

Q. Do I need a permit to remove trees on my private property?

A. Yes, if the trees fall within the following criteria, they are protected by [the Tree Protection Bylaw 7671](#)

Large-Diameter Tree

- Trees equal or greater than 75cm, 30", or 2.5' in diameter, measuring from 1.3 metres above ground level (see [How to Measure the Stem Diameter of a Tree](#))

Protected Tree

- For more detailed definitions, see the [Tree Protection Bylaw 7671](#).
- Any tree on land owned by or in the possession of the District, including a tree in a park or on a boulevard, road or lane allowance.
- Any tree within a protected area, that is, within 15m of the top of bank (TOB) of a watercourse; within 10m of TOB of a ravine greater than 60m in width; within 30m of TOB for lots greater than 0.5 hectares adjacent to Capilano River, Lynn Creek, Seymour River and Mackay Creek or within 30m of a wetland or waterfront.
- Any tree on a slope greater than 30%.
- Any retained tree that is covenanted or otherwise; a title search is required to determine if there is a registered covenant. Title searches may be obtained in person (for a fee) from The Land Title Office, 88 6th Street, New Westminster, BC V3L 5B3 (Search and Information Counter).
- Any designated heritage tree; heritage trees are listed in Schedule A of the [Tree Protection Bylaw 7671](#).
- Any replacement tree – planted as replacement for a tree that has been cut, removed or damaged, or condition of a subdivision or other municipal approved building / landscape plans.
- Any wildlife tree – standing dead or alive having special characteristics that provide valuable habitat in accordance with criteria contained in the *Wildlife/Danger Tree Assessor's Course Workbook – Parks and Recreation Sites*.
- Any tree located on wetland or waterfront.
- Any tree of the following species:
 - i. Arbutus (*Arbutus menziesii*);
 - ii. Garry Oak (*Quercus garryana*);
 - iii. Oregon Ash (*Fraxinus latifolia*);
 - iv. Pacific Yew (*Taxus brevifolia*);
 - v. Western White Pine (*Pinus monticola*); or
 - vi. Yellow-cedar (*Chamaecyparis nootkatensis*).

Trees – Frequently Asked Questions

Q When can I **remove** a tree **without** a tree permit?

A You do **not** need a Tree Permit to remove or cut a tree if the tree;

- Is smaller than 10cm in diameter when measured 1.3m above ground and
- Is not located within any Protected Area as per any Environmental Development Permit Area and
- Is not in Sloping terrain as defined in the [Tree Protection Bylaw 7671](#)
- Is not within 15m of the waterfront (high tide or natural boundary)
- Is not located on DNV owned land
- Is not a heritage Tree as defined in the [Tree Protection Bylaw 7671](#)
- Is not a wildlife tree as defined in the [Tree Protection Bylaw 7671](#)
- Is not located on the waterfront or a wetland
- Is not a:
 - i. Arbutus (*Arbutus menziesii*);
 - ii. Garry Oak (*Quercus garryana*);
 - iii. Oregon Ash (*Fraxinus latifolia*);
 - iv. Pacific Yew (*Taxus brevifolia*);
 - v. Western White Pine (*Pinus monticola*); or
 - vi. Yellow-cedar (*Chamaecyparis nootkatensis*)

Q. **What paperwork do I need to submit?**

A. A complete Tree Permit Application must be submitted and signed by the homeowner or the homeowner's agent. Download a fillable application on the [District's Urban Forestry/Trees webpage](#).

Q. **What is an Arborist?**

A. **Arborist** means a practitioner of arboriculture, which is the management and maintenance of ornamental or shade trees. Work should be done in accordance with ISA (International Society of Arboriculture) standards. You can find an Arborist in North Vancouver through the local directories, and also the District has a list available of Prime Contractors that meet the requirements to conduct tree work on District property.

Q. **What is an Arborist report?**

A. A detailed report about the tree(s) to be worked on, showing the location, species, DBH (Diameter at breast height), height of the tree, the condition of the tree, why the work or removal needs to be done, and the recommendations being made by the independent Arborist. Please refer to [How to Measure the Stem Diameter of a Tree](#).

Trees – Frequently Asked Questions

Q. When do I need an Arborist report?

- A. When pruning a large diameter or protected tree, an Arborist report is required. When applying to remove a protected tree, an Arborist report is required. When requesting the removal of a large diameter tree for risk mitigation, a report by a Certified Tree Risk Assessor is required.

Q. When is the ‘nesting bird window’ and what does it mean?

- A. The closed window runs from approximately February 28th – September 1st and during this time you are required under the *Provincial Wildlife Act* to undertake a nesting survey conducted by a Registered Professional Biologist prior to tree removal or land clearance. This survey determines whether or not birds are nesting in the tree(s) in question.

We add this Provincial requirement for a nesting survey report as a condition to our permits.

Q. Is there a height restriction on trees in the District of North Vancouver?

- A. No. The District does not have a Bylaw restricting the height of trees in the District of North Vancouver.

Q. Can I top my trees?

- A. The District has a policy that does not allow trees protected within the [Tree Protection Bylaw 7671](#), or trees on District property to be topped due to the long-term physiological and structural damage caused as well as the loss of the trees’ natural form. Re-topping of previously topped trees may be considered under the recommendation of an ISA (International Society of Arboriculture) Certified Arborist.

Q. Can I work on or remove a District tree without a permit?

- A. No. A request for service is made and forwarded to the appropriate Arborist in the District Parks department to inspect and process as required. Please refer to the *Tree Bylaw Brochure* on the [District’s Urban Forestry/Trees webpage](#).

Q. If the tree is on District of North Vancouver property, do I need authorization from the neighbours?

- A. Yes, the neighbours have to give unanimous consent and the number of neighbours’ signatures required depends on the impact of the work and who may be visually affected by the removal of the tree. These factors are determined by DNV staff.

Q. My neighbour has a tree that is encroaching on my property and I would like them to trim it back. Can you make them maintain their tree?

- A. No. This is a private matter between you and your neighbour; the District does not have a mandate to get involved. As a general rule, you may trim the tree back to your property line, as long as it does not have a detrimental effect on the long-term health or stability of the tree, and the work should be done by a Certified Arborist.

When disputes between private owners cannot be resolved, one or both owners can contact the North Shore Restorative Justice Society, which is a free mediation service for North Shore residents. Contact information:

147 East 14th Street, North Vancouver, BC V7L 2N4
Phone: 604-969-7462; Fax: 604-990-7450

Email info@nsrj.ca Website <http://www.nsrj.ca/>

Trees – Frequently Asked Questions

Q. How do I know if the tree is on my private property or District property?

- A. A legal survey prepared by a registered BC Land Surveyor outlines which trees are on your lot and which are on District property. If you don't have a legal survey, you can locate the water shut-off valve, (it is a round metal disc with the letters "DNV water" written on the face of it) which is usually located in the front of your property. This determines approximately the property line between private and District property. If the tree is located within the line of the water shut-off, it is most likely on your private property and if on the outside, it is most likely a District tree.

Q. What if the tree is half on my property and half on District and/or private property?

- A. The tree has joint ownership, and consent from all parties has to be given before work can be carried out on the tree.

Q. I now have a Tree Permit to remove a large diameter tree; why do I have to replant trees on my lot?

- A. If, after removing a large diameter tree and the lot in question is less than 420 square metres in area, and has less than 20% canopy cover remaining, the applicant must plant one replacement tree (usually a Western red cedar or Douglas fir tree).

If, after removing a large diameter tree and the lot in question is greater than 420 square metres and has less than 20% canopy coverage remaining, the applicant must plant three replacement trees.

The trees to be planted are listed as a condition on the Tree Permit itself. Once planted and inspected by District staff and approved, your security deposit will be released back to you.

Replanting is required to maintain the District's forested character and to compensate for the loss of the significant ecological services provided to the community by the removal of a mature large diameter tree. Compensatory planting of new trees is an essential element in our tree permit process. Net benefits such as carbon sequestration, reducing water/air pollutants, storm water management, wildlife habitat, shade/shelter etc. are all detrimentally affected over time if we do not maintain a healthy level of tree canopy on private land within our community.

Q. Can I plant replacement trees somewhere other than on my lot?

- A. No, unless staff makes a determination that it is appropriate to do so given the specific site conditions and rationale.

Q. What happens if I don't want to plant any replacement trees?

- A. A rationale why the tree(s) cannot be feasibly planted within the lot should be discussed and agreed with District staff. The District will then keep your security deposit and plant replacement tree(s) on District property.

Q. Are the replacement trees I plant protected?

- A. Yes. Replacement trees are defined in the bylaw as Protected trees including those planted as a condition of the removal of a "Large Diameter Tree". Details and photographs of the tree(s) are taken by staff during their site inspection for the release of the tree restitution security deposit. A follow up inspection may be undertaken or required to ensure that the trees have survived and have not been removed or moved from their planting location. If it is found that the trees have died or have been removed without written consent from the District, new trees of the same species and size originally specified will need to be planted.

Trees – Frequently Asked Questions

Q. I have a hazardous tree; can I remove it right now?

- A. In order to have a tree declared as a hazardous tree, it must be inspected by a Certified Tree Risk Assessor. Once this person determines that a tree is indeed a hazard, that is, in imminent danger of part or whole tree failure, they will have to submit a report pursuant to the [Tree Risk Assessment in Urban Areas and the Urban/Rural Interface](#) manual. The District will review the report and, if in agreement, issue a permit with no fee to remove this tree. However, in the event that a tree is in a state of “failure in progress” where emergency response action is required to mitigate an immediate threat to persons and property, the failed portion of the tree is to be retained on site for staff inspection, and a report by the attending Arborist with detailed photographic evidence will be required within 48 hours of the incident.

Q. Do I have to provide a security deposit? And if so, how do I get my security deposit back?

- A. The District may require an applicant to provide a security deposit to guarantee the works are completed. If this is paid by cheque, the District will cash the cheque and hold the funds until such time as the works are completed to the satisfaction of the District. The applicant can then request a refund of the security deposit and the District will mail a cheque for any unused portion.

Q. I would like to make an offer on a property but am concerned that I cannot remove trees to either expand the backyard for children or for the purpose of rebuilding or expanding of the house?

- A. It is recommended that a suitably qualified and experienced arborist is engaged at the earliest opportunity to review the tree resources within and adjacent to the property and make recommendations. However, where time constraints do not allow a detailed review and the protected status of the trees is still unknown, it is recommended that the potential purchaser considers the trees **as protected** and is aware that a future application to remove them may be rejected and/or a proposed development may have to be carefully designed to retain trees.

This is an important municipal notice. Please have someone translate.
Ceci est un avis important de votre municipalité. Veuillez vous le faire traduire.
這份市政通告很重要，請找人翻譯。

이것은 시청에서 보내는 중요한 통지입니다. 다른 사람에게 번역을 부탁하여 읽으십시오.
این یک اطلاعیه مهم شهری است. لطفاً از کسی بخواهید که آنرا ترجمه کند.