

## Tree Cutting Permits (no development)

This brochure explains what property owners must do if they want to remove trees when there is no site development planned. This means no applications for demolition and building permits, rezoning, subdivision, and preliminary plan approvals are pending for the property.

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*"This information is provided for convenience only and is not in substitution of applicable City Bylaws or Provincial or Federal Codes or laws. You must satisfy yourself that any existing or proposed construction or other works complies with such Bylaws, Codes or other laws."*

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### Purpose of the Tree Bylaw

Trees provide important environmental benefits and enhance the quality of life in our neighborhoods. The [Burnaby Tree Bylaw](#) responds to community concern about unnecessary removal of healthy trees and protects the City's urban forest. It requires property owners to obtain a Tree Cutting Permit before removing large trees and, in some cases, requires them to plant replacement trees.

### Tree Cutting Permits

#### You need a Tree Cutting Permit when you want to remove:

- a leafy (deciduous) tree greater than 18" (45.7 cm) in diameter.
- an evergreen (coniferous) tree greater than 12" (30.5 cm) in diameter.
- a tree within a streamside protection and enhancement area as defined in Section 6.23 of the Zoning Bylaw.
- any tree that was planted in order to get a rezoning, subdivision or preliminary plan approval.
- a replacement tree planted as a requirement of a previous tree cutting permit.
- a covenanted tree.

#### You don't need a Tree Cutting Permit to:

- prune a tree (to accepted arboricultural standards)
- remove a tree in an emergency situation that is an immediate hazard (you must inform the City as soon as possible afterwards)

## **A permit will be issued if the tree is:**

- unhealthy and is not likely to recover.
- dangerous.
- damaging underground utilities or structures on the property and the problem cannot be resolved without removing the tree.
- one of a number of trees on the property and removing one or more trees will promote the health and safety of the remainder.
- preventing development or servicing of the property and there is no reasonable way to arrange the development or servicing and retain the tree.
- causing undue hardship for the owner.

## **A permit will not be issued permits if the tree:**

- provides too much shade.
- obstructs a view.
- drops normal amounts of leaves, needles or other material (unless due to poor health).
- attracts a normal amount of bugs or insects (unless due to poor health).
- attracts birds or other wildlife (unless the wildlife is damaging structures and there is no alternate to removing the tree).
- prevents alternative landscaping of the yard.

## **Replacement Trees**

When trees are removed sometimes replacement trees are necessary. This depends on the specific conditions on the property such as the size and/or number of trees that will remain on the property.

The City specifies whether the replacement tree(s) be deciduous or coniferous. Replacement trees must be:

- for evergreen (coniferous) trees, at least 2 meters (6.5 ft) tall.
- for leafy (deciduous) trees, have a stem diameter of at least 5 cm. (2in.).
- if fruit trees are desired, you must plant two trees for each regular replacement.
- planted within one year of the issuance of the tree cutting permit.
- not a shrub or low growing variety.
- good quality nursery stock and properly planted.

## **Replacement Tree Bonds**

Property owners must pay a tree bond when replacement trees are required. The bond amount will be the greater of \$800.00 per property or an amount equal to 120% of the cost of the replacement tree(s).

City staff will inspect the newly planted tree, and then again one year later to confirm that the tree is healthy. The tree bond will only be refunded after the second inspection if the tree is in good condition.

If you do not plant a tree, or it is too small, of poor quality, or not healthy at the second inspection the bond will not be refunded.

## How to apply for a tree cutting permit

Application forms are available at the Building Department, 2<sup>nd</sup> floor of City Hall or online at [www.burnaby.ca](http://www.burnaby.ca). You can apply:

- in person at Building Department.
- by mail to:  
City of Burnaby, Building Department, 4949 Canada Way, Burnaby BC, V5G 1M2.
- by fax at: 604-294-7499.
- by email to [treebylaw@burnaby.ca](mailto:treebylaw@burnaby.ca).

City staff will:

- Review your application.
- Visit your property.
- Be available to discuss any concerns with you directly.
- Contact you when a decision has been made.

If your application is approved you can pick up the tree cutting permit and pay the fees (and replacement tree bond if required) at the Building Department.

The permit will provide details about which tree(s) can be removed, the tree cutting permit fee, requirements for replacement tree(s), and replacement tree bonding.

## Tree Cutting Permit Fees

The tree cutting permit fee is \$70 per tree up to a maximum of \$500. Please refer to our current [fee schedule](#). All tree cutting permit fees are nonrefundable.

## Appeal

If you disagree with the City's decision not to allow removal of the tree(s) you can:

- Ask a Certified Arborist to provide a written evaluation of the tree. If the arborist's report recommends that the tree be removed, City staff will review the report and, provided the report is consistent with proper arboricultural practices, issue a tree cutting permit (with replacement tree requirements if appropriate), or
- If the Certified Arborist does not agree that the tree should be removed, the property owner may appeal to the Director Planning and Building, or directly to Council.

## Penalties

Under provisions in the Burnaby Tree Bylaw, the City of Burnaby can issue Bylaw Violation Notices with a penalty for the following contraventions:

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| • Damaging or cutting down a protected tree without a permit | \$500.00 |
| • Failure to plant a replacement tree                        | \$300.00 |
| • Failure to allow City staff to enter a site                | \$200.00 |
| • Failure to install or maintain a tree protection fence     | \$100.00 |
| • Failure to maintain a replacement tree                     | \$300.00 |

The owner must pay the penalty, all applicable fees and ensure the property complies with the bylaw.

Any person who violates any of the provision of the Burnaby Tree Bylaw is guilty of an offence punishable on summary of conviction and is liable to a fine of not less than \$2000 for each violation.

## Further Information

For more information about the Tree Bylaw please contact the Building Department at:

Phone: 604-294-7130  
Fax: 604-294-7499  
Email: [treebylaw@burnaby.ca](mailto:treebylaw@burnaby.ca)

Or visit our website at [www.burnaby.ca/treebylaw](http://www.burnaby.ca/treebylaw)

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