

Tree Bylaw Amendments 2025

RECOMMENDATION:

That Committee of Council recommend that Council support the proposed amendments to Tree Bylaw No. 4108, along with the associated amendments to Bylaw Notice Enforcement Bylaw No. 3814 and Ticket Information Utilization Bylaw No. 2743.

PREVIOUS COUNCIL/COMMITTEE ACTION

November 24, 2020

Council approved further amendments to Tree Bylaw 2019, No. 4108

October 22, 2019

Council approved amendments to Tree Bylaw 2019, No. 4108.

February 26, 2019

Council rescinded Tree Bylaw 2005, No. 3475, and adopted Tree Bylaw 2019, No. 4108.

REPORT SUMMARY

To ensure the Tree Bylaw is operating effectively and to address any challenges related to its implementation, staff from the Parks, Planning, and Bylaw divisions formed a working group to conduct a comprehensive review. This report outlines the key issues identified during the review and proposes amendments aimed at improving clarity, addressing implementation gaps, and strengthening enforcement mechanisms. Drawing on input from the working group, as well as informal feedback from applicants involved in the permitting and enforcement processes, the report recommends updates to Tree Bylaw No. 4108. These proposed amendments are intended to enhance the City's ability to regulate tree cutting, increase tree replacement through non-permitted removal, and better support Bylaw Services in upholding the bylaw.

BACKGROUND

In 2017, the City initiated a review of its tree regulations in response to public concerns regarding tree canopy retention, the removal of significant trees, and the broader management of the urban forest. As part of this initiative, an extensive public engagement program titled *Let's Talk Trees* was launched to better understand community expectations around tree protection and urban forest stewardship.

Feedback from this consultation revealed strong community support for more robust measures to protect existing trees and increase tree planting. In response, Council endorsed a direction that emphasized both the retention of mature trees and the expansion of the tree canopy through additional planting requirements. This led to the development and adoption of Tree Bylaw 2019 No. 4108, which was enacted on February 26, 2019, as a regulatory tool to support these objectives.

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In 2020, a subsequent review of Tree Bylaw No. 4108 was undertaken by a staff working group from the Parks, Planning, and Environment divisions. The resulting report identified gaps and implementation challenges within the bylaw and recommended targeted amendments to improve clarity—particularly around tree removal procedures and related restrictions. These amendments were designed to strengthen protections for existing trees and streamline enforcement.

Examples of key amendments introduced during the 2020 review include, but are not limited to:

- Amending the threshold for significant tree to include trees that are greater than or equal to 45 cm DBH (previous bylaw threshold was 60cm DBH);
- Added “hedge” definition to reduce ambiguity for replacement tree species;
- Amending bylaw language to clarify the process for applying for a permit for a hazardous tree; and
- Establishing a six-month period for owners to plant a replacement tree, and creating a mechanism for fining and forfeiting of bond if timelines are not adhered to.

On November 24, 2020, the amendments to Tree Bylaw No. 4108, outlined in the 2020 report to Committee, were officially adopted.

DISCUSSION

The current version of the Tree Bylaw has been in effect for four years. Over this period, staff responsible for its administration and enforcement have observed positive outcomes resulting from the updates. At the same time, feedback from both staff and applicants has highlighted areas where further improvements could enhance the clarity, effectiveness, and overall implementation of the bylaw.

Successes from 2020 Tree Bylaw Amendments

The increase of tree retention measures introduced through the 2020 bylaw updates (reducing threshold for significant trees from 60cm DBH to 45cm DBH) has provided staff the opportunity to retain additional mature, non-hazardous trees through the permitting process. This update has helped reduce removal of well-established canopy coverage on public and private property. Further, the addition of a timeline for planting replacement trees has provided staff with an enforcement mechanism through the Tree Bylaw and Bylaw Enforcement Notice Bylaw to help ensure replacement trees are planted, or that fines are issued and security deposits are forfeited in the event that timelines are not adhered to.

Challenges of the Tree Bylaw

Since the implementation of the 2020 Tree Bylaw update, staff have observed several instances in which a lack of clarity within the bylaw have led to loopholes related to tree protection and tree replacement requirements. These instances provide opportunities to strengthen the language

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within the bylaw to better align with the direction of significant tree protection and planting that the City has fostered.

Recommended Amendments to Tree Bylaw No. 4108

The recommended approach and amendments outlined 1 are intended to enhance clarity and strengthen the language of the Tree Bylaw, thereby reducing the potential for confusion or misinterpretation by all individuals and entities to whom the bylaw applies. Additional amendments aim to support the retention and expansion of the tree canopy by increasing the number of replacement trees required for non-permitted tree removals and by introducing stronger protections for trees on properties undergoing demolition or development. The following issues were identified by staff, along with corresponding proposed amendments to the Tree Bylaw:

Issue	Proposed Update(s)
1. The current definition of “hedge” is ambiguous and does not specify minimum number of stems, maximum spacing measurements between each stem in a row, maximum height, or maximum diameter. This results in mature, bylaw-sized trees being exempt from tree removal requirements within the Tree Bylaw due to a hedge not being classified as a tree under the “tree” definition.	<ul style="list-style-type: none">Amend the definition of “hedge” in order to clarify specific size and spacing requirements to properly distinguish typical privacy hedges from bylaw-sized trees. This will reduce situations where a row of bylaw-sized trees fit underneath a “hedge” definition, and are adequately protected under the Port Coquitlam Tree Bylaw.
2. The current requirement for installation of Tree Protection Fencing for the purpose of demolition or construction activity does not apply to trees with drip lines more than 4 metres away from an existing or proposed building. This leads to incidental tree damaging acts due to a lack of required Tree Protection Fencing.	<ul style="list-style-type: none">Amend the Tree Protection Fencing requirement to include all trees on the subject property instead of any tree within 4 metres of demolition or construction activity.
3. The current bylaw states that a permit holder that fails to plant a replacement tree will be fined and have deposit forfeited in lieu of tree planting. Applicants refuse to plant trees and instead pay the applicable fine, removing the requirement to plant trees on their property. This leads to an overall loss in canopy coverage on private property.	<ul style="list-style-type: none">Update the bylaw to specify that the permit holder is still required to plant the required amount of replacement trees after being penalized for failure to plant within the required timeline.

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4. Currently, there is a clause to remove the requirement to plant a replacement tree if the tree proposed for removal is within 5 metres of a retained tree on the subject property. Previous instances have seen applicants specifically apply for the removal of select trees while retaining others to reduce or remove replacement requirements, then take out a second tree cutting permit to remove remaining trees, severely reducing the overall tree replacement requirements.	<ul style="list-style-type: none"> Remove the tree replacement clause allowing the exclusion of tree replacement requirements if another tree is within 5 metres. This will remove the loophole for tree replacement and reduce overall canopy coverage loss as part of the tree cutting permit process.
5. The bylaw does not specify the length in time in which a submitted Arborist Report is valid for review. This leads to the submission of old reports that do not accurately describe site and tree conditions.	<ul style="list-style-type: none"> Amend the current definition of “Arborist Report” to specify that arborist reports will only be accepted within 2 years of the date of issuance or last update.
6. The current definition of “tree”, which outlines the measures in which a tree may be protected under the Tree Bylaw, does not protect under-sized trees on city-owned property. This causes confusion as to whether or not under-sized city-owned trees are protected.	<ul style="list-style-type: none"> Amend the current definition of “tree” to specify that all trees on city property are protected under the bylaw, regardless of size. This qualifies all city-owned trees for tree replacement.
7. The current bylaw allows pruning without a permit as long as it is within International Society of Arboriculture (ISA) standards. Without increased detail, these standards are unclear to residents. This leads to incidental tree damage as a result of over-pruning and topping.	<ul style="list-style-type: none"> Amend Section 6.2(a) to include specifications for allowable pruning standards. This will help increase clarity for residents and reduce confusion and instances of over-pruning or damaging acts due to ignorance.
8. Current bylaw does not have stated requirements for locations of replacement trees on properties. This leads to residents planting replacement trees in poor locations.	<ul style="list-style-type: none"> Include location restrictions for tree replacement plans. These restrictions include minimum distance from property lines, underground or overhead services, existing trees, and hardscape/buildings. This leads to a better-established tree and increased probability of long-term tree retention.
9. Current bylaw includes certain terms but is missing definitions for said terms.	<ul style="list-style-type: none"> Include definitions for various terms such as “crown”, and “topping”
10. Existing definition of “damage” does not include poisoning or injecting of chemicals into a tree.	<ul style="list-style-type: none"> Include a subsection for poisoning and harmful chemical injection under “damage” definition.

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11. Current bylaw has instances of inconsistent language.	<ul style="list-style-type: none">• Amend definitions and language within the bylaw to increase consistency and clarity.
12. Current bylaw requires the same amount of replacement trees (3) for non-permitted tree removal, regardless of size or status. In the past, this had led to an overall loss in canopy coverage for the removal of Significant trees.	<ul style="list-style-type: none">• Increase tree replacement requirements for Significant and Heritage status trees (5 and 8 replacement trees respectively). This will help limit the reduction in canopy coverage loss from non-permitted removal, as well as increase cash-in-lieu payments for the City Tree Reserve Fund in cases where tree replacement requirements cannot be met due to property size restrictions.
13. Schedule “A” within the current bylaw excludes several species from qualifying as specimen trees, but does not specify invasive trees or species of invasive concern.	<ul style="list-style-type: none">• Amend this section to include a list of several well-known invasive tree species, as well as multiple species of invasive concern as identified by the BC Provincial Government. Removing these trees from achieving significant status under the tree bylaw may help increase incentive for residents to have them removed without concern for increased tree replacement or protection requirements.
14. Section 6.6 refers to the requirement for nest during the active season of nesting. There are 18 species listed on Schedule 1 of the Migrating Bird Regulations (Migratory Birds Convention Act 1994) 2022 whose nests are protected year-round unless determined to be abandoned.	<ul style="list-style-type: none">• Amend section 6.6 to require the Schedule 1 bird species of the Migratory Birds Regulations 2022 a nest survey year-round for clearing of forested sites.


FINANCIAL IMPLICATIONS

The proposed increase in replacement tree requirements for the non-permitted removal of significant or heritage trees would result in a cash-in-lieu payment to the City ranging from \$500 to \$3,500, in cases where the full number of required replacement trees cannot be accommodated on the property. While the frequency of such infractions varies from year to year, they remain relatively infrequent, making it challenging to estimate an average annual increase in cash-in-lieu contributions. These funds would be directed to the City’s Tree Reserve Fund, which supports tree planting and maintenance on City-owned lands.

Additionally, the enhanced clarity and detail provided in the amended bylaw may help reduce the number of bylaw violation tickets that are disputed and proceed to adjudication, thereby lowering administrative costs associated with staff attendance at hearings.

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OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Recommend that Council support the proposed amendments to the Tree Bylaw.
	2	Request additional information before making a final decision on the proposed amendments.
	3	Not proceed with the proposed amendments.

ATTACHMENTS

Attachment 1: Proposed Tree Bylaw Amendments

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