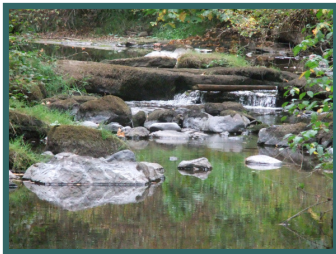


Tree Removal Refusals

Section 11 of the Bylaw defines items where the City may refuse an application for cutting or removal of a tree. These items include:

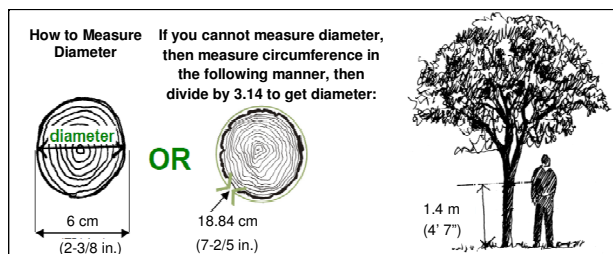
- Maintain or enhance view corridors;
- Prevent a City tree or a tree on Provincial Crown Land from shading areas on private property;
- Cut or remove a City tree or a tree on Provincial Crown Land due to issues with leaf, flower, or tree litter; or
- Cut or remove a tree in contravention of the Development Permit Area Guidelines as defined in the City's Official Community Plan (OCP).



The City may also refuse an application for the cutting or removal of a tree if this would cause a breach of the City's obligations under the Riparian Areas Regulation.

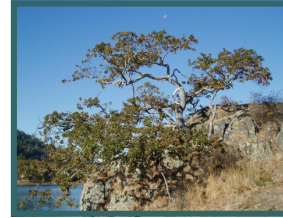
How to Determine Whether a Tree Removal Permit is Required

Measure the tree(s) as shown below. If the tree is 6 cm or larger and the owner is removing more than four trees, a permit is required.



Significant Tree

The Tree Management and Protection Bylaw defines a significant tree as any tree that is of particular significance to the City due to size, age, landmark value, overall cultural, ecological, heritage or social impact, scientific value, and any tree that is protected as wildlife habitat for an egg or nest as defined in the *Wildlife Act* and has been listed in Schedules A, B or C of the Tree Management and Protection Bylaw.



Significant Tree Classification

- Heritage Trees:** Specific trees of heritage/historic value are listed in "TREE PROTECTION BYLAW 2013 NO. 7126" by species and location within the city.
- Wildlife Trees:** Trees that provide habitat for an egg or nest of species such as bald eagle, heron, and other species protected under the *Wildlife Act*.
- Landmark Trees:** Trees of certain species and size important to the community for landmark value, as follows:

Table of Significant Trees Based on Diameter

Species	Min Tree Diameter To Be Considered A Significant Tree
Rocky Mountain Juniper, Garry Oak, Pacific Crabapple, Black Hawthorn, Western Dogwood	10 cm
Western Yew, Pacific Willow, Hooker's Willow, Sitka Willow, Bitter Cherry, Cascara	15 cm
Western White Pine, Shore Pine, Trembling Aspen	20 cm
Douglas Maple	40 cm
Western Hemlock, Arbutus	50 cm
Sitka Spruce, Douglas Fir, Grand Fir, Western Red Cedar, Black Cottonwood, Bigleaf Maple	80 cm



Your City of Nanaimo Tree Management and Protection Bylaw



A bylaw to help protect, maintain, and enhance the urban forest



For further information on the Tree Management and Protection Bylaw, please go to www.nanaimo.ca/goto/urbantrees or contact the City of Nanaimo Urban Forestry Coordinator Monday to Friday at 250-755-4460, local 4357.

Do you have trees on your property that you are concerned about?



The City of Nanaimo's Tree Management and Protection Bylaw can assist you in determining whether or not you need a permit to prune or remove trees.



Prohibitions

Activities that require a Tree Removal Permit, which is issued by the Director of Community Development, are described in Section 5 of the Bylaw. This section of the Bylaw is critical and contravention of it can lead to a fine of not more than ten thousand dollars (\$10,000.00) and not less than the fines prescribed in Schedule F of this Bylaw. For a complete list of prohibitions, click on the link to the Tree Bylaw at www.nanaimo.ca/goto/urbantrees.

An application for a Tree Removal Permit and Tree Management Plan shall be reviewed by the Director to ensure compliance with the Official Community Plan (OCP). Visit our website for details (www.nanaimo.ca/goto/urbantrees).

Please note also that if you have a stream, lake, wetland, or ditch on or beside your property, Provincial and/or Federal legislation may apply to you.



Exemptions

Section 6 of the Bylaw describes activities where a person may cut or remove a tree, **other than a protected tree**, without first obtaining a permit. An owner of a parcel of land can remove a maximum of four (4) non-significant trees in a calendar year without a permit.

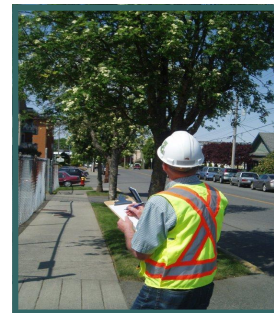


Note: This exemption is void where a subdivision or other development permit has been applied for or the trees are in a riparian zone.

Tree Removal Criteria

In addition to the exemptions noted above, a tree may be approved for removal when one or more of the following criteria has been met:

- (1) The tree has been determined to be a hazard tree and at risk of failure that cannot be mitigated by pruning or other practical means;
- (2) The tree is endangering the health or stability of other trees;
- (3) The tree is interfering with or inhibiting the normal development of a more desirable tree;
- (4) The tree poses an extreme public nuisance or hazard due to its species, size, location, or position;
- (5) The tree's removal has been approved as part of a park plan;
- (6) The tree is impeding the development of highways, utilities, public works, or facilities; and
- (7) The removal of the tree is expressly authorized or reasonably necessary to permit development authorized under a building permit or development permit and is not a retained tree or a tree within a tree protection area.



Tree Removal/Maintenance Permit Applications

Section 9 of the Bylaw provides detailed information on all requirements of an application, whether for a single family home or a development site, which would include a detailed Tree Management Plan. This section also provides replacement requirements such as number required, species, and options where replacement on site is not practical.



See [Tree Removal Permit Application requirements for details](http://www.nanaimo.ca/goto/urbantrees) (www.nanaimo.ca/goto/urbantrees)

Tree Removal/Maintenance Permit Approval and Conditions

Section 10 of the Bylaw provides Tree Removal Permit conditions. For example, an owner who has been issued a permit must notify the City of Nanaimo prior to commencing any authorized work and again upon completion of the work. Also, where a permit is issued to prune or remove a tree or trees, all pruned or cut materials must be removed from the site and the site must be cleaned up and left safe within thirty (30) days of completion or cessation of the work.

