

Review of Greater Victoria Tree Protection Bylaws

Review of the Tree Protection Bylaws within Municipalities of Greater Victoria

Includes: Esquimalt, Victoria, Saanich, Oak Bay, View Royal, Colwood, Langford

Date: August 4, 2026

Author: Julia O'Shea, Gorge Waterway Action Society

Observations:

Defining a Protected Tree

Neighboring municipalities to Esquimalt use different thresholds to determine when a tree becomes protected.

- Esquimalt protects most trees at 30cm DBH, while some native species are protected at much smaller sizes.
- View Royal and Langford use a lower 20 cm DBH threshold for many trees.
- Victoria, Oak Bay, Saanich and Colwood provide additional protection for sensitive native species (ex: Garry oak, Arbutus, Pacific dogwood) at much smaller sizes.

Several municipalities begin protecting trees earlier than Esquimalt, particularly native species.

Tree Protection During Development

Most municipalities place significant emphasis on protecting retained trees during construction. Common requirements include:

- Tree protection plans;
- Arborist reports;
- Tree surveys;
- Tree protection measures; and
- Arborist supervision during construction.

Protection during construction seems to be a major focus across municipalities, rather than just relying on replacement planting after damage occurs.

Replacement Requirements

Replacement requirements for trees vary significantly across municipalities.

1. Higher replacement ratios for development related removals.
2. Security deposits to ensure replacement trees survive.
3. Cash-in-lieu options where replacement planting is not feasible.

Examples:

- Victoria requires \$2,000 security per replacement tree.

- Oak Bay requires up to \$10,000 security for retained trees during development.
- Esquimalt requires \$300 replacement security.

Several municipalities use higher financial securities than Esquimalt to encourage compliance.

Enforcement - Penalties differ significantly. For cutting, damaging, or removing protected trees:

- Esquimalt - fines up to \$10,000 per tree;
- Victoria - fines up to \$50,000 per tree; and
- Langford - minimum \$5,000 fine per tree.

Many municipalities authorize “Stop Work Orders” when tree protection requirements are not followed. This means the entire construction project near that tree must stop immediately.

Esquimalt, on the other hand, goes the route of suspending or canceling the permit, making any further work on the specific tree illegal and subject to fines.

Interesting Approaches

Some municipalities include additional tools beyond basic tree protection:

- Oak Bay: canopy cover targets based on zoning;
- Victoria: minimum number of trees required per lot;
- Victoria and Oak Bay: additional protections for large specimen trees; and
- Several municipalities: mandatory TRAQ(Tree Risk Assessment Qualification)-certified arborists for certain applications.

These approaches focus on maintaining long term urban forest canopy rather than only regulating individual tree removals.

Overall, neighbouring municipalities use many similar protection tools, including permit requirements, replacing planting, and protections for wildlife habitat. Most notable differences relate to:

- Lower thresholds for protected trees;
- Stronger protection during construction;
- Higher financial securities and penalties; and
- Canopy-based approaches to maintaining urban forests.

These may be useful areas for further consideration when reviewing Esquimalt's bylaw.

Suggestions:

From the perspective of maximum preservation and long-term forest growth, Victoria, Oak Bay, and View Royal offer the most robust frameworks. Esquimalt has a strong foundation, especially in native species protection, but it could be improved by adopting some of the strategies found in neighboring bylaws:

- **Most Protective Entry Point (View Royal & Langford):** These municipalities protect all tree species once they reach 20 cm DBH. This is more protective than the 30 cm standard used by Esquimalt or Victoria.
- **Most Innovative Long-Term Planning (Oak Bay):** Oak Bay uses Canopy Area targets (ex: 45% for standard residential zones). Instead of just counting individual trunks, this forces developers to consider the total green coverage of a lot.
- **Highest Financial Accountability (Victoria & Colwood):** Victoria requires high security deposits of \$2,000 per replacement tree for developments. Colwood is notable for requiring \$2,500 in security for every protected tree kept on a construction site, ensuring developers are financially motivated to prevent damage.
- **Strongest Deterrents (Langford & View Royal):** Langford sets a high bar for illegal removal with a minimum fine of \$5,000 per tree. View Royal and Victoria both allow for maximum fines of \$50,000 per tree, making illegal cutting a massive liability.

Recommendations for Esquimalt's Improvement

Using other local municipalities as a guide, Esquimalt could strengthen its current bylaw (No. 3076) through the following updates:

1. Lower the General Protection Size: Esquimalt currently protects non-native species starting at 30 cm DBH. Lowering this threshold to 20 cm, as seen in View Royal and Langford, would allow the Township to protect a whole generation of mid-sized trees before they can be removed without oversight.

2. Shift to a "Tree Minimum" or "Canopy Target": Currently, Esquimalt relies on simple replacement ratios. Adopting a "Tree Minimum" system (like Victoria) or "Canopy Area" targets (like Oak Bay) would ensure that development projects contribute to the Township's total green cover rather than just replacing large trees with a few smaller ones.

3. Implementing High Security for Retained Trees: Construction is the most dangerous time for established trees. Following Colwood's example by requiring a high security deposit (e.g., \$2,500 per tree) specifically for trees that are designated to stay on a construction site would provide a major incentive for developers to follow protection plans strictly.

4. Adjust Fees for Development Applications: Esquimalt's current permit fee is \$30 for the first three trees. Oak Bay recognizes the high administrative cost of reviewing complex development plans by charging \$500 for construction-related permits. Increasing these fees could fund more rigorous site inspections and arborist reviews.

5. Formalize "Stop Work Orders" and Higher Minimum Fines While Esquimalt can suspend permits, it lacks the explicit "Stop Work Order" authority used by Victoria, Saanich, and Oak Bay to freeze all site activity if a tree is being damaged. Additionally, establishing a high minimum fine floor (e.g., 3,000–5,000) for illegal cutting would ensure that the penalty is never just a "cost of doing business" for a developer.

Definitions

- **D.B.H. (Diameter at breast height):** This is the diameter of the tree measured at approximately **1.4 meters (4.6 feet)** above the highest point of the natural grade. For trees with multiple stems, the DBH is calculated as the cumulative total of the three largest stems measured at that same height.

Municipal Bylaws

Tree Protection Bylaws within Municipalities of the Greater Victoria Region

Includes: Esquimalt, Victoria, Saanich, Oak Bay, View Royal, Colwood, Langford

1. CORPORATION OF THE TOWNSHIP OF ESQUIMALT BYLAW NO. 3076

<https://www.esquimalt.ca/media/file/tree-protection-bylaw-2022-no-3076>

Esquimalt's definition of a **Protected Tree** is any woody perennial plant with one or more substantially erect main trunks or stems, including its root system, that meets any of the following criteria:

- **Native Trees by Height:** Any native tree, including Douglas Fir, Grand Fir, and Western Red Cedar, that has reached a height of at least 4 meters above the natural grade.
- **Native Trees by Diameter:** Any native tree, including Arbutus, Big Leaf Maple, Garry Oak, Pacific Dogwood, and Pacific Yew, that has a diameter at breast height (DBH) of at least 4 cm (measured 1.4 meters above the ground).
- **Size-Based Protection (All Species):** Any tree, regardless of its species, that has a DBH of 30 centimeters or more.
- **Wildlife and Nesting Trees:**
 - Any Wildlife Tree, which provides habitat for birds or wildlife designated as threatened or endangered.
 - Any tree with evidence of nesting or use by raptors, osprey, or a heron colony.
- **Replacement Trees:** Any tree required to be planted and maintained as a Replacement Tree under the terms of the bylaw.
- **Location and Planning:**
 - Any tree located on a steep slope.
 - Any tree designated to be retained on a Tree Protection Plan.

2. City of Victoria's Tree Protection Bylaw No. 21-035:

<https://www.victoria.ca/media/file/tree-protection-bylaw-21-035>

Victoria's definition of a **Protected Tree** is quite broad and includes several specific categories:

- **Size Limits:** Any tree with a DBH over 30 cm.
- **Species Sensitivity:** It specifically protects Garry Oak, Arbutus, Pacific Yew, and Pacific Dogwood if they are over 50 cm in height. (Note: This height-based protection often captures much younger trees than Esquimalt's 4 cm DBH threshold).
- **Habitat and Location:** Includes trees on steep slopes (>33%), trees within 15 meters of a watercourse, trees protected by restrictive covenants, and all Replacement Trees.
- **Specimen Trees:** A higher tier of protection for trees greater than 60 cm DBH that are in good health (excluding certain invasive species).

Replacement Ratios and Financial Commitment

Victoria uses a "Tree Minimum" system that creates a high level of accountability:

- **Tree Minimum:** Every lot has a required minimum number of trees based on its area (e.g., a lot between 500–699 m² must have at least 3 trees). If a removal drops the lot below this minimum, you must plant enough to reach it.
- **Replacement Ratios:** Generally, removed trees must be replaced at a 1:1 ratio using "Part 1" species (large/medium trees) or a 2:1 ratio if using smaller "Part 2" species.
- **Security Deposits:** Victoria requires high security amounts for development sites:
 - \$2,000 per replacement tree (for large/medium species).
 - \$10,000 per retained specimen tree to ensure its survival during construction.
- **Cash-in-Lieu:** If a lot cannot accommodate the required replacements, the owner must pay \$2,000 per tree into the City's Tree Reserve (except for hazard trees).

Application Process

The application requirements are extensive, particularly for developments:

- **Professional Oversight:** Applications often require a TRAQ (Tree Risk Assessment Qualification) arborist for hazard assessments or a BCLS surveyor for stamped tree surveys.
- **Documentation:** Depending on the project, you may need a Tree Management Plan, a Replacement Tree Plan, and a Letter of Assurance from an arborist.
- **Permit Fees:** Fees are waived for dead, hazard, or invasive trees. For other permits, fees range from \$50 to \$250+ depending on the lot size.

Strength of Protection During Construction

Victoria has very strict physical and procedural safeguards:

- **Barrier Specifications:** Requires 1.2-meter-high wood-framed fencing with orange snow mesh and specific "Protected Root Zone" signage.
- **Root Protection:** If roots are cut, they must be immediately wrapped in a moist root curtain of wire mesh and burlap.
- **On-site Supervision:** For many permits, an arborist must be on-site to supervise work occurring near the protected root zone.

Penalties and Enforcement

Victoria's penalties are significantly higher than many other municipalities:

- **Fine Amounts:** The minimum penalty for an offence resulting in the loss of a protected tree is \$5,000 rising to \$10,000 for a specimen tree. The maximum fine is \$50,000 per tree.
- **Continuous Offences:** Each day a violation continues counts as a separate offence.
- **Stop Work Orders:** Officers can post notices to immediately halt work within a root zone if they suspect a violation.

Breadth of Exemptions

Victoria includes standard municipal exemptions but maintains oversight:

- **City & Utility Work:** The City can remove trees for public works or on its own land, but these projects (other than emergency repairs) must still be reviewed and approved by the Director.
- **Emergencies:** Trees in "imminent danger of failing" can be removed before a permit is issued, but the owner must apply for a permit and provide photo/video evidence by the

next business day. The remains of the tree cannot be removed until a City arborist inspects the site.

3. District of Saanich Tree Protection Bylaw No. 9272

<https://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/tree-protection-bylaw-2014-no-9272.pdf>

<https://www.saanich.ca/EN/main/community/natural-environment/trees/tree-protection-bylaw.html>

Interesting note on their website:

Where We're at - June 10, 2026

Following public engagement in November and December of 2025 (including a virtual open house and HelloSaanich questionnaire), staff shared a project update with Council on **Monday, June 8, 2026**. Following the update to Council, staff will continue drafting Tree Bylaw changes based on background research, community engagement, and existing Saanich policy direction. Bylaw drafting, testing and legal review will continue through Fall 2026.

The Threshold for "Protected" Status: Saanich uses a multi-tiered approach that covers specific species, size, and community importance:

- **Species Sensitivity:** Saanich protects Arbutus, Garry Oak, Pacific Dogwood, and Pacific Yew at a very small size, reaching just 2.0 metres in height or 4 cm in diameter.
- **Size Limits:** For four other native species (Douglas-fir, Grand Fir, Big Leaf Maple, and Western Red Cedar), the protection threshold is 30 cm DBH. For all other trees not specifically named, the protection threshold is 60 cm DBH.
- **Significant Trees:** Saanich has a specific category for "Significant Trees" (listed in Schedule B), which are protected regardless of size due to their heritage, landmark, or habitat value.
- **Habitat:** Protection is automatically extended to any tree with an active nest for raptors, osprey, or herons.

Replacement Ratios and Financial Commitment: Saanich's replacement requirements are determined by the reason for the tree's removal:

- **Replacement Ratios:**
 - **1:1 ratio** for most standard removals (e.g., hazard, diseased, or interfering with utilities).
 - **2:1 ratio** if the tree is removed to accommodate a building footprint, driveway, or off-street parking.
 - **3:1 ratio** if the removal is for the installation of roads or services shown on engineering drawings.
- **Security Deposits:** The municipality requires a security deposit of \$300 or \$700 per replacement tree (depending on the section of the bylaw the permit falls under).

- **Cash-in-Lieu:** If a lot cannot accommodate replacements, the owner must pay \$300 or \$700 per tree into a municipal fund.

Rigor of the Application Process: Saanich requires professional oversight for complex applications:

- **Professional Documentation:** The Director may require stamped tree surveys from a BCLS surveyor or Arborist Reports (valid for two years).
- **Permit Fees:** Saanich waives the permit fee for many non-development removals, such as hazard trees, dead trees, or trees interfering with existing foundation walls. For development-related permits, fees range from \$50 to \$100 plus \$30 per additional tree.

Strength of Protection During Construction: Saanich sets specific physical standards for construction sites:

- **Barrier Standards:** A Tree Protection Barrier must be at least 1.2 metres high and constructed with solid wood or metal posts if work is within 4 metres of the dripline.
- **Root Protection:** If roots are cut during excavation, they must be wrapped in a moist root curtain of wire mesh and burlap.
- **Supervision:** Any pruning of a "Significant Tree" must be done under the supervision of an arborist.

Penalties and Enforcement: The fines in Saanich are tiered based on the severity of the offence:

- **Fine Amounts:**
 - Standard contraventions: \$1,000 to \$2,000 for a first offence.
 - Offences involving a Significant Tree: Minimum fine of \$5,000.
- **Stop Work Orders:** Authorized officials (including Bylaw Enforcement and Parks Supervisors) can issue Stop Work Orders to immediately halt work on a site where the bylaw is being violated.

Breadth of Exemptions: The bylaw includes specific exemptions for municipal and utility operations:

- **Municipal and Utility Work:** Permits are not required for work done by Saanich on its own property/highways or by public utilities for safety and maintenance.
- **Agricultural Land:** Trees on ALR (Agricultural Land Reserve) land are exempt if they are removed for agricultural use.
- **Emergencies:** Trees in imminent danger can be cut immediately, provided the cutting is reported by the end of the next business day and the remains are left on-site for inspection.

4. District of Oak Bay Tree Protection Bylaw No. 4742

https://www.oakbay.ca/wp-content/uploads/2025/02/4742-Tree-Protection-Bylaw-2020_CONSOLIDATED_2025-03-10.pdf

The Threshold for "Protected" Status: Oak Bay's criteria for protection are among the most inclusive in the region:

- **Species Sensitivity:** Oak Bay protects specific native species: Garry Oak, Arbutus, Pacific Yew, Black Hawthorne, Shore Pine, and Pacific Dogwood at a very small size: either a basal diameter over 4 cm or a height over 1 metre.
- **Size Limits:** Any other tree species is protected once it reaches a DBH of 30 cm.
- **Significant Trees:** Oak Bay maintains a specific registry of "Significant Trees" (Schedule D) recognized for heritage, landmark, or habitat value, which require Council approval to remove.
- **Unique Protections:** The bylaw protects trees of "scientific value" and even allows mature rhododendrons to be counted toward a property's required canopy cover. It also protects any tree with active raptor, osprey, or heron nests.

Replacement Ratios and Financial Commitment: Oak Bay uses a unique "Canopy Area" target system that shifts the focus from individual trees to total green coverage:

- **Canopy Cover Targets:** New construction or major additions must meet specific canopy targets based on the lot's zone (e.g., 45% for residential zones R-1 and R-2).
- **Replacement Ratios:**
 - **1:1 ratio** for standard removals (e.g., driveway installation or hazard trees).
 - **2:1 ratio** if the tree is removed from within a proposed building envelope during construction.
- **Security Deposits:**
 - \$500 per replacement tree, held for three years to ensure the tree becomes well-established (reduced to one year for hazard/dead tree replacements).
 - **Construction Security:** For Type 2 permits (development), deposits range from \$1,000 to \$10,000 per tree depending on size and significance.

Rigor of the Application Process: The process is categorized by the intent of the removal:

- **Permit Types:** Type 1 permits are for dead, diseased, or hazardous trees, while Type 2 permits are for construction-related removals.
- **Documentation:** Type 2 permits require an Arborist Report, a legal survey of all trees, a Tree Management Plan, and a signed letter of undertaking.
- **Permit Fees:** Standard permits for trees over 30 cm DBH are \$50, but permits for construction related removals are \$500. There is no fee for pruning or removing a Significant Tree (though this requires Council approval).

Strength of Protection During Construction: Oak Bay sets strict physical standards to prevent construction damage:

- **Barrier Standards:** Requires a Tree Protection Barrier at least 1.2 metres high with a wood frame and orange snow fencing.
- **Advanced Mitigation:** Arborist reports for construction may be required to include details on suspended slabs, hydro-vac excavation, or root curtains to protect critical root zones.
- **Signage:** All barriers must display an all-weather sign stating "Protected Root Zone – No Entry".

Penalties and Enforcement: Oak Bay's enforcement is notable for its high minimum fines:

- **Fine Amounts:** The minimum fine for cutting or damaging a protected tree without a permit is \$3,000.
- **Daily Offences:** Each day an offence continues is considered a separate offence, and each individual tree illegally cut or damaged constitutes a separate offence.
- **Stop Work Orders:** Municipal officers can issue orders to halt all work on a property if they suspect a bylaw contravention.

Breadth of Exemptions: exemptions are largely focused on emergencies and municipal operations:

- **Emergencies:** Trees in "imminent danger" can be cut before a permit is issued, but must be reported by the next business day with a written report from a Qualified Tree Risk Assessor.
- **District Work:** Work done by the District is exempt if it is first approved by the Manager of Park Services.

5. Town of View Royal Tree Protection Bylaw No. 1069

<https://www.viewroyal.ca/assets/Town~Hall/Bylaws/1069%20-%20Tree%20Protection%20Bylaw.pdf>

The Threshold for "Protected" Status: View Royal's criteria for protection are notably strict regarding tree size:

- **General Size Limit:** Any tree with a DBH greater than 20 cm is protected. This is a lower (more protective) threshold than the 30 cm standard used in Esquimalt, Victoria, and Oak Bay.
- **Species Sensitivity:** The bylaw specifically lists ten native species: including Garry Oak, Arbutus, Pacific Dogwood, Pacific Yew, and Douglas Fir, as protected trees. Unlike some other municipalities that set a specific 4 cm or 50 cm threshold for these species, View Royal's list implies protection for these natives at any size.
- **Habitat and Planning:** Includes any tree with a nest used by raptors, osprey, or a heron colony, all Replacement Trees, and trees on Town-owned property.

Replacement Ratios and Financial Commitment: View Royal emphasizes ensuring that replacements are financially secured and healthy:

- **Replacement Ratio:** For every one protected tree removed, the owner must plant two replacement trees.
- **Security Deposits:** Applicants must provide a security deposit (cash or letter of credit) equal to 120% of the total cost of purchase, planting, and one year of maintenance for all required replacement trees.
- **Cash-in-Lieu:** If a parcel cannot accommodate the required trees, a fee may be paid to the Town for each required replacement.
- **Release of Security:** The deposit is only refunded after a one-year inspection confirms the trees are in a state of health acceptable to the Town.

Rigor of the Application Process: the process requires heavy professional involvement, especially for complex sites:

- **Professional Documentation:** Applications typically require an Arborist Report (Schedule A), a Tree Survey (Schedule B), and a Tree Management Plan.
- **Technical Standards:** The tree survey must be completed by a registered BCLS surveyor and include elevation points, all utilities, and neighboring trees within 6 meters of excavation.
- **Steep Slopes:** Removals on a Steep Slope (grade of 2:1 or greater) require a report from a Qualified Geotechnical Engineer and a surety deposit of 120% of any required slope stabilization works.

Strength of Protection During Construction: View Royal has rigorous physical requirements for construction sites:

- **Barrier Standards:** Tree protection barriers must be installed and continuously maintained before and during any excavation or blasting.
- **Root Protection:** If roots are cut by excavation, a Certified Arborist must wrap them in a moist root curtain of wire mesh and burlap, which must be kept wet throughout the entire construction process.
- **Arborist Supervision:** The Director may require that any cutting or pruning be carried out under the direct supervision of a Certified Arborist.

Penalties and Enforcement: View Royal aligns with Victoria for the highest potential fines in the region:

- **Fine Amounts:** Fines range from a minimum of \$1,000 up to \$50,000 per tree for violations.
- **Separate and Daily Offences:** Every individual tree illegally cut or damaged is a separate offence, and every day a violation continues is considered a separate offence.
- **Stop Work Orders:** Officials can order a person to discontinue work that contravenes the bylaw or any permit condition.

Breadth of Exemptions: the bylaw provides limited exemptions primarily for safety and utility maintenance:

- **Small Branch Pruning:** Pruning branches less than 10 cm in diameter does not require a permit.
- **Emergencies:** If a tree is in "imminent danger of injuring individuals or property," it can be cut immediately. However, the owner must provide photographic evidence and apply for a permit by the next business day.
- **Town Work:** Work done by the Town on its own property or highways is exempt.

6. City of Colwood Urban Forest Bylaw No. 1735

<https://colwood.civicweb.net/document/132905/>

The Threshold for "Protected" Status: Colwood uses a multi-layered definition for Protected Trees that targets both specific native species and overall size:

- **Species Sensitivity:** Like Victoria and Esquimalt, Colwood provides high protection for Arbutus, Garry Oak, Pacific Dogwood, and Pacific Yew. These are protected if they reach just 2.0 metres in height or 4.0 cm in diameter (measured 15 cm above grade).
- **Native Size Limits:** Four other native species: Douglas-fir, Grand Fir, Big Leaf Maple, and Western Red Cedar are protected once they reach 30 cm DBH.
- **General Size Limit:** Any other tree species, regardless of type, is protected once it reaches a DBH of 60 cm.
- **Wildlife Trees:** Protection is explicitly granted to trees containing nests of specific birds (eagles, ospreys, herons, etc.) or any occupied nest of a bird or forest mammal.

Replacement Ratios and Financial Commitment: Colwood's replacement requirements scale based on the volume of removal:

- **Replacement Ratios:** Owners removing 1 to 5 trees per year must replace them at a 1:1 ratio. If removing more than 5 trees per year, the ratio increases to 2:1.
- **Financial Security:** The City requires a security deposit of \$750 per replacement tree. This is significantly higher than the \$300 required in Esquimalt, but lower than Victoria's \$2,000 for development sites.
- **Cash-in-Lieu:** If a lot cannot accommodate replacements, the owner must pay \$750 per tree into a reserve fund for City parks and boulevards.
- **Maintenance Period:** Security is held for at least 12 months to ensure the replacement trees survive.

Rigor of the Application Process: the City requires detailed documentation and higher upfront fees for removals:

- **Application Fees:** A non-refundable \$100 application fee is required. Notably, if a person cuts a tree without a permit and then applies, the fee is doubled.

- **Professional Oversight:** Applications for more than five trees must include a Tree Management Plan prepared by a qualified person. Reports are only valid for 12 months.
- **Timeline:** Permits are valid for one year from the date of issue.

Strength of Protection During Construction: Colwood has technical requirements to safeguard trees remaining on development sites:

- **Critical Root Zone (CRZ):** The protected area is defined as a radius equal to 6 times the DBH or one metre beyond the drip line, whichever is greater.
- **Barrier Standards:** Barriers must be constructed in accordance with Schedule B, which specifies protection distances based on trunk diameter (e.g., a 100 cm tree requires a 6.0m protection radius).
- **Retained Tree Security:** The City requires \$2,500 per protected tree to be held as security during construction to ensure retained trees are not damaged.

Penalties and Enforcement: Colwood's fine structure is consistent with mid-range municipal standards:

- **Fine Amounts:** Conviction of an offence carries a fine between \$1,000 and \$10,000 per tree.
- **Separate Offences:** Each individual tree illegally cut and each day the violation continues counts as a separate offence.
- **Stop Work Orders:** Bylaw Compliance Officers can issue orders to immediately halt all activity within the root zone of an affected tree.

Breadth of Exemptions: Colwood includes standard municipal and safety exemptions:

- **City & Utility Work:** Work by the City on its own land and standard maintenance by public utilities (like BC Hydro) are exempt.
- **Farming and Surveying:** Exemptions exist for farm operations and for land surveyors cutting narrow paths (less than 2m wide).
- **Emergencies:** Trees in danger of falling due to natural causes can be removed immediately, but the owner must report it the next business day **with photographs** and cannot remove the remains until City staff confirm the danger.

7. City of Langford Tree Protection Bylaw No. 2206

<https://langford.ca/wp-content/uploads/2024/11/Tree-Protection-Bylaw-2206.pdf>

The Threshold for "Protected" Status: Langford's criteria for protection are relatively strict regarding general size but less specific regarding species sensitivity:

- **General Size Limit:** Any tree with a DBH (diameter at breast height) of 20 cm or greater is a protected tree. This is more protective than the 30 cm threshold used by Victoria, Esquimalt, and Oak Bay.

- **Species Sensitivity:** Unlike many neighboring municipalities, this bylaw does not list specific native species (like Garry Oak or Arbutus) for protection at a smaller size (e.g., 4 cm). These species are only protected if they meet the 20 cm DBH threshold or meet other criteria.
- **Habitat and Location:** Protection is granted to any tree containing evidence of nesting or use by raptors, osprey, or a heron colony. It also includes any tree located on City-owned or occupied land and trees protected by restrictive covenants.

Replacement Ratios and Financial Commitment: The Langford bylaw is less prescriptive than others regarding specific replacement numbers and security deposit amounts:

- **Replacement Ratios:** The bylaw does not include a fixed ratio table (like 2:1 or 3:1). Instead, the Director has the "sole discretion" to attach "any terms, conditions, restrictions and requirements" to a permit, which may include replacement.
- **Emergency Replacement:** If a tree is removed due to emergency danger, it must be replaced, but the bylaw refers to the penalty section for guidance on this process.
- **Independent Review Costs:** If an application requires a review and the submitted materials (like an arborist report) are found to be unsupported, the owner must pay the costs of the independent review.

Rigor of the Application Process: the process emphasizes high professional standards for assessment:

- **Professional Oversight:** Arborist reports must be prepared by an arborist who is TRAQ (Tree Risk Assessment Qualification) certified.
- **Specialized Reports:** Depending on the site, the Director may require a report from a Qualified Environmental Professional (QEP) to address fire risk, slope destabilization, or detrimental effects on wildlife habitat.
- **Director's Discretion:** The Director has broad powers to refuse a permit if they believe the work could result in adverse impacts on adjacent properties or personal injury.

Strength of Protection During Construction: Langford focuses on professional standards rather than detailed physical specifications in the bylaw text:

- **Standard of Care:** All work must follow "Best Arboricultural Practices," defined as those in accordance with the most current ANSI and International Society of Arboriculture (ISA) standards.
- **Permit Conditions:** Rather than listing universal barrier heights (like the 1.2 m standard in other cities), protection requirements are set as conditions of the individual Tree Permit.
- **Damage Definition:** "Damage" is clearly defined to include removing more than 25% of a tree's total live foliage or any action that would cause the tree to die.

Penalties and Enforcement: Langford's penalty structure is one of the most severe in the region:

- **Fine Amounts:** Upon conviction of an offence, a person is liable for a fine of not less than \$5,000 per tree. This minimum is significantly higher than the minimums found in Saanich or Esquimalt.
- **Separate and Daily Offences:** Like other municipalities, each individual tree and each day the violation continues constitutes a separate offence.
- **Stop Work Orders:** The Director is authorized to issue a Stop Work Order if a tree is being cut or damaged in contravention of the bylaw.

Breadth of Exemptions: the bylaw includes standard municipal and utility exemptions but maintains a strict permit requirement for others:

- **City & Utility Work:** Work by City employees, agents, or public utilities on their own land is exempt.
- **Development Permits:** Trees may be removed without a separate Tree Permit if the removal is already authorized under a Development Permit issued by the City.
- **Emergencies:** Trees in "imminent danger of falling" can be cut immediately, but the owner must apply for a permit the next business day and provide photographic or video evidence.