

Developing a Property

What You Need to Know About the New Tree Protection Bylaw

This document supplements the document *Property Owners, What You Need to Know About the New Tree Protection Bylaw* and is only a summary. For more information, please visit: victoria.ca/treebylaw.

Victoria's [Tree Protection Bylaw](#) protects the trees we have now and helps grow our urban forest for the future. The bylaw came into effect on July 1, 2021 and applies to trees on properties that are undergoing development.

If you are developing land in Victoria, tree protection requirements must be resolved before the City can issue your building permits to make sure:

- Trees are not damaged during construction, blasting or demolition activities
- Trees are not removed unnecessarily
- Trees are being replaced

When planning to develop, you should consider opportunities to retain healthy protected trees to the extent possible from the early project stages. This will help avoid delays in the review of your application in current and future project stages.

What information do I need to provide?

When applying for permits for development related activities on a property, you are required to provide specific information about trees with your application. All development related applications may be required to provide tree information including:

- Arborist report
- Tree survey and tree management plan
- Replacement tree plan

After you have submitted a development related application, staff will keep you informed of any further tree related requirements associated with your development. Additional information may be required based on your arborist report, site conditions, or special directions from the City.

If there are no protected trees on or adjacent to your property, or there are protected trees on your property that will not be impacted by your proposed development, please contact Parks at treepermits@victoria.ca to request to waive requirements for some or all tree information.

continued >

Development – Tree Protection Bylaw

Is my application considered development related?

Tree information must be provided for development related applications that include any of the following:

- Rezoning
- Subdivision
- Development permits
- Development variance permits
- Temporary use permits associated with new building or an addition to an existing building
- Heritage alteration permit
- Building permits associated with:
 - Demolition, blasting, or construction of a principal building
 - Construction of an accessory building (including garden suites) or an addition to an existing building more than 10 square metres, excluding deck, patio and balcony areas

If you are applying for only change of use, interior works, plumbing or electrical permits, or exterior material replacement, you may need to apply for a tree permit if you're undertaking work within the protected root zone of a protected tree or if pruning or removal is required. If you are unsure, please contact us at treepermits@victoria.ca.

Do I also need to apply for a tree permit?

You are required to apply for a tree permit when any of the following apply:

- There are protected trees on your property, or an adjacent property, that may be impacted by the proposed work, including work within the protected root zone, pruning and/or removals
- You are developing a property and tree minimum is required ([learn more](#))
- Your application is for any permit that will authorize site disturbance within five metres of a protected root zone or requires the cutting or removal of protected tree(s)

What needs to be in place before a tree permit will be issued?

Tree protection requirements

Tree protection barriers will be required if construction will be taking place within five metres of the protected root zone of retained protected trees on or off site. Your tree permit will not be issued until the barriers are installed and approved. Approval will require your arborist to submit a letter confirming that barriers were installed.

Alternative tree protection measures may be required where work will be taking place within the protected root zone. You may need to submit a letter of assurance detailing the work to be supervised by your arborist.

Replacement requirements

Development related applicants will need to follow this three-step process with their arborist or landscape architect to determine their replacement tree requirements.

Step 1 | Replace every tree removed

Replacement trees are required to help sustain Victoria's urban forest. If you remove a protected tree, you will be required to replace it with one replacement tree (large or medium species). Protected hedges can be replaced by another hedge of the same length or planting replacement tree(s).

[continued >](#)

Development – Tree Protection Bylaw

Step 2 | Meet the tree minimum

The requirement to meet the tree minimum of 50 trees per hectare will be a condition of a tree permit issued at the building permit stage (excluding demolitions). Even if your development related application precedes the building permit stage, you will need to provide an arborist report and replacement tree plan that illustrates how the minimum will be met. Retained trees or replacement trees can count towards meeting the minimum.

Tree type	Credits towards meeting the minimum
Retained specimen tree (diameter at breast height more than 60 cm)	Three credits for every retained tree
Retained protected tree	One credit for every retained tree
Replacement tree (large or medium species)	One credit for every replacement tree
Replacement tree (small species)	Half credit for every replacement tree

Step 3 | Determining how many trees can be accommodated on the lot

Your arborist or landscape architect will need to confirm that the replacement trees can:

- Be located with appropriate spacing from structures and other trees
- Have access to appropriate soil volume

This replacement tree [spreadsheet](#) includes the tables to be filled out by your arborist or landscape architect as part of the application to confirm the number and size of replacement trees.

If your property cannot accommodate the required replacement tree(s), talk to City staff about the possibility of planting smaller replacement tree species, nominating existing tree(s) on your property as replacements or paying cash-in-lieu.

Fees and Securities

Development related applicants that are applying for a tree permit will be required to pay permit fees and provide securities for the protection of retained protected trees and replacement trees.

The total amount of security collected for a single development site will not exceed \$50,000. Securities will be returned once construction work is completed and all conditions of the tree permit have been met.

Securities for tree protection

Type of protected tree retained	Security
Per retained specimen tree (more than 60 cm diameter at breast height excluding English Holly, Tree of Heaven, Lombardy Poplar or any regulated invasive plant or unregulated invasive plant of concern in B.C.)	\$10,000
Per retained protected tree other than a specimen tree	\$2,500
Per four metres of retained protected hedge length	\$2,500

Securities for development related tree replacement

Type of replacement tree	Security
<ul style="list-style-type: none"> • Per replacement tree of a large or medium species or species to plant above a structure (described in Part 1 or Part 3 of Schedule E) • Per four metres of hedge length when the replacement tree is a hedge 	\$2,000
<ul style="list-style-type: none"> • Per replacement tree of a small species (described in Part 2 of Schedule E) • Per undersized tree nominated as a replacement tree 	\$1,000

continued >

Development – Tree Protection Bylaw

Permit fees

Type of application	Permit fee
To prune a protected tree	No fee
For emergency cutting or removal	
To cut or remove a protected tree that is hazardous, dead or has more than 50 per cent of its crown dead, or an invasive species	
For other tree permits:	
A lot that is less than or equal to 2,000 m ²	\$50
A lot that is between 2,000 and 4,000 m ²	\$100
A lot equal or larger than 4,000 m ²	\$250 per 4,000 m ²

The tree permit will be issued upon payment of the required fees and securities.