



City of Port Moody

Report/Recommendation to Council

Date: February 24, 2026
Submitted by: Community Development Department – Policy Planning Division
Subject: Tree Protection Bylaw and Associated Bylaw Amendments – Three Readings of Bylaws No. 3531, No. 3532, and No. 3533

Purpose

To present Tree Protection Bylaw No. 3531, and associated amendments to Fees Bylaw No. 3524 and Municipal Ticket Information Authorization Bylaw No. 3218, for consideration of first three readings.

Recommended Resolution(s)

THAT City of Port Moody Tree Protection Bylaw, 2026, No. 3531 be read a first, second, and third time as recommended in the report dated February 24, 2026, from the Community Development Department – Policy Planning Division regarding Tree Protection Bylaw and Associated Bylaw Amendments – Three Readings of Bylaws No. 3531, No. 3532, and No. 3533;

AND THAT City of Port Moody Fees Bylaw, 2025, No. 3524, Amendment Bylaw No. 1, 2026, No. 3532 be read a first, second, and third time;

AND THAT City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 17, 2026, No. 3533 be read a first, second, and third time;

AND THAT staff be directed to undertake a city-wide mailout informing the community about the new Tree Protection Bylaw and other associated changes to tree management in Port Moody;

AND THAT up to \$5,000 from the Development Process Reserve be allocated to support this mailout.

Executive Summary

The new Tree Protection Bylaw will expand the application of the bylaw more broadly in the community. Currently, the bylaw applies only to trees on sites with an active application for development (e.g.: rezoning, development permit) until trees identified for retention are determined. The proposed path forward includes the requirement of a Tree Removal Permit for

trees of 30cm dbh or greater on any property in the City including those that are not under active development, and for trees of 10cm dbh or greater on sites that are subject to any development application (demolition, building permit, rezoning, development permit) with securities collected and fine protocols in place. As a result, a larger number of trees throughout the City would require consideration of criteria and a valid permit prior to removal. Additional considerations include canopy coverage and elements of permeability, as well as considerations around larger, significant, or legacy trees.

The proposed bylaw and associated guidance materials have been developed in support of these goals and how they can be achieved while balancing them with other City goals including the redevelopment of land to meet community needs such as housing. Additional staff time and resources will be required along with community outreach to inform of the changes as outlined in the report below.

Background

Responding to Port Moody's strong environmental stewardship values and the climate emergency, the City has reviewed its Tree Protection Bylaw to ensure it is aligned with best management practices and community values, as well as recommendations from the Urban Forest Management Strategy.

Community engagement on the Tree Protection Bylaw was conducted in three phases:

- Phase 1 (May/June 2022): community survey (coordinated with the urban forest management strategy engagement process);
- Phase 2 (May/June 2023): community survey on community values and preferences for tree protection requirements and tree removal; and
- Phase 3 (April/May 2024): public open house and community survey on proposed key directions for bylaw updates.

Two related Council workshops were also held in January 2023 and February 2024.

At the April 15, 2025, City Initiatives and Planning Committee (CIPC) meeting, an overview of the key changes in the proposed updated Tree Protection Bylaw was presented. At that meeting, Council directed staff to report back on a number of related items including: capping tree replacement under certain circumstances; seeking clarification from the Province on implementing tree planting, tree retention and minimum tree canopy requirements in relation to properties affected by Bills 44 and 47; setting minimum tree canopy requirements; expediting the process for the designation of legacy trees; and consideration for enhance protection for larger trees. Related information was received at the February 17, 2026, CIPC meeting and staff were directed to bring the draft Tree Protection Bylaw and related amendments to the Fees Bylaw and the Municipal Ticket Information Authorization Bylaw to the February 24, 2026, Regular Council meeting for consideration of first, second and third readings.

The following sections summarize the key components of the draft Tree Protection Bylaw and other related bylaw amendments included as **Attachments 1-3**.

Discussion

As discussed in previous related reports, the key objectives of the Tree Protection Bylaw update include:

- to confirm community values, goals and concerns related to the management of trees in the private realm;
- to engage staff in a discussion of challenges and opportunities with the current bylaw and to review key directions;
- to recommend bylaw updates reflecting Council direction, best management practices, municipal tools available and staff and community engagement; and
- to identify any legal implications of the proposed update to the Tree Protection Bylaw.

In addition to these key objectives, significant analysis and consideration has been given to achieving the optimal balance of tree retention while also permitting the redevelopment of land to achieve other priority objectives such as housing. A combination of the bylaw regulation and associated guidance materials will support staff in guiding property owners and applicants through this process to a more desirable outcome.

The proposed updated Tree Protection Bylaw categorizes properties by type, with slightly different applications of the bylaw depending on the property, and includes the following key changes:

- expanded tree protection and permit types;
- adjusted tree replacement requirements;
- expanded tree removal justification;
- new tree protection security requirements; and
- updated related fees and fines.

The following three sections summarize how the proposed Tree Protection Bylaw regulates properties with varying property conditions and development application status.

Properties undergoing development

What stays the same – properties subject to a development approval (applications for Zoning Bylaw Amendment, Subdivision, Development Permit and Development Variance Permits), the applicant still needs to:

- provide an Arborist Report prepared by a Certified Arborist identifying the tree species, size and health of any trees on the site that is subject to the development application;
- obtain a Tree Removal Permit from the City to remove trees 10cm in diameter or greater;
- replace every tree removed with two replacement trees (or pay cash-in-lieu if there is insufficient space to replant on the property; the City will plant the tree elsewhere);
- pay a refundable security deposit of \$740 for every replacement tree to guarantee planting; and
- comply with applicable regulations such as the provincial *Wildlife Act*, federal *Fisheries Act*, federal *Species at Risk Act*, and federal *Migratory Birds Convention Act*.

Proposed changes – if the Bylaw updates are approved, properties subject to a development approval would be expanded to also include applications for Heritage Alteration Permits, Temporary Use Permits, and Demolition and Building Permits, in addition to applications for a Zoning Bylaw Amendment, Subdivision, Development Permit, and Development Variance Permit). The applicant will also need to:

- prioritize the retention of trees on the site including modification of proposed building envelopes and structures when feasible to retain a bylaw sized tree, with emphasis on protecting large diameter trees (50cm in diameter or greater), trees located in Environmentally Sensitive Areas, rare/slow-growing native species (Pacific dogwood, Arbutus, Pacific yew, cascara, shore pine, and Western white pine), and landmark/legacy trees;
- provide adjusted replacement requirements based on canopy cover potential at maturity, meaning that permit holders will need to plant more replacement trees if they choose replacement tree species that will be small at maturity and cap replacements once a property exceeds the City's canopy cover target; and
- pay a new refundable tree protection security deposit for trees retained on construction sites (this will be refunded after construction if the tree(s) was protected adequately).

Properties within an Environmentally Sensitive Area (ESA)

What stays the same – developed/existing property owner seeking to remove a tree within an Environmentally Sensitive Area located on their property needs to:

- provide a report prepared by a Qualified Environmental Professional or Arborist stating that if works proceed as planned or as recommended in the report, that no adverse impacts (including but not limited to flooding, erosion, or damage to a watercourse) will result from the cutting or removal of tree;
- obtain a Tree Removal Permit to remove any trees 10cm in diameter or greater; and
- comply with applicable regulations such as the provincial *Wildlife Act*, federal *Fisheries Act*, federal *Species at Risk Act*, and federal *Migratory Birds Convention Act*.

Proposed changes – if the updated Tree Protection Bylaw is approved, a developed/existing property owner seeking to remove a tree within an Environmentally Sensitive Area located on their property will need to:

- provide adjusted replacement requirements based on canopy cover potential at maturity, meaning that permit holders will need to plant more replacement trees if they choose replacement tree species that will be small at maturity and cap replacements once a property exceeds the City's canopy cover target;
- pay lower permit fees or refundable security deposits than properties undergoing development:
 - a \$75 Tree Removal Permit fee (no permit fee for removing hazardous trees); and
 - a refundable security deposit (or cash-in-lieu if replacement trees cannot be planted on the property) of \$370 per tree (reduction from current \$740 per tree).

All other properties

Outside of properties subject to a development approval or properties within an Environmentally Sensitive Area, the current Tree Protection Bylaw applies only to existing strata properties.

What stays the same – all existing strata properties need to:

- obtain a Tree Removal Permit to remove trees 30cm in diameter or greater;
- provide an arborist report, dated within the last two (2) years that contains details of the proposed practices and procedures for Tree and Vegetation protection during removal and replanting including a statement prepared by a Qualified Environmental Professional or an Arborist that, in their professional opinion, the proposed methods are in accordance with the requirements of applicable environmental legislation.

Proposed changes – if the bylaw updates are approved, all other developed/existing properties, including strata, rental and single detached properties, will need to:

- obtain a Tree Removal Permit to remove trees 30cm in diameter or greater:
 - strata properties will no longer need a Tree Removal Permit to remove trees 10-29cm in diameter, except within Environmentally Sensitive Areas, or for smaller rare/slow growing native species (Pacific dogwood, Arbutus, Pacific yew, cascara, shore pine, and Western white pine) (10cm or greater);
- the General Manager may require a Tree Risk Assessment Report prepared by an Arborist to confirm that the tree is a hazard tree and/or a report by a Qualified Professional addressing risks and certifying that, if carried out in accordance with recommendations in the report, the risks may be minimized, and how they can be minimized, where the General Manager considers that the proposed cutting or removal could result in adverse impacts;
- adjust the replacement requirements based on canopy cover potential at maturity, meaning that permit holders will need to plant more replacement trees if they choose replacement tree species that will be small at maturity and cap replacements once a property exceeds the City's canopy cover target; and
- pay lower permit fees or refundable security deposits than developing properties:
 - a \$75 permit fee (no permit fee for removing hazardous trees); and
 - a refundable security deposit (or cash-in-lieu if replacement trees cannot be planted on the property) of \$370 per tree (reduction from current \$740 per tree).

Other key changes included in the draft Tree Protection Bylaw (**Attachment 1**) include:

Expanded Tree Removal Justification

The draft updated Tree Protection Bylaw continues to prioritize tree retention and now specifies justification for permit issuance, including:

- dead trees – more than 50% of the crown is dead;
- hazard trees – risk cannot be mitigated except through tree removal;
- tree roots interfering with infrastructure: roots causing impairment to utilities, sewers, or other infrastructure;
- proximity to buildings: trees within two (2) metres of an existing building foundation;

- repairs to built structures: tree removal necessary for repairs to a built structure, patio or rooftop; and
- tree protection zone: if a tree falls within the planned construction zone and cannot be retained, the applicant must provide evidence that alternative solutions (e.g., relocating parking, re-siting buildings, or reducing impacts) are not feasible.

Landmark/Legacy Trees

Under the proposed changes, nominations for legacy trees on public or private property can be submitted by members of the public at any time. The protection of such trees typically happens as part of staff review of a proposed redevelopment application in consideration of flexibility in site standards e.g. height, density, setbacks, parking.

Currently the draft Landmark/Legacy Tree Procedure and Application Form anticipate an annual review of nominations and consideration by Council to add new legacy trees to a formal register included as a schedule to the Tree Protection Bylaw. This consideration could take place on a more frequent basis depending on the number of trees nominated at any given time or the level of urgency to ensure protection. It is important to note that nominations for legacy trees on private property require the consent of the property owner.

Minimum Tree Canopy Requirements

Section 14 of the draft Tree Protection Bylaw includes tree canopy requirements that must be achieved once all replacement trees are planted. This requirement applies to properties subject to a development approval. The canopy requirements, and associated number of trees per hectare, align with the canopy targets outlined in the City's Urban Forest Management Strategy.

For existing developed sites, where tree removal is proposed, Section 13.4 provides some flexibility for tree replacement requirements. In situations where the property will continue to achieve 35% to 45% canopy cover after a proposed tree removal under a Tree Removal Permit takes place, the tree replacement requirement may be reduced at the discretion of the General Manager of Community Development. In situations where canopy coverage exceeds 45%, the General Manager may waive replacement requirements. Section 13.8 notes that if a property cannot accommodate any of the required replacement trees, cash-in-lieu for each medium or large replacement species must be provided and that these funds be placed in the City's Urban Forestry Reserve. The provisions in this section which allow for a reduction or waiving of replacement requirements apply only to lots that are not subject to a development approval.

Soil Volume and Tree Spacing Requirements

Section 13.5 of the draft Tree Protection Bylaw includes requirements related to the location and spacing of replacement trees. Additional requirements for minimum soil volumes for small, medium and large replacement species are also outlined. The Bylaw also requires that replacement trees are planted and maintained in accordance with Best Arboriculture Practices and Canadian Landscape Standard which address site preparation, planting and irrigation standards. These requirements seek to ensure that replacement trees achieve their full potential at maturity and contribute to the longevity of the City's urban forest.

New Tree Protection Securities

The draft Tree Protection Bylaw includes new tree protection securities to ensure that trees identified for protection on a site undergoing development are protected. These securities act as an assurance that applicants will implement and maintain the required tree protection measures throughout the construction process, ensuring that trees that are subject to the provisions of the Tree Protection Bylaw are not inadvertently damaged or removed during any stage of the development. For retained trees that are identified as legacy trees or a tree identified for retention of a size equal to or greater than 50cm DBH, the tree protection security is \$5,000 per tree, and \$1,000 per tree for all other retained trees.

Similar to the current process, trees identified for retention are typically identified early in the development application review process. This enables discussion regarding potential changes to site plans and building forms to take place at early stages. For applications that do not require Council approval (e.g., building permits for SSMUH lots), arborist reports are still required to be submitted and reviewed, and flexibility can still be provided in the form of minor variances to site standards to retain significant medium-high value trees. The Guide to SSMUH encourages early discussion with staff which allows for tree protection priorities to be outlined prior to application submission

Conditions are outlined for the release of these securities, as well as for their retention in the event these trees are damaged.

Tree Protection Order

The draft Tree Protection Bylaw includes the ability to issue a Tree Protection Order to immediately suspend all work associated with the cutting or damaging of Bylaw sized trees (30cm or greater in size or 10cm or greater where an active development approval is involved) without a Tree Permit or where activity is contrary to a Tree Permit. Tree Protection Orders remain posted on a property until such time as that the Bylaw is remedied to the satisfaction of the General Manager of Community Development. New fines related to a failure to comply with a Tree Protection Order or the removal of a Tree Protection Order are also proposed.

Updates to Related Bylaws

Attachments 2 and 3 are draft bylaws to amend the City's Fees Bylaw and Municipal Ticket Information Authorization (MTIA) Bylaw respectively to incorporate all proposed tree related fees and charges.

Proposed key changes to the Fees Bylaw to facilitate applications and securities include:

- lower application and tree security fees for single detached properties subject to a development approval (50% lower than for other properties undergoing development);
- \$75 tree permit fee for properties not subject to a development approval (includes existing single detached and strata properties);
- lower tree security fees for properties not subject to a development approval (50% lower than for properties undergoing development);
- \$0 application fee for a Hazard Tree Removal Permit; and

- new securities for retained trees – \$5,000 per tree for a legacy tree or a tree equal to or greater than 50cm DBH; \$1,000 per tree for all other retained trees (up to a maximum of \$6,000 per lot for properties only subject to a building permit; or up to a maximum of \$150,000 per application for zoning amendment, development permit, development variance permit, temporary use permit, subdivision or demolition permit – for all other properties).

Proposed key changes to the MTIA Bylaw to facilitate the charging of fines for unapproved tree removal or damage include:

- \$1,000 fine for:
 - cutting, damaging, or removing a landmark/legacy tree without removal from Schedule A of the bylaw;
 - cutting, damaging or removing a shared tree without a tree permit or without consent from the other owner; and
 - improper emergency tree removal;
- \$500 fine for:
 - disturbance within the tree protection zone;
 - failure to provide cash-in-lieu for a replacement tree; and
 - improper pruning;
- \$300 fine for failure to comply with a tree protection order;
- \$200 fine for:
 - failing to comply with the terms and conditions of a tree permit;
 - removal of a notice of tree permit;
 - removal of a tree protection order;
 - failure to provide security for replacement, relocated or retained trees;
 - altering or misrepresenting information on a tree permit or application;
 - removing portions of a felled protected tree necessary to confirm there was imminent danger (hazardous); and
 - removal of a tree shown on a preliminarily approved plan prior to permit issuance; and
- \$100 fine for:
 - failure to post a tree permit; and
 - failure to comply with a notice of bylaw contravention.

There is also provision in the Tree Protection Bylaw to seek other penalties under the *Offence Act* through court action where the infraction is on a scale beyond the use of MTIA fines.

To facilitate the implementation of the bylaw and ability to administer fines the bylaw includes delegation of authority to staff in appropriate roles to take necessary actions.

Report Back

At Council's direction on February 17, 2026, staff will report back by the end of 2027 with an update on the implementation of the bylaw to provide a sense of numbers of trees retained, tickets issued for violations and development applications processed under the new regulation. This provides some time to review and monitor implementation and identify any further refinements that may be needed.

Other Option(s)

THAT staff be directed to make the following additional changes to the Tree Protection Bylaw:
<insert changes here>.

Financial Implications

The anticipated costs of the Tree Protection Bylaw update project are already accounted for within the approved project budget. Regarding implementation of the Bylaw, additional arborist support in the form of a new arborist position in the Parks Division will be needed to address anticipated increases in inquiries, field inspections and permits.

Additional Planning support is also needed but is anticipated to be accommodated within the current Development Planning operational budget. Staff will report back on any changes to the volume of permits and staffing impacts associated with implementation of the updated Tree Protection Bylaw as needed.

Staff recommend directly informing residents and business owners in the community of the scope and timing of the new Tree Protection Bylaw. A city-wide mailout is recommended to increase awareness and drive queries to the suite of information and guidance materials on the City webpage. Based on the cost of \$4,700 for the OCP city-wide mailout, a request for funding up to \$5,000 from the Development Process Reserve as the funding source would be required.

Communications and Public Engagement Initiatives

Community engagement on the Tree Protection Bylaw was conducted in three phases over the 2022-2024 period):

- Phase 1 (May/June 2022): community survey on urban forest management;
- Phase 2 (May/June 2023): community survey on community values and preferences for tree protection requirements and tree removal; and,
- Phase 3 (April/May 2024): public open house and community survey on proposed key directions for bylaw updates.

The feedback collected throughout all phases of engagement has informed the development of draft changes in the new Tree Protection Bylaw.

Immediately following adoption of the new Tree Protection Bylaw, the City's website will be updated to clearly communicate new and updated requirements related to tree removal in Port Moody.

To proactively inform the community about the new regulations in the new Tree Protection Bylaw, staff also recommend a city-wide mailout, like that recently undertaken for notification of the Official Community Plan public hearing. While potential development applicants will be informed directly by staff and prompted through application requirements, home and business owners not proposing development will be less aware of the pending changes. In providing this information directly to residents and business owners in the community there is a greater likelihood of compliance in seeking Tree Removal Permits for any proposed tree removals on private property.

Ideally the timing for this mailout would take place shortly after the adoption of the Tree Protection Bylaw and other associated bylaw amendments.

Council Strategic Plan Goals

The recommendations in this report align with the following Council Strategic Plan Goal(s):

- Strategic Goal 2.1 – Protect, integrate, and enhance our natural assets by strengthening the City’s urban forest.

Attachment(s)

1. Draft City of Port Moody Tree Protection Bylaw, 2026, No. 3531.
2. Draft City of Port Moody Fees Bylaw, 2025, No. 3524, Amendment Bylaw No. 1, 2026, No. 3532.
3. Draft City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 17, 2026, No. 3533.

Report Authors

Mary De Paoli, RPP, MCIP
Manager of Policy Planning

Bryan Moffatt
Urban Forestry Supervisor

Report Approval Details

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Attachments:	- Attachment 1 - Draft City of Port Moody Tree Protection Bylaw, 2026, No. 3531.pdf - Attachment 2 - Draft City of Port Moody Fees Bylaw, Amendment Bylaw, 2026, No. 3532.pdf - Attachment 3 - Draft MTIA Bylaw, 2020, No. 3218, Amendment Bylaw No. 17, 2026, No. 3533 (Tree Protection Bylaw).pdf
Final Approval Date:	Feb 19, 2026

This report and all of its attachments were approved and signed as outlined below:

Suzanne Smith, General Manager of Community Development - Feb 19, 2026

Paul Rockwood, General Manager of Finance and Technology - Feb 19, 2026

Kate Zanon, Deputy City Manager, for Anna Mathewson, City Manager - Feb 19, 2026