



EXPLANATORY MEMO

Tree Protection and Management Bylaw No. 3321

At December 01, 2025 Regular Council Meeting, the Draft Tree Protection and Management Bylaw, 2025, No. 3321 was presented and proposed to be read a first, second and third time. At that meeting, Council adopted the following resolution:

THAT the foregoing motion be amended to reflect two readings of the bylaw rather than three.

The bylaw was referred back to staff to provide additional information on the following items:

1. Additional clarity on how fines were determined and how they compare to other municipalities;
2. The adequacy of the proposed fines; and
3. A clearer differentiation between development and non-development tree removal and the related fees and fines.

In addition to the items above, Council expressed interest in community feedback after the second Open House scheduled for December 4, 2025.

1. Development of Fines and Regional Comparison

The fines, as shown in Schedule A, were proposed by the consultant as being in line with other municipalities. The table below provides a comparison with some sample municipalities.

Municipality	Bylaw Name & Number	Offence Description	Fine Range	Additional Penalties
Vancouver	Protection of Trees By-law No. 9958	Contravention of any provision of the bylaw	\$500 – \$10,000 per offence	\$250 – \$10,000 per day for continuing offences
Surrey	Tree Protection Bylaw No. 16100	Each tree cut/removed/damaged and each day violation continues is a separate offence	\$50 – \$20,000 per offence	Each tree and each day counts as separate offence

Township of Langley	Tree Protection Bylaw No. 5478	Violation of any provision of the bylaw	Up to \$10,000	Court may order compensation up to \$25,000
Richmond	Municipal Ticket Information Authorization Bylaw No. 10348	Contravention of any provision of the bylaw	Up to \$10,000	None specified

2. Adequacy of Fines

Under the Municipal Ticket Information (MTI) system, the maximum fine for cutting, removing, or damaging a protected tree is \$3,000, which is the provincial limit for fines set by the *Community Charter Bylaw Enforcement Ticket Regulation*. The MTI system is intended for quick enforcement of minor infractions, not major violations.

If staff determine this fine is not sufficient for the violation, they can instead decide to pursue court prosecution under the *Offence Act R.S.B.C. 1996, c.338*. If someone is convicted of an offence under this Bylaw, that person shall be liable to pay a fine of not less than \$5,000. The proposed Bylaw does not specify an upper limit to the fine, as most municipalities do, so that staff have discretion on the amount depending on the nature of the infractions, significance of the tree(s), and how egregious the act may be.

Section 13 has been revised to clarify when fines can be imposed and also to differentiate between fining under the MTI system or pursuing fines under the Offence Act.

3. Clarity on Homeowner Requirements

Staff have added section 7(3) to the draft Bylaw to provide clarity on exemptions. A FAQ sheet has been drafted to help guide homeowners and developers on the Tree Bylaw requirements.

Additional Feedback

Approximately 24 residents attended the December 4, 2025 Open House held at the Timms Community Centre. Overall, participants were largely supportive of the bylaw in its current form, particularly its strong emphasis on regulating developers while maintaining more flexible requirements for private homeowners. One resident raised concerns about potential overreach by the City regarding property rights.

Staff also presented the Bylaw to the Environmental Sustainability Committee (ESC) at its December 11, 2025 meeting. As with the Open House, the Bylaw was supported by

the committee with some expressing opinion that private trees under 75cm DBH should also be protected.

Additional Minor Amendments

The current draft bylaw has been updated to remove the MTI charge reference from the appendix and incorporate it directly into the bylaw text. This ensures that both fees and municipal ticket charges are explicitly referenced within the bylaw for greater clarity.

Additional clauses have been introduced to clarify that certain trees may be removed without incurring charges, replacement obligations, or cash-in-lieu requirements.

Once approved, the Fees and Charges Bylaw, 2010, No. 2837 and the Municipal Ticket Information System Bylaw, 2011, No. 2846 will be amended at a future Council Meeting to reflect the new fees and fines as outlined in Appendix A.

Appendix A

Fees and Charges Bylaw, 2010, No. 2837 – Tree Protection and Management Bylaw Schedule

Tree Protection and Management Application Fees (all fees are subject to applicable taxes)	
Application Type	Fees
Protected tree that is: Hazardous, dead, or where more than 50% of its crown is dead, or causing imminent damage to property, structures, or utilities	\$0
Protected tree(s) related to a Development Application	\$300 per application
All other protected tree(s)	\$100 per application
Tree protection security	\$100 per cm DBH of the Retained Tree, up to a maximum of \$15,000 for Lots zoned for small-scale multiple housing units, or \$150,000 per application
Tree replacement security	\$1,000 per tree
Cash-in-lieu	\$1,000 per tree
Modification of an issued permit	\$100 per tree

Municipal Ticket Information Bylaw, 2011, No. 2846 Schedule

Column 1 Offence	Column 2 Section	Column 3 Fine
Fail to post Tree Permit		\$50
Prevent/obstruct inspection		\$100
Fail to obtain a Tree Permit to cut, damage or remove a protected tree		\$100
Removal of tree remains before Director's determination in the case of an emergency removal		\$150
Alter/falsify/ misrepresent information on Tree Permit or application		\$300
Fail to obey a Stop Work Order		\$200
Fail to provide evidence of an emergency		\$500
Fail to leave Tree Protection Barrier in place/restore Tree Protection Barrier		\$500
Fail to do mitigation work when required		\$500
Cut, damage or remove a Protected Tree in conflict with a Tree Permit or the Bylaw		\$3,000