



**DISTRICT OF WEST VANCOUVER**  
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

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## COUNCIL REPORT

Date:	March 24, 2026
From:	Stephanie Louie, Manager, Environmental Protection
Subject:	Proposed Charges for Habitat and Tree Replacement Compensation and Supporting Bylaw Amendment

### RECOMMENDATION

THAT the proposed “Fees and Charges bylaw No. 5383, 2025, Amendment Bylaw No. 5436, 2026” be read a first, second, and third time.

#### 1.0 Purpose

The purpose of this report is to ensure administrative consistency of the Fees and Charges Bylaw with current administrative and accounting practices related to our development permit area guidelines and the Tree Bylaw.

Specifically, the amendment (**Appendix A**) specifies compensation charges for habitat loss:

- a. in development permit areas and
- b. in lieu of tree replacement (if planting a replacement tree is not possible)

in accordance with existing guidelines, policies, and bylaws.

#### 2.0 Legislation/Bylaw/Policy

##### Legislation

The Riparian Area Protection Regulation (RAPR) directs local governments to protect the riparian areas of watercourses from development, using their authority outlined in Part 14 of the *Local Government Act*.

##### Bylaw

The “Official Community Plan Bylaw 4985, 2018” is a bylaw to establish an Official Community Plan providing objectives and policies to guide planning and land-use changes.

The “Tree Bylaw No. 4892, 2016” is a bylaw to regulate, prohibit and impose requirements in relation to trees.

The “Fees and Charges Bylaw No. 5383, 2025” is a bylaw to establish fees and charges for services and information.

The “Environmental Reserve Fund Bylaw No. 5188, 2022” is a bylaw to establish a fund to support climate action and environmental protection initiatives.

### 3.0 Official Community Plan

The District protects watercourses and their riparian areas through its bylaws including the Watercourse Protection Bylaw No. 4364, 2005, Creeks Bylaw No 3013, 1982, and the implementation of Official Community Plan Guidelines NE 13 Watercourse Protection and Enhancement Areas in Existing Neighbourhoods and the designation of Development Permit Areas in Future Neighbourhoods (U8 and U8.1).

### 4.0 Financial Implications

If the Fees and Charges Bylaw is amended, the following charges would be implemented:

Compensation for habitat loss pursuant to OCP Bylaw No. 4985, 2018 Development Permit Area guidelines NE13, UL 8 and U 8.1.	Fee set in accordance with Development Permit as determined by a Qualified Environmental Professional.
Compensation per replacement tree if planting a replacement tree is not possible pursuant to Tree Bylaw 4892, 2016.	\$1,000.00 per tree

The revenue acquired from the implementation of these charges will be put into the Environmental Reserve Fund for habitat restoration and programs to maintain and enhance the District’s natural assets.

### 5.0 Background

#### Previous Decisions

##### Riparian Protection

On properties where development is subject to Development Permit Area Guidelines NE 13, UL 8 or UL 8.1, and where it is not practical to avoid net

loss of riparian habitat, the District can collect an amount equivalent to the cost of providing compensation habitat to achieve no net loss of riparian habitat.

An amendment to Environmental Reserve Fund Bylaw No. 5388, 2025 was adopted on December 1, 2025, to allow compensation provided for habitat loss pursuant to Development Permit Area guidelines NE 13, UL 8, and U8.1 and in lieu of replacement tree planting to be added to the Environmental Reserve Fund.

### Tree Protection

On March 11, 2024, Council adopted the Urban Forest Management Plan (UFMP) to establish guidance for District staff to protect and maintain West Vancouver's urban forest ecosystem. The UFMP included recommendations to strengthen tree protection through amendments to the District's Tree Bylaw which included requiring that a replacement tree be planted for every protected tree removed with a tree permit, on private land.

An amendment to Tree Bylaw No. 5373, 2025 was adopted on December 15, 2025, to require any person to whom a tree cutting permit is issued, to plant one replacement tree for the removal of any protected tree. At the time of adoption of the amendments to the Tree Bylaw (December 15, 2025) a charge for compensation under the Fees and Charges Bylaw was not introduced.

## **6.0 Analysis**

### **6.1 Discussion**

#### Riparian Protection

OCP Guidelines NE 13 states that "Where it is not practical to avoid net loss of riparian habitat within 15 metres of the top of the watercourse bank or edge of the wetland, provide compensatory habitat approved by the District of West Vancouver to achieve no net loss of riparian habitat, by replanting or restoring a similar area on the same watercourse or wetland, or contributing to a District Habitat restoration program in an amount equivalent to the cost of providing such compensatory habitat."

OCP Policy UL 8, Upper Lands Watercourse Protection Guidelines, which applies to all lands in the Future Neighbourhoods, including the Rodgers Creek Area states that "Where it is not practical to achieve no net loss of riparian habitat within an area determined in accordance with sections c. and d. [of the guidelines] provide compensatory habitat approved by the District of West Vancouver, acknowledging any compensation measures

approved by Fisheries and Oceans Canada, to achieve no net loss of riparian habitat by: (ii) contributing to a District habitat restoration program in an amount equivalent to the cost of providing such compensatory habitat.”

Since adoption of these guidelines, in limited circumstances, staff have accepted contributions where site conditions resulted in significant constraints to implementing habitat improvements on site. Contributions have been an amount equivalent to the cost of restoring an equal sized area lost due to development, including the cost to remediate, plant, and monitor the area to ensure successful plant/tree growth, as determined by a Qualified Environmental Professional.

Previously, the contribution was secured by a security deposit, which is generally intended to guarantee completion of works undertaken by the applicant and is refundable once those obligations are satisfied.

With the proposed amendment, the contribution is collected for the District to deliver compensatory riparian restoration through its habitat restoration program (typically at another location). Establishing the contribution as a fee is more appropriate, as it aligns with the purpose of the payment (funding District-delivered compensation) and avoids the administrative and accounting implications of holding refundable deposits.

### Tree Protection

Under the Tree Bylaw, Part 7 a replacement tree is required for removal of any protected tree. If planting a replacement tree is not possible, as confirmed by a certified arborist, landscape architect, or licensed landscape contractor, and approved by the Director, the applicant shall provide compensation in the amount of \$1,000 per replacement tree.

The proposed amendment to the Fees and Charges Bylaw will allow the District to collect compensation as revenue to be put into the Environmental Reserve Fund to support habitat restoration and tree canopy cover initiatives.

### Proposed Bylaw Amendments

The following amendments to the Fees and Charges Bylaw are proposed:

Compensation for habitat loss pursuant to OCP Bylaw No. 4985, 2018 Development Permit Area guidelines NE13, UL 8 and U 8.1.	Fee set in accordance with Development Permit as determined by a Qualified Environmental Professional.
Compensation per replacement tree if planting a replacement tree is not possible pursuant to Tree Bylaw 4892, 2016.	\$1,000.00 per tree

## 6.2 Sustainability

The amendments to the Fees and Charges Bylaw allow for the effective administration of funds to support tree canopy replacement and the provision of compensatory habitat.

## 6.3 Public Engagement and Outreach

Public engagement was not completed as part of this report.

## 6.4 Other Communication, Consultation, and Research

This amendment was suggested and supported by Finance and Corporate Services staff.

## 7.0 Options

### 7.1 Recommended Option

That:

1. Council give three readings to the proposed amendments to the Fees and Charges Bylaw.

### 7.2 Considered Options

Council may:

1. request further information (to be specified); and/or
2. not approve the recommendations.

## 8.0 Conclusion

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The amendments proposed will allow the District to effectively collect compensation as revenue to be put into the Environmental Reserve Fund to support habitat restoration and tree canopy cover initiatives.

Author:



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Stephanie Louie  
Manager, Environmental Protection

Concurrence



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Heather Keith  
Senior Manager, Climate, Environment & Land Development

Appendices:

Appendix A: Fees and Charges Bylaw 5383, 2025 Amendment Bylaw 5436, 2026



District of West Vancouver

**Fees and Charges Bylaw No. 5383, 2025,  
Amendment Bylaw No. 5436, 2026**

Effective Date:

# **Fees and Charges Bylaw No. 5383, 2025, Amendment Bylaw No. 5436, 2026**

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District of West Vancouver

# Fees and Charges Bylaw No. 5383, 2025, Amendment Bylaw No. 5436, 2026

A bylaw to establish fees and charges for services and information.

Previous amendments: Amendment bylaws 5411, 5414, and 5422.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for fees and charges for services and information;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

## Part 1 Citation

- 1.1 This bylaw may be cited as Fees and Charges Bylaw No. 5383, 2025, Amendment Bylaw No. 5436, 2026.

## Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

## Part 3 Amends Schedule A

Fees and Charges Bylaw No. 5383, 2025 is amended by:

- 3.1 Adding compensation charges in Schedule A – Development and Permits under “Development Permits”, under the row “Miscellaneous Development Permit Application/Permit Fees”, under the row “Land title search and encumbrance search fee” as follows:

Compensation provided for habitat loss	Fee set in accordance with Development Permit as determined by	Compensation provided for habitat loss pursuant to OCP Bylaw No. 4985,
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	a Qualified Environmental Professional.	2018 Development Permit Area Guidelines UL8 and UL8.1.
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3.2 Adding compensation charges in Schedule A – Development and Permits under “Development Permit under OCP Designation NE13”, under the row “For watercourse protection in all other cases” as follows:

Compensation provided for habitat loss	Fee set in accordance with Development Permit as determined by a Qualified Environmental Professional.	Compensation provided for habitat loss pursuant to OCP Bylaw No. 4985, 2018 Development Permit Area Guidelines NE13.
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3.3 Adding compensation charges in Schedule A – Development and Permits under “Tree Cutting Permits” under the row “Appeal of Director’s Decision on a Tree Cutting Permit”, as follows:

Compensation per replacement tree	\$1,000 per tree	Compensation if planting a replacement tree is not possible.
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READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

ADOPTED by the Council on [Date].

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Mayor

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Corporate Officer

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