

CITY OF
LANGLEY



Tree Protection and Management Bylaw, 2025, No. 3321

A Bylaw to protect the urban forest by regulating tree cutting and removal in the City of Langley.



TREE PROTECTION AND MANAGEMENT BYLAW, 2025,

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A Bylaw to protect the urban forest by regulating tree cutting and removal in the City of Langley.

The Council of the City of Langley, in open meeting assembled, enacts as follows:

1. Title

This Bylaw shall be cited as the “Tree Protection and Management Bylaw, 2025, No. 3321”.

2. Definitions

Unless otherwise defined in this Bylaw, words used herein shall have the meanings defined in the Community Charter or the Local Government Act. In addition, in this Bylaw:

- (1) “Arborist” means a person who is certified by and in good standing with the International Society of Arboriculture and holds the International Society of Arboriculture’s Tree Risk Assessment Qualification (TRAQ).
- (2) “Arborist Report” means a report prepared by an Arborist in accordance with City specified terms of reference for the report and which clearly identifies the Arborist’s name and International Society of Arboriculture certification number.
- (3) “Best Practices” means practices in accordance with the most current version of the American National Standards Institute (ANSI) publication, “American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Management – Standard Practices” and the companion “Best Management Practices” Series of the International Society of Arboriculture.
- (4) “Building Footprint” means the area of land enclosed by the foundations of the principal building and any accessory buildings, including the minimum area reasonably required for construction activities as shown on the plans and specifications attached to the building permit for the applicable building. The extent of the construction area shall be determined by the Director in

consultation with the Building Official and must be clearly delineated on the approved permit drawings to support any related Tree Permit decisions.

- (5) "Building and Plumbing Bylaw" means the City of Langley's *Building and Plumbing Bylaw No. 2498*, as amended.
- (6) "City" means the City of Langley.
- (7) "Cut" means to cut down a tree and includes to knock down or otherwise fall a tree.
- (8) "City Tree" means any Tree on City-owned or occupied, property or property leased to the City.
- (9) "Critical Root Zone" means the area of land surrounding the trunk of a Protected Tree contained within a circle having a radius which is calculated by multiplying the DBH of the tree by six (6).
- (10) "Crown" means the foliage-bearing section of a Tree formed by its branches, but does not include the stem or trunk of a Tree;
- (11) "Damage" means to harm or damage, including causing death or decline in health and including:
 - a) poisoning or burning,
 - b) shearing, harming, or undermining the roots of a Tree;
 - c) denting, gouging, drilling, harming, or affixing anything to the branches or the trunk of a Tree; and
 - d) removing bark from a Tree.
- (12) "DBH" stands for "diameter at breast height" and means:
 - a) For a tree having a single stem at or below 1.4 m, the diameter of the trunk measured 1.4 metres above the highest immediately adjacent natural ground level at the base of the tree;
 - b) For trees having two stems with a shared root system, the DBH is the sum of the DBH of each stem;
 - c) For trees having three or more stems with a shared root system, the DBH is the sum of the DBH of the three largest stems; and
- (13) "Development Application" means an active application submitted to the City pursuant to applicable City's bylaws for a:

- a) zoning amendment;
 - b) subdivision approval;
 - c) development permit;
 - d) development variance permit;
 - e) demolition permit;
- (14) “Development Period” means the period following the giving of the approval or issuance of the permit that is the subject of the applicable Development Application and before the completion of all works and services, construction, landscaping, and other activity covered by the Development Application.
- (15) “Director” means the City’s Director of Engineering, Parks and Environment, or any person acting in that person’s capacity or at that person’s direction.
- (16) “Environmentally Sensitive Areas” means those areas identified in the City’s Official Community Plan as Environmentally Sensitive Areas in the Natural Environment Development Permit Area.
- (17) “Fees and Charges Bylaw” means the *Fees and Charges Bylaw, 2010, No. 2837*, as amended.
- (18) “Hazardous Tree” means a tree that has, in the opinion of an Arborist holding the Tree Risk Assessment Qualification from the International Society of Arboriculture:
- a) a high or extreme risk rating; or
 - b) an imminent likelihood of failure.
- (19) “Invasive Species” means a tree that is considered an invasive species by the Province of British Columbia or the Invasive Species Council of British Columbia.
- (20) “Lot” means a parcel of land.
- (21) “Municipal Ticket Information Bylaw” means the City of Langley’s *Municipal Ticket Information System Bylaw, 2011, No.2846*, as amended.
- (22) “Owner” has the same meaning as in the Community Charter, S.B.C. 2003, c. 26.
- (23) “Protected Tree” means a Tree that is:
- a) a City Tree;

- b) a Tree located in an Environmentally Sensitive Area;
 - c) a Tree of at least 20 centimetres DBH growing on a Lot that subject to a Development Application;
 - d) a Tree planted as a condition of a Development Approval;
 - e) a Replacement Tree;
 - f) a Significant Tree; or
 - g) a Tree that is protected by a restrictive covenant in favour of the City.
- (24) “Prune” means to cut twigs or branches, but does not include Topping;
- (25) “Qualified Professional” means a person in good standing with a legislated self-regulating association in British Columbia who is acting within the individual’s area of expertise and includes a professional Biologist, Agrologist, Arborist, Forester, Geoscientist, Engineer, Architect, or Landscape Architect;
- (26) “Replacement Tree” means a Tree planted or to be planted to replace a Tree pursuant to a requirement under this Bylaw.
- (27) “Retained Tree” means a Protected Tree identified in a Tree Permit as a tree which is not permitted to be Cut, removed, or Damaged.
- (28) “Shared Tree” means a Tree with any part of its trunk or trunk flare crossing a Lot boundary.
- (29) “Significant Tree” means a Tree with a DBH of at least 75 centimetres.
- (30) “Tree” means a self-supporting, perennial, woody plant that has a trunk or stem and a root system.
- (31) “Topping” means to cut a trunk, stem or scaffold limb of a Tree back to a stub, bud or lateral branch not large enough to assume apical dominance, and includes re-topping of previously topped trees;
- (32) “Tree Permit” means a permit issued by the Director under this Bylaw.
- (33) “Tree Protection Barrier” means a temporary barrier built in accordance with the City’s Tree Protection Detail included in the City’s Design Criteria Manual
- (34) “Tree Protection Zone” means the area of land surrounding the trunk of a Protected Tree that:
- a) at a minimum, contains the Critical Root Zone of a tree;
 - b) maximizes the area available to protect the tree, as defined by an Arborist

and to the satisfaction of the Director; and

c) is established in such a way as to avoid requiring removal of the barriers to allow site works to occur.

(35) “Urban Forestry Reserve” means a fund established by the City that is used to plant trees on public and private lands to replace tree canopy lost, and for the promotion and stewardship of a healthy tree canopy in the City.

(36) “Zoning Bylaw” means the City’s current Zoning Bylaw.

3. Exemptions

(1) This Bylaw does not apply to the Cutting or removal of a Protected Tree:

- a) by the City or its agents during the discharge of their duties;
- b) by a Public Utility, on land owned or held by the Public Utility, and done for the purpose of safety, maintenance or operation of the Public Utility’s infrastructure;
- c) by the Government of Canada, the Province of British Columbia, or Metro Vancouver on their own properties;
- d) that is an Invasive Species;
- e) that is necessary for the purposes of farm operations as defined in the *Farm Practices Protection Act*, or
- f) pursuant to the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Oil and Gas Activities Act*, S.B.C. 2008, c. 36.

(2) A person may Prune a Protected Tree without a Tree Permit.

4. Prohibition

(1) No person shall Damage, Cut, or remove a Protected Tree or cause, suffer or permit a Protected Tree to be Damaged, Cut, or removed, except where permitted by and in accordance with a valid and subsisting Tree Permit or where permitted by this Bylaw without a Tree Permit.

5. Emergency Tree Removals

(1) A person may Cut or remove a Protected Tree without a Tree Permit if the Protected Tree is in imminent danger of falling and injuring persons or property. Evidence of an emergency must be submitted to the City.

(2) No person shall remove or cause, suffer or permit the removal from the Lot on which a Protected Tree was cut pursuant to section 5(1) any portions of the

trunk, limbs, roots, or other remains of the Protected Tree, except where permitted by and in accordance with a valid and subsisting Tree Permit.

6. Tree Permits

- (1) A person may apply to the City for a Tree Permit by submitting a completed Tree Permit form accompanied by:
 - a) If the applicant is not the Owner of the Lot, a document signed by the Owner authorizing the applicant as the Owner's agent; and
 - b) If the Protected Tree is a Shared Tree, a document signed by all Owners authorizing the application;
- (2) If the Director considers it necessary to support the application, the Director may require additional information, including but not limited to the following:
 - a) An Arborist Report that documents the species, size, and condition of each Protected Tree on the Lot and within 4 metres of the property line, its suitability for retention, its tree protection zone, and, where retention of Protected Trees is proposed, includes a Tree Protection Zone and Barrier Plan prepared in accordance with Best Practices and the City's Design Criteria Manual showing dimensions, barrier locations, and any additional protection measures recommended by the Arborist. The report must also indicate whether, in the opinion of an Arborist holding the Tree Risk Assessment Qualification from the International Society of Arboriculture, a Protected Tree presents:
 - (i) a high or extreme risk rating; or
 - (ii) an imminent likelihood of failure.
 - b) A report prepared by a Qualified Professional with expertise in geotechnical, environmental, habitat, or other area of expertise, as required by the Director, if the Director considers that the Cutting or removal could result in:
 - (i) slope destabilization or landslip;
 - (ii) flooding or erosion;
 - (iii) adverse impacts on adjacent properties;
 - (iv) adverse impacts on watercourses, fish or wildlife habitat, or other environmental features or functions;
 - (v) risk of blowdown; or
 - (vi) risk of personal injury or damage to property;

- c) A letter prepared by an Arborist confirming the installation of any tree protection measures required under section 10; and
 - d) A letter of assurance prepared by an Arborist describing any construction activities that will require supervision by an Arborist, with the condition that a post-construction memo confirming the supervision took place and no Damage occurred, or detailing the Damage and potential mitigation solutions if Damage occurred, shall also be submitted.
- (3) In addition to sections 6(1) and 6(2), if the property is subject to a Development Application, the Owner must also provide:
- a) A tree survey identifying and showing the location, size and species of all Protected trees on the Lot, with such detail and other requirements as may be specified by the Director; and
 - b) An Arborist Report addressing such matters as may be specified by the Director.
- (4) If the Director does not grant a Permit, the Owner who is subject to that decision of the Director may appeal to City Council to have the decision reconsidered. An application for reconsideration must be made in writing to the City Clerk within thirty days of the date of letter of denial. There is no fee for an application for reconsideration.

7. Tree Permit Terms and Conditions & Issuance Criteria

- (1) In issuing a Tree Permit, the Director may impose and include in the Tree Permit any terms, conditions, restrictions and requirements to the Tree Permit as they consider necessary, including to ensure compliance with the requirements of this Bylaw for Replacement Trees, tree protection and security.
- (2) A Tree Permit may only be issued to Cut or remove a Protected Tree in the following circumstances:
- a) The Protected Tree is dead, or more than 50 percent of the Crown is dead;
 - b) An Arborist Report from an Arborist holding the Tree Risk Assessment Qualification from the International Society of Arboriculture indicates that the Arborist is of the opinion that the Protected Tree is:
 - (i) a high or extreme risk rating; or
 - (ii) an imminent likelihood of failure;and that the hazard cannot be mitigated other than through Cutting or

Removal;

- c) The Protected Tree must be Cut or Removed in order to comply with another City bylaw; or
 - d) The Protected Tree is causing damage to a building or damage that cannot be mitigated other than by Cutting or removing the tree.
- (3) Notwithstanding any other provision of this Bylaw, where an Arborist Report or other evidence acceptable to the Director confirms that a Protected Tree is causing imminent damage to property, structures, or utilities:
- a) The Protected Tree is causing damage to a building or damage that cannot be mitigated other than by Cutting or removing the tree.
 - b) The Tree Permit application fee shall be waived; and
 - c) The Owner must provide documentation satisfactory to the Director demonstrating the nature and urgency of the damage.

8. Permit Authority

- (1) Upon receiving a complete application, signed by the Owner, provision of all securities required by this Bylaw and payment of all applicable fees and cash in lieu amounts required by this Bylaw or otherwise applicable under the *Fees and Charges Bylaw*, the Director may:
- a) issue a Tree Permit upon being satisfied that the application meets the requirements of section 7(2) and other applicable provisions of this Bylaw; or
 - b) refuse to issue the Tree Permit.
- (2) The Director may suspend, revoke, or cancel a Tree Permit if they consider that there to be a violation of the Tree Permit or that work or activity being carried out is pursuant to the Tree Permit does not comply with any provision of this Bylaw, or that Damage has occurred or is likely to occur to a Protected Tree regardless of whether it is subject to the Tree Permit, except for Damage permitted by the Tree Permit.
- (3) A Tree Permit is valid from issuance until:
- a) for a Tree Permit issued in relation to a Development Application that includes construction of a building requiring an occupancy permit, the earlier of:
 - (i) one year from the date that the final occupancy permit is issued for that building; or

- (ii) five years from the date of issuance;
 - b) for all other Tree Permits, one year from the date of issuance.
- (4) The Owner must ensure the Tree Permit is displayed on the Lot that is the subject of the Tree Permit in a location visible to the front and including the date of the commencement of the activities permitted under the Permit and until the completion of all activities permitted under the Permit.
- (5) The Owner must ensure that trees to be removed or cut under the Tree Permit are identified by paint or flag tape to facilitate inspections by the City.

9. Replacement Trees

- (1) Replacement Trees shall be required in accordance with this section for every Protected Tree that is removed.
- (2) For each Protected Tree being removed that is a City Tree, two Replacement Trees shall be planted.
- (3) Notwithstanding section 9(4), the Director may:
 - a) Require cash in lieu of a Replacement Tree planting in the amount specified in the Fees and Charges Bylaw, where the Director is satisfied that planting on the Lot is not feasible due to space limitations, infrastructure conflicts, or site conditions that would prevent successful establishment or long-term viability of the Replacement Tree, unless section 9(3)(b) applies; or
 - b) Where the Tree being removed is a City Tree at least 30 cm DBH, where the Director determines that the appraisal value exceeds the cash in lieu amount specified in section 9(3)(a), require cash in lieu of a Replacement Tree planting to the that appraised value, and for the purpose of this section appraised value will be based on to the latest edition of the Guide for Plant Appraisal by the Council of Tree and Landscape Appraisers, as determined by the Director.
- (4) For each Protected Tree being removed that is not a City Tree, the number of Replacement Trees that the Owner must plant will be determined according to the following, with species size classification (small, medium, or large) based on canopy spread ranges listed in the City's Design Criteria Manual or as approved by the Director:

Type of Tree Removed	# of Replacement Trees (medium or large species)	# of Replacement Trees (small species)
Protected Tree that is a Hazardous Tree	0	0
Protected Tree (other than Significant Tree)	2	4
Significant Tree	3	6

- (5) Replacement Trees shall be planted on the Lot for which the Tree Permit is issued, except for Replacement Trees planted as a replacement for a City Tree, which should be planted in a location determined by the Director.
- (6) Replacement Trees planted in Environmentally Sensitive Areas must be native species approved by the Director.
- (7) The Owner must ensure that each Replacement Tree is planted and maintained in accordance with Best Practices and that stock selected for Replacement Tree planting meets the standards of the latest edition of the CNLA/CSLA “Canadian Landscape Standard”.
- (8) Unless specified otherwise by the Director, Replacement Trees shall be:
- a) A species listed in the Design Criteria Manual subject to Director approval.
 - b) A minimum of:
 - (i) 8 cm caliper when replacing a City Tree;
 - (ii) 5-gallon pot size for native species replacing trees within an Environmentally Sensitive Area; or
 - (iii) 6 cm caliper for deciduous or 1.5 metre height for coniferous trees replacing any other Protected Tree;
 - c) Sited a minimum of:
 - (i) 2 metres, 3 metres, or 4 metres from any existing or planned foundation wall, façade, or second-floor balcony for small (canopy spread under 6 m), medium (approximately 10 m canopy spread), and large (canopy spread over 10 m) trees, respectively;

- (ii) 1 metre away from the property line;
- (iii) 1 metre away from in-ground utilities and service infrastructure, including driveways; and
- (iv) 1 metre from the path of overhead power service lines, and 5 metres from the path of overhead distribution lines unless a small tree species with limited expected height growth.

10. Protection for Retained Trees

- (1) Prior to any construction, demolition or excavation activities on a Lot, and in accordance with any applicable conditions of a Development Application, the Owner must install and maintain at all times during the Development Period a Tree Protection Barrier around the Tree Protection Zones of Protected Trees that are not permitted to be removed pursuant to a valid and subsisting Tree Permit or any Tree at least 20 cm DBH, wherever site disturbance will occur within 10 metres of the trunk of the Trees.
- (2) A person must not damage, destroy, remove or alter a Tree Protection Barrier during the Development Period, except where permitted by the Director under this section or to make alterations required due to changes to a Tree Protection Zone specified by an Arborist retained by the owner.
- (3) No person shall use a Tree Protection Zone or permit the use of a Tree Protection Zone be used for travel, stockpiling, storage, soil testing, excavation, site access, or any purpose other than tree protection during the Development Period.
- (4) The Director may authorize temporary removal or relocation of a Tree Protection Barrier to permit construction work, provided the owner implements alternate protection measures acceptable to the Director.

11. Tree Protection and Replacement Securities

Tree Protection Securities

- (1) If the retention of a Protected Tree is a condition of a Tree Permit issued in connection with a Development Application, the Owner shall pay to the City a refundable security prior to permit issuance in accordance with the *Fees and Charges Bylaw* prior to permit issuance.
- (2) Notwithstanding section 11(1), the amount of security for Retained Trees may be waived if the Director is satisfied that the Protected Tree to be retained is not at risk of being damaged by the proposed activity under the Tree Permit.
- (3) The City will hold the security for Retained Trees for the duration of the Development Period and will release the security for retained Protected Trees

once all of the following conditions are satisfied:

- a) All construction on the site is completed;
- b) A final occupancy permit, or a final building inspection, for the lot has been issued by the City pursuant to the *Building and Plumbing Bylaw*, or a Certificate of Acceptance has been provided by the City, as applicable;
- c) The Director has approved the removal of any tree protection measures, in accordance with section 10; and
- d) If a letter of assurance had been required in accordance with section 10(4), the Owner's Arborist or landscape architect has provided a post-construction memo, including photographs, monitoring dates and supervision memos as evidence, to the satisfaction of the Director, confirming that the Retained Trees have not been damaged in violation of this Bylaw and have been properly protected and maintained in accordance with this Bylaw and the Tree Permit.

(4) Notwithstanding section 11(3), if any Protected Tree is:

- a) Damaged and the Tree will survive and be safe to retain, the Director may:
 - (i) Require that the Owner have mitigation work completed by an Arborist, if the Director is satisfied that mitigation of the damage will improve the health or structure of the tree; and
 - (ii) If the Owner fails to complete the required mitigation work within the time specified by the Director, the City may retain 50% of any security amount that was provided for the tree and deposit it in the Urban Forestry Reserve if the Director is not satisfied that mitigation of the damage can improve the health or structure of the tree;
- b) Removed or Damaged, and the Tree(s) will not survive or is not safe to retain, the Director may retain the full security amount that was provided for the tree(s) and place it in the Urban Forestry Reserve.

Tree Replacement Securities

- (1) If the planting of a Replacement Tree is a condition of a Tree Permit, the Owner shall pay to the City a refundable security prior to the issuance of the Tree Permit in accordance with the *Fees and Charges Bylaw*.
- (2) The City will release the security provided by the Owner for a Replacement Tree under this Bylaw one year after planting, and upon approval by the Director that the Replacement Tree has survived and is in good condition.

- (3) If any Replacement Tree does not survive for one year from the date of planting, the Director may take one of the following actions:
 - c) Require the Owner to replace the Replacement Tree within six months and maintain it for a further period of two years, during which the balance of the replacement security deposit will continue to be held by the City and will be dealt with in accordance with section 11(6) or section 11(7)(b) as applicable following such two-year period;
 - d) Retain all security held by the City for the Replacement Trees, and such money shall then be deposited in the Urban Forestry Reserve.
- (4) Notwithstanding section 11(5), the Director shall waive security a requirement under this Bylaw where an equivalent landscaping security has been collected under another bylaw that permits the City to draw down on such security to fulfill the owner's obligations under a Tree Permit and this Bylaw.

Forfeit of Securities

- (5) If at any time an Owner fails to comply with a requirement of this Bylaw or a Tree Permit:
 - e) the City may fulfill the requirement action at the expense of the Owner, and the City may recover the costs incurred from the owner as a debt which shall be due and payable on December 31 of the year such costs are incurred and invoiced to the Owner and, without limiting the foregoing, may use any the security provided to the City pursuant to this Bylaw to pay such costs; and
 - f) Any debt of an Owner pursuant to section 11(9)(a) may be collected in the same manner and with the same remedies as property taxes on the Lot in respect of which the Tree Permit applies and if unpaid on the 31st day of December of the year when due and payable is deemed to be taxes in arrears.

12. Inspections

- (1) Pursuant to Subsection 16(6)(d) of the Community Charter, the City has the authority to enter onto property to assess or inspect in relation to this Bylaw, including compliance with this Bylaw and with Tree Permits.
- (2) Where the Director considers that a contravention of this Bylaw has occurred, the Director may notify the Owner in writing of the contravention and require that measures be taken to remedy the contravention within a specified period, or where no period is specified, within 30 days.
- (3) A person to whom a notice is delivered under section 12(2) must fully comply with any requirements stated in the notice.

- (4) The Director may issue a stop work order if any Protected Tree is being Cut without a Tree Permit or contrary to a Tree Permit or this Bylaw, or if any Protected Tree is being Damaged or Removed in contravention of this Bylaw. Upon receipt of a stop work order, the Owner and all persons having notice must immediately cease the Cutting, Removal, or activity causing Damage and must not resume unless authorized by the Director.
- (5) No person shall contravene or disobey a stop work order issued under section 12(4) of this Bylaw.

13. Contravention and Penalties

- (1) Every person who:
 - a) Cuts, Removes, or Damages a Protected Tree contrary to this Bylaw or contrary to the terms and conditions of a Tree Permit;
 - b) Violates any of the provisions of this Bylaw or a Tree Permit;
 - c) Submits misleading, inaccurate, incomplete, or erroneous information to the City in order to qualify for an exception or obtain a Tree Permit;
 - d) Suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw or a Tree Permit; or
 - e) Omits to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or a Tree Permit,

shall be deemed to be guilty of an infraction, notwithstanding any of the requirements of section 11, and shall be subject to penalties as prescribed under the *Offence Act* R.S.B.C. 1996, c. 338 or as set out in the *Municipal Ticket Information System Bylaw*, No. 2846, as amended.

- (2) Where more than one Protected Tree is Cut, Removed, Damaged, or suffered in violation of this Bylaw, a separate offence is committed in respect of each Protected Tree.
- (3) Each day that a violation exists or continues shall constitute a separate offence.
- (4) Upon being convicted of an offence under the *Offence Act* R.S.B.C. 1996, c. 338 under this Bylaw, a person shall be liable to pay a fine of not less than \$5,000.
- (5) In the event that the Owner fails to pay penalties imposed under this Bylaw before the 31st day of December in the year following the year that the compliance was effected by the City, the penalties shall be added to and form part of the taxes payable on the Lot as taxes in arrears.

- (6) Prosecution of a person pursuant to section 13(1) of this Bylaw does not exempt the person from the provisions of the remainder of section 13.

14. General

- (1) If any provision of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.

READ A FIRST AND SECOND TIME this first day of December, 2025

READ A THIRD TIME this day of, 2025

ADOPTED this day of, 2025

MAYOR

CORPORATE OFFICER