



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: Heritage Trees	NO. HER - 03
<p><u>POLICY:</u></p> <p>WHEREAS certain trees are situated in the Municipality which have heritage value due to age, size, rarity, uniqueness or other characteristic;</p> <p>AND WHEREAS the Heritage Tree Committee of the Victoria Horticultural Society maintains a Heritage Tree List which is a listing of trees identified and designated as being heritage trees;</p> <p>AND WHEREAS the Heritage Conservation Act, Section 13, provides that a Council may acquire covenants;</p> <p>AND WHEREAS Municipal Council desires to prevent such heritage trees from being damaged or destroyed;</p> <ol style="list-style-type: none">1. The Municipality shall request an owner(s) of land on which there is a tree(s) identified on the Heritage Tree List, as revised from time-to-time, to enter into a covenant under The Heritage Conservation Act preventing the cutting of such a tree(s).2. Upon entering into a covenant with an owner(s), the Municipality shall register the covenant in the land Title Office against the land affected by the covenant. The covenant shall run with the land and be enforceable against the owner(s) or subsequent owner(s) of the land.3. The Municipality shall provide maintenance of a tree(s) whose owner(s) has entered into the afore-mentioned covenant.4. The afore-mentioned covenant may not be extinguished except by mutual consent of the owner(s) and the Municipality.	

EFFECTIVE DATE: November 14, 1989	APPROVED BY: Council	REFERENCE 89-2994	AMENDS NO. Original	PAGE 1 OF 1
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