree** when constructing works that may cause **damage** to a **protected tree**.

Replacement trees, Security, and Tree Planting and Replacement Reserve Funds

18. Where the **Director** has issued a **tree permit**, the following replacement formulas shall be followed:
 - (1) one **replacement tree** shall be required for every **protected tree** removed; and
 - (2) notwithstanding section 19(1), if the **protected tree** is growing within an Environmentally Sensitive Area, three replacements of the same species removed shall be required for every **protected tree** cut.
19. Subject to section 29, where the planting and maintenance of a **replacement tree** is required pursuant to this Bylaw, the **owner** shall provide to the **District** security as per the **District's** "Fees and Charges Bylaw" for each **replacement tree** to be planted and maintained for one year. Return of security is subject to a written report by an **Arborist** or **Registered professional biologist** to confirm the health of the **replacement tree**.
20. Where the **replacement trees** are required under a **development** permit, **development** variance permit, subdivision, or other **development** agreement, the security is to be in the amount specified in the approved landscape cost estimate associated with said permit, and only that amount.
21. **Replacement trees** must be planted in accordance with the condition and planting criteria set out in Schedule B.
22. The security in section 20 may be submitted in the form of cash, certified cheque, bank draft, irrevocable letter of credit, or in a form satisfactory to the **Director**.
23. If the **owner** fails to or refuses to plant the required number, size and type of **replacement trees** in the specified locations within one year after receiving written direction from the **Director** to do so or after a planting date as otherwise agreed upon, the **District** may deposit the securities in a Tree Planting and Replacement Reserve Fund.

Tree permit Application and Fees General

24. An application for a **tree permit** shall be completed in full, in the form approved by the **District**, and include the following:
- (1) Certificate of Title
 - (2) signed by the registered **owner(s)** or by the **owner's** agent who is authorized in writing to act on behalf of the **owner** in relation to the application;
 - (3) written consent from the adjacent property **owner** where the stem of a **protected tree** at ground level is growing over the **applicant's** property line;
 - (4) site plan showing all the following, where applicable:
 - (a) property lines;
 - (b) location of the **protected tree(s)** on site to be retained, in compliance with the **standard cut limit**, including the root protection areas for retained **protected trees**;
 - (c) existing and proposed buildings, structures, septic fields, wells, servicing including utility poles and any overhead wires;
 - (d) slope and watercourses;
 - (e) on-site access points for vehicles, including enough access for tree removal equipment;
 - (f) existing and proposed landscaped areas; and
 - (g) existing and proposed utility corridors.
 - (5) a report including the following information:
 - (a) description and rationale of the proposed **development**, including compliance with the **standard cut limit**,
 - (b) steps taken to preserve existing **protected trees** as part of the overall **development** plan of the site;
 - (c) narrative describing why the proposed retained **protected trees** are selected, and if management actions are required to promote their long-term health;
 - (d) confirmation that the retained **protected trees** are not hazardous;
 - (e) description of how the site will be accessed and the tree protection measures that shall be used to protect any retained **protected trees**;
 - (f) statement that topographic, grading and/or hydrological changes will not negatively impact the retained **protected trees** with input provided by an **Arborist** or **Registered professional biologist**; and
 - (6) a proposed replanting plan prepared by a **landscape architect** or **Arborist** indicating the location, species, size, and class of **protected trees(s)** to be planted including any pertinent establishment requirements such as watering, fertilizing, and soil preparation
 - (7) a report by a geotechnical **engineer** or hydrologist to certify that the proposed cutting or removal will not create an adverse impact on slope stability or the drainage network; and
 - (8) when removing **protected trees** in Environmentally Sensitive Areas, a report from a qualified environmental professional shall be required to

confirm that **protected tree** removal activities will not negatively impact the Environmentally Sensitive Area, including wildlife.

- (9) application fee as determined by the **District's** "Fees and Charges Bylaw".

Refusal to Issue a Tree permit

25. A **tree permit** shall not be issued by the **Director** where:

- (1) an application required under this Bylaw has not been submitted in full or the required fee has not been paid;
- (2) information as required by section 26 has not been submitted or in the opinion of the **Director** is not satisfactory;
- (3) the proposed work would adversely affect slope stability per section 26(7);
or
- (4) the proposed **protected tree** work would contravene other terms and conditions of a restrictive covenant.

Inspections, Assessments and Orders to Comply

26. The **Director** or person authorized by the **Director** may assess, inspect or cause an inspection to be made of any **protected tree** to which this Bylaw applies.

27. For the purposes of any inspection or assessment herein the **Director** or **Bylaw Enforcement Officer** may enter onto any land at all reasonable times in accordance with the *Community Charter*.

28. Where the **Director** is satisfied that a person has contravened any provision of this Bylaw, the **Director** may serve an Order to Comply requiring the person to stop the cutting of **protected trees** or **damaging** activities and shall set out the particulars of the contravention including requiring the person to remedy the non-compliance within 30 days or by such other date as deemed reasonable in the circumstances by the **Director**.

29. The **Director** may revoke a **tree permit** and apply a penalty if the terms and conditions of the **tree permit** have been breached or the information supplied by the **applicant** in support of the **tree permit** is determined to have been inaccurate, incomplete, misleading or erroneous.

Authority

30. The **Director** may:

- (1) issue, revoke, place conditions upon, and refuse to issue a **tree permit** in accordance with this Bylaw;
- (2) retain the services of an independent **Arborist**, or other professional, to review an **Arborist** report, or other professional report, submitted to the **District** under the provisions of this Bylaw, in support of an application for a **tree permit**, in instances where the completeness or accuracy of the report are brought into question through review of the report and field inspection by the **Director**.

- (3) require the provision of **replacement trees** as set forth in section 17 of this Bylaw, and the maintenance of said **replacement trees**;
- (4) require security under section 30 and 32 of this Bylaw prior to issuing a **tree permit**;
- (5) in addition to the **Bylaw Enforcement Officers** of the **District**, serve on any person who has not complied with a **tree permit** or a provision of this Bylaw an Order to Comply; and
- (6) in addition to the **Bylaw Enforcement Officers** of the **District**, enforce this Bylaw and issue penalties in accordance with section 34 of this Bylaw.

Application for Reconsideration

31. Within 30 days of being notified in writing of the decision of the **Director** under this Bylaw, the **applicant** may, at no charge, request **Council** to reconsider the decision in accordance with the **District's Council Procedure Bylaw**.

Designation of Bylaw

32. This Bylaw is designated under section 264 of the *Community Charter* as a bylaw that may be enforced by means of a Municipal Ticket Information in the form prescribed.

Penalty and Offence

33. Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done or omits to do anything required to be done in contravention or in violation of any of the provisions of this Bylaw, is guilty of an offence against this Bylaw and is liable to the penalties hereby imposed, and each day that a violation is permitted to exist or continues shall constitute a separate offence.
34. When more than one **protected tree** is cut or **damaged** by tree **damaging** activities, or more than one **replacement tree** is not replaced or maintained in accordance with a **tree permit** issued pursuant to this Bylaw, a separate offence is committed in respect of each such **protected tree**.
35. This Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of section 264 of the *Community Charter*.
36. **Bylaw Enforcement Officers** are designated to enforce this Bylaw under section 264(1)(b) of the *Community Charter*.
37. No person may interfere with a **Bylaw Enforcement Officer** in issuing a ticket or Bylaw notice or otherwise carrying out his or her duties in accordance with this Bylaw, and it is an offence for any person to interfere with a **Bylaw Enforcement Officer** in the enforcement of this Bylaw.
38. A person who commits an offence under this Bylaw is liable to pay a fine of:

- (1) \$1,000 per offense
- (2) up to \$50,000 as determined by the court pursuant to an Offence Act proceeding.

Severability

39. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed invalid.

Schedules

- Schedule A – **Tree Protection Barrier** and Signage Specifications
- Schedule B – **Replacement Trees**
- Schedule C - Fines

READ a FIRST and SECOND time the ___ day of ____, 20__.

PUBLIC HEARING held the ___ day of ____, 20__.

READ a THIRD time the ___ day of ____, 20__.

ADOPTED the ___ day of ____, 20__.

Mayor

Corporate Officer

SCHEDULE A – Tree protection barrier and Signage Specifications

To be improved and table updated to reflect bylaw – borrowed from Duncan

24M MAXIMUM SPAN
38 x 89mm TOP RAIL
38 x 89mm BOTTOM RAIL
38 x 25mm POST
TIES OR STAPLES TO NEIGHBORING MESH

24m
300

Trunk Diameter (cm)	Min. Distance From Tree (m) (= dia x 18)
10.0	1.8
20.0	3.6
30.0	5.4
40.0	7.2
50.0	9.0
60.0	10.8
70.0	12.6
80.0	14.4
90.0	16.2
100.0	18.0

TREE PROTECTION FENCING FENCE WILL BE CONSTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. * USE ORANGE SNOW FENCING MESH AND SECURE TO THE WOOD FRAME WITH *20" TIES OR GALVANIZED STAPLES.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

Fence to be located at a minimum outside dripline

Solid barrier fence with mesh or plywood panels as detailed

NOTE: no storage of building materials within or against protection barrier

Weatherproof sign every 50m or less, reading "Tree Protection Area, Keep Out"

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SCHEDULE B: Replacement trees

Where **replacement trees** are required to be provided pursuant to this Bylaw, such **replacement trees** shall be provided and planted as follows:

1. **Protected tree** removals require the following tree replacement:
 - a) Every deciduous **replacement tree** shall be of the minimum caliper* specified in Column 3 of Table 1 of this Schedule; and
 - b) Every coniferous **replacement tree** shall be a tree of the minimum height specified in Column 2 of Table 1 of this Schedule.
2. Every **replacement tree** shall be planted in accordance with an approved landscape plan and in accordance with the current BCLNA (British Columbia Landscape & Nursery Association) Landscape Standards.

Table 1		
D.B.H. of Tree Cut or Removed	Minimum Height of Coniferous Replacement Tree	Minimum Caliper* of Deciduous Replacement Tree
COLUMN 1	COLUMN 2	COLUMN 3
Up to 30cm (12")	2.5 m (8.2 ft)	6 cm (2.5")
30-60 cm (12" – 24")	3.5 m (11.5 ft)	8 cm (3")
60cm + (24" +)	4.5 m (14.8 ft)	10 cm (4")

* Caliper size is the caliper width, or **diameter**, of a tree at 15cm height from the ground.

Draft 11-10-20