

What do the Guidelines mean?

Late in March 2013, PROW wrote to the District of North Saanich and asked five questions about what the guidelines mean to people who own waterfront property. (All waterfront property in North Saanich is defined as being in Development Permit Area 1 - DPA1.)

District of North Saanich: The Marine Uplands and Foreshore (OCP 14.3)\* development permit guidelines are found on pages 41 and 42 of the Official Community Plan. A brief overview is provided as follows:

- Unless permitted through a development permit, no site alterations are accepted within DPA1 (OCP 14.3.1)
- Existing trees and vegetation are to be retained (OCP 14.3.1)
- Exemptions are offered for emergency works including tree cutting necessary to remove an immediate danger or hazard (OCP 14.2.1-F)
- Habitat restoration is permitted provided the activity complies with all Provincial and Federal standards and requirements and other District bylaws (OCP 14.2.1-J)

You may also wish to reference the Tree Protection Bylaw #935.

PROW Q1: What permits, fees and QEP\* reports are required to **prune** a tree or shrub in DP1?

A1: Depending on the scope of pruning, a permit may or may not be required. If several dead limbs are pruned from a tree then this could be viewed as habitat restoration and no development permit is required. However, if there is extensive pruning 'for view' a development permit is required. We are currently reviewing the definition of a minor development permit, but at this time the fee is \$1,500. Application requirements (see OCP 14.3.9) include a surveyed site plan and certified arborist report.

PROW Q2: What permits, fees and QEP reports are required to **cut down** a **live** tree or shrub in DP1?

A2: OCP 14.3.1 states that "existing trees and shrubs are to be retained". A development permit is required and the fee is \$1,500 (under review). Application requirements (see OCP 14.3.9) include a surveyed site plan delineating 15m from the high-water mark as well as a certified arborist report.

PROW Q3: What permits, fees and QEP reports are required to cut down a **dead** tree or shrub in DP1?

A3: If an certified arborist can prepare a report stating that the tree is an immediate danger or hazard (OCP 14.2.1-f) then an exemption form a development permit is offered. A single dead shrub does not require a development permit.

PROW Q4: What permits, fees and QEP reports are required to prune or cut down a tree or shrub **outside** DP1?

A4: This is done through an application and permit process as referenced in the Tree Protection Bylaw #935, Section 6:

6.1 Prior to cutting down or removing a tree, application must be made to the District.

6.2 A tree may only be cut down or removed where its Owner holds a valid and subsisting permit to do so.

6.3 Notwithstanding section 6.2, the Owner of a parcel of land may, without a permit, providing an application on the prescribed form has been submitted to the District, cut down or remove:

(a) on a parcel of land .4 hectares (4,000 square metres) or less in area, 25 trees per calendar year with a diameter of 20 centimetres or less or 5 trees per calendar year with a diameter greater than 20 centimetres;

(b) on a parcel of land larger than .4 hectares (4,000 square metres) in area, 25 trees per acre per calendar year with a diameter of 20 centimetres or less or 5 trees per acre per calendar year with a diameter greater than 10 centimeters, provided that not more than 25 trees with a diameter less than 20 centimetres or 5 trees with a diameter exceeding 20 centimetres are cut in a contiguous group.

Fees for a Tree Cutting Permit for trees that do not fall within the scope of Section 6.2 of the tree bylaw are \$100.00 plus \$10.00 per tree to be cut down or removed. No permit fee is required for trees that are dead, diseased, or dying and in danger of causing injury to persons or property.

PROW Q5: Are Development Permits or Variances required for any of the above? If so, what are the applicable application fees?

A5: A development permit is required for any site alterations within DPA 1. Exemptions are provided and can be found in Section 14.2 of the OCP. The fee is \$1,500 for a development permit for tree removal (currently under review). A development variance permit is required to vary an aspect of zoning and does not apply to trees or shrubs.

- \* QEP - Qualified Environmental Professional
- \* OCP – Official Community Plan