

---

# CITY OF KELOWNA

## MEMORANDUM

---

**Date:** January 5, 2005  
**File No.:** 6300-00  
**To:** City Manager  
**From:** Parks Manager  
**Subject:** Tree Removal and Replacement Policy  
Prepared by: Ian Wilson, Urban Forestry Supervisor

---

### **RECOMMENDATION**

THAT the City of Kelowna Municipal Properties Tree Bylaw No. 8042 be amended to include "Schedule B - Tree Removal and Replacement Policy" to the bylaw;

AND THAT the amending bylaw be advanced for reading consideration by Council.

### **BACKGROUND**

Tree removal is often a very controversial subject. Parks receives a number of requests every year from residents who want the city to remove trees, for many different reasons. These requests can be quite challenging and time consuming. Tree removal is sometimes necessary in order to accommodate new construction, roads or development. Some residents request removal because they do not like to rake up leaves or to improve a view. Conversely, some residents feel very passionate about trees and do not want any trees to be removed, for any reason.

Requests related to public safety issues are usually very straightforward, whereas most other requests are not. The Municipal Properties Tree Bylaw No. 8042 already deals with protecting trees and compensation required for unauthorized removal of trees. However, it is not as clear when it comes to the authorization of tree removal requests, and what type of compensation or replacement may be required in these cases.

The attached policy is intended to clarify the decision-making process for tree removal, so that it is consistent and easily understood, as well as the compensation and replacement policy.

The Municipal Properties Tree Bylaw No. 8042 includes a Schedule A (Urban Forest Policy Statement), which is a general overview of the purpose of the bylaw. We propose to incorporate this new tree removal policy as Schedule B in the bylaw.

---

Joe Creron, Parks Manager

c.c. Director of Parks and Leisure Services  
Urban Forestry Supervisor

Attachment: Schedule B: Tree Removal Policy

# Municipal Properties Tree Bylaw No. 8042

## Schedule B

### City of Kelowna Parks Division Tree Removal and Replacement Policy

---

#### REASON FOR POLICY

**To clarify the City's tree removal bylaw on public lands, and the authority required to grant permission for removal. This policy deals with removal requests from the public as well as requests from City departments, businesses or external agencies.**

#### POLICY

Trees on City property are protected against unauthorized damage by the Municipal Trees Bylaw No. 8042 and will only be removed if they meet one of the two sets of removal criteria outlined below. Trees removed from urbanized city boulevards or formal parks will be replaced at a minimum two for one ratio, either on-site or at a more suitable location in the City of Kelowna.

#### REMOVAL CRITERIA

##### ***Criteria #1:***

Trees on City property may be removed, transplanted or replaced at public expense if in the opinion of the Urban Forestry Supervisor the tree:

1. Constitutes a hazard to life or property or is a public nuisance;
2. Is infected by disease or injurious insects that are a significant threat to the tree or nearby trees, or require the use of chemicals or treatments that are incompatible with the City's Integrated Pest Management Program;
3. Is planted too close to an abutting tree that it impedes growth of either or both;
4. Is documented to damage existing lines, poles, pipes, sewer lines, traffic control devices or other public utilities, and the problem can not be corrected by trimming or root pruning; or
5. At the discretion of the Parks Manager or his delegate.

## **Criteria #2:**

If a tree does not meet criteria #1, a person may apply in writing to the Urban Forestry Supervisor for permission to remove a tree, if all of the following conditions are met:

1. The tree is not a significant neighbourhood asset, and removal does not harm the public interest;
2. Removal must be conducted by a City approved contractor (with the proper insurance and licenses) according to specifications provided by the City; and
3. Equitable compensation is paid for the value of the tree as determined by a tree appraisal, as well as all removal costs. Replacement costs may also be required, at the discretion of the Urban Forestry Supervisor. Funds received from compensation will be used to replace the tree at a minimum 2:1 ratio and any remaining funds will be placed into a tree planting reserve.

Some factors for consideration of this type of removal request include:

- Heritage value of the tree (including inclusion on the city's 1992 heritage tree inventory list). Removal of a tree on the heritage list must receive prior approval from the Parks Committee, unless it is imminently hazardous;
- Value of the tree to the neighbourhood (as determined from neighbour comments);
- Whether the tree was planted as part of a uniform boulevard or park planting (e.g. removal of individual trees will affect the character of the area);
- The size and species characteristics. Some species are short-lived or more prone to problems and/or high maintenance costs. Recognized scientific references, such as Matheny and Clark (1994)<sup>1</sup> and the International Society of Arboriculture Tree Failure Database will be used as a guide; and
- If the removal is for the purpose of improving "gray infrastructure" (e.g. new construction, road or utilities infrastructure) and no alternatives exist, then the benefits of removal will need to be weighed against the loss of green infrastructure. A plan to replace or improve "green infrastructure" may be a condition of approval.

---

<sup>1</sup> N.P. Matheny and J.R. Clark. 1994. A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas. Second Edition. International Society of Arboriculture, Urbana, Illinois.