



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 4530-01

**From:** Director of Development Services

**Date:** December 11, 2024

**Subject:** Urban Forest Strategy and Tree Bylaw Update, Communication Strategy and Workplan

## **PURPOSE:**

To provide to Council an update on Strategic Priority “Promote and Communicate the Urban Forest Strategy & Tree Protection Bylaw and review Bylaw” and to provide Council with a proposed communication plan to promote and communicate the Urban Forest Strategy and Tree Bylaw. Staff is seeking Council’s endorsement to proceed with the communication plan outline in Attachment 2.

## **BACKGROUND:**

The Urban Forest Strategy was adopted in 2019 and serves as the community’s first comprehensive evaluation of urban forest values growing over a range of land uses within Courtenay. It provides a baseline understanding of a number of urban forest characteristics and values, documents trends, and makes recommendations on how to manage these values in light of public input, City resources and best management practices.

The adoption of the Urban Forest Strategy followed the adoption of Tree Protection and Management Bylaw No. 2850, 2017 which repealed and replaced the previous Tree Management and Protection Bylaw No. 2461, 2006. The review of the Tree Bylaw revealed a strong interest by the public and Council to understand Courtenay’s urban forest values better and to inform future reviews of the Tree Bylaw.

The City’s roles in implementing the Strategy are that of:

- regulator of tree removal and replacement on private land such as through the Tree Bylaw,
- steward of urban forest assets, including the lands that support trees, on public land such as parks and street trees, and
- facilitator of public and interest-holder engagement, public and private tree planting and maintenance and research, such as through educational and planting partnerships with community stewardship organizations.

An implementation framework is provided as part of the Urban Forest Strategy (UFS) to summarize the City's approach to achieving the Vision and Goals:

1. Set a canopy cover target and monitor over time.
2. Protect a network of the critical remaining urban forest.
3. Encourage neighbourhoods to determine their neighbourhood forest goals.
4. Support a dynamic urban forest on infill properties outside of identified protection areas.
5. Continue to integrate City trees and forests into asset management planning.
6. Demonstrate leadership and build partnership.

Since adoption of the Urban Forest Strategy the Operational Services Department has restructured the Parks Services Division to include an Urban Forestry and Natural Areas Maintenance team elevating the importance of and investing in the skills to steward Courtenay’s public urban forest values. The introduction of the Urban Forestry and Natural Areas Maintenance section has enabled the Operational Services

**Urban Forest Strategy and Tree Bylaw Update, Communication Strategy and Workplan**

Department to forward many of the actions within the Urban Forest Strategy framework, however there is still much work to be done. Investments in staff resources, policy improvements, implantation planning and program development are all key measures that should be considered when seeking to further improve notable actions along the continuum of the implementation framework.

**DISCUSSION:*****Where are we at? Implementation status of Urban Forest Strategy***

Staff have audited the 24 actions and 29 indicators contained within the Strategy and evaluated current status in relation to 2019 baseline. The Strategy is for a 10-year horizon (2020-2030). Actions are organized in the categories of 'Plan', 'Manage', 'Protect', 'Grow' and 'Partner'. All actions were identified to have commenced by 2025. The 29 indicators are categorized as each low, fair, good or optimal condition and show rating at time of the Urban Forest Strategy adoption and as of today, five years later. Attachment 1 provides the detailed evaluation of all indicators. The table below summarizes staff's audit utilizing the colour coding found in the strategy:

Table 1 Summary of indicators by action type comparison from 2019 to 2024

Action Type		Plan		Manage		Protect		Grow		Partner	
Year		2019	2024	2019	2024	2019	2024	2019	2024	2019	2024
Rating	Low	0	0	0	0	0	0	2	2	4	2
	Fair	4	4	3	2	0	0	3	1	2	4
	Good	3	3	4	5	3	3	1	3	0	0
	Optimal	0	0	0	0	0	0	0	0	0	0

The implementation framework list six guiding policies, a summary of the status of these six policies and future work required is listed below:

**1. Set a canopy cover target and monitor over time. (Action 4)**

How the urban forest is changing will inform which policy levers and programs to invest in over time. The UFS 2025 review would include LiDAR assessment in order to evaluate how the canopy cover has changed since 2018, the year from which the last canopy assessment was conducted (with orthophotos). It is timely to be updating this information as the provincial Bill 44 legislation directs infill development within municipal serviced boundaries and therefore is expected to have impacts on the urban forest which can be monitored from this baseline year over time.

**2. Protect a network of the critical remaining urban forest. (Action 11)**

The 2022 OCP included the addition of significant mature forest stands as part of an ecosystem connectivity corridor (or biodiversity corridor), to be evaluated by qualified professionals when conducting environmental impact assessments in environmentally sensitive areas. The UFS however includes additional actions for consideration such as explore designating western redcedar as a protected species, requiring all large trees to be retained wherever possible, and setting targets for urban forest stand protection. These actions will be reviewed as part of the 2025 Urban Forest Strategy and Tree Protection and Management Bylaw review in consultation with the community and in light of new provincial housing density requirements. This work will assist in also reviewing the Environmental Development Permit Area (EDPA) guidelines as designated in the OCP, and implemented through the Zoning Bylaw. This EDPA review is also scheduled for 2025.

**3. Encourage neighbourhoods to determine their neighbourhood forest goals. (Actions 2, 15)**

The action of setting neighbourhood tree canopy and character goals in consultation with the community is a more detailed community planning process and can be conducted through individual Local Area Plan (LAP) processes, such as the Downtown LAP which will explore how to improve street tree character and greening in general. A number of other Local Area Plans are currently in the 5-year work program, including for the Airpark and surrounding urban corridor.

**4. Support a dynamic urban forest on infill properties outside of identified protection areas. (Actions 3, 6, 10, 12, 13, 16, 17, 18)**

Flexibility in tree management is permitted on lands targeted for infill development as per Tree Protection and Management Bylaw No. 2850 which permits that tree density targets be met by retaining healthy trees, replanting on site or paying cash-in-lieu into the City's Tree Replacement Reserve Fund. Flexibility in tree management will be important as the community continues to densify. Review of the Tree Bylaw will form part of the 2025 work program to address housekeeping matters, to improve interpretation clarity, review 2019 UFS amendment recommendations, reflect provincial requirements as pertains to permitting residential densities, and reflect objectives identified in the updated Urban Forest Strategy.

Part of supporting a dynamic urban forest is also knowing where forest values should be reduced or managed with particular objectives in mind such as in the case of wildfire risk management planning. A separate project, the regional Community Wildfire Resiliency Plan, is scheduled for completion in February 2025, funded from 2024 a FireSmart grant. More recently, the CVRD received Board direction to apply to the Union of BC Municipalities Community Resiliency Investment Fund for FireSmart Community Funding and Supports for up to \$2,000,000 over 2025-2026 in order to implement FireSmart initiatives. Under Service 270 this includes the jurisdictions as well as K'ómoks First Nation, City of Courtenay, Village of Cumberland, and Town of Comox. The findings for this work are expected to be available concurrent to the review of the 2025 which will inform the UFS and OCP policies including possibly establishing a Development Permit Area for Wildfire Hazard Protection in the 2025 OCP update. A comprehensive wildfire management will also provide operational guidance for individual park management plans, as well as inform levels of service when responding to public inquiries.

**5. Continue to integrate City trees and forests into asset management planning. (Actions 1, 3, 5, 7, 8, 9, 10, 14, 16, 17, 18, 19)**

The City's Urban Forest Program oversees approximately 8,600 trees, including street trees, park trees, and restoration plantings. These areas include 60 public access spaces and 65 non-public access spaces, spanning approximately 65 kilometers of treed edge. Efforts are being made to integrate these assets into the City's assets management registry. Examples include:

- Increasing the quantity of new tree planting in the public realm and formalizing urban forest asset management on public lands: development of corporate policies and systems which include more sophisticated tree inventory software as well as more defined operations and standards on maintenance of City owned streets and park trees, City tree risk management and storm response. While not currently part of current asset management, innovation in urban tree carbon accounting may also allow that particular ecological service to be measured more accurately and assigned value.
- Development of Master Park Plans and usage of publicly owned natural areas. This includes: improved standards for protecting and enhancing the urban forests in parks through adoption

of Park Playground Design Standards including for shade cover and limiting impermeable cover. Vanier Forest Park Management Plan and Woodcote Park Playground Replacement and Upgrade are current plans under development that will incorporate these new features and will be further supported with the new Parks Planner position.

Important to note is the relationship of regulating new development, how lands with tree values become dedicated to the City through subdivision processes, and the implications of land development across property boundaries whether public or private. The Complete Communities program developed over the past year has established collaborative interdepartmental planning processes which will be used to evaluate options to incorporate urban forest and other green infrastructure values into key land development tools, while also accommodating increased densities. Examples include: reviewing how the Tree Bylaw requirements and Development Permit landscaping requirements are informed by Zoning Bylaw restrictions increasing park standards to reflect increases in density and corresponding smaller private yards and gardens, and updating the Subdivision and Development Servicing Bylaw to include the outcomes of the Integrated Rainwater Management Plan (IRMP) and natural asset management objectives.

**6. Demonstrate leadership and build partnership. (Actions 5, 10, 20, 21, 22, 23, 24)**

As a shared asset, the UFS recognizes that multiple parties must steward the urban forest together. Partnerships are already in place such as the BC Hydro ReGreening Program, working with K'ómoks First Nation and Project Watershed on restoration of Kus Kus Sum, and working with KFN and CV Nature to preserve the Garry Oak Forest ecosystem at Vanier Nature Park and co-develop interpretive signage to share the deep connection the Nation had with that ecosystem and those lands. Building further partnerships is a component of the implementation framework that will be targeted in the 2025 review:

- Developing a tree planting and maintenance incentive program through use of vouchers to obtain a free or subsidized tree from a local nursery, targeted to areas of low canopy, and utilizing funds from the Tree Replacement Reserve Fund through program development as originally intended.
- Developing a communications strategy to engage the community in managing public and private trees with focus on watering young public trees, responsible fruit tree management to avoid pests, and how to maintain trees on private land. The Hey Neighbour program led by Recreation, Culture and Community Services will allow for these messages to also be shared through that process.
- Developing a volunteer strategy to provide objectives, guidance and promotion of public land urban forest stewardship.
- Reaching out to research, government, utility and green industry partners to assist in understanding the urban forest, appropriate management and co-messaging opportunity across sectors. This would include building up on the recent and regular regional forums for interjurisdictional and arboriculture industry collaboration.

***Next Steps for 2025: Urban***

The review of UFS 2025 review will be targeted and focused on the following objectives:

- Canopy cover analysis update using LiDAR remote sensing. This will allow canopy cover to be evaluated since the last time LiDAR was obtained in 2016, and to provide baseline information about the canopy cover and impervious surfaces as relates to Bill 44 provincial housing density requirements which came into effect last year and are expected to significantly influence opportunities and strategies for canopy cover. This component will also include revisiting the canopy cover targets and whether they need to change in light of new densification requirements and community growth pattern expectations, and will

inform other development regulation tools such as the Environmental Development Permit Area guidelines.

- Internal collaboration to ensure stronger integration of tree management concerns from planning to implementation across departments in support of UFS goals.
- Education and communication strategies informed by local public perception of value of the urban forest, and how they can get involved in shared stewardship opportunities.
- Working with strategic partners to understand landowner interests in the urban forest, including estimating how many trees are planted annually on private land, co-develop strategies to manage the urban forest in accordance with the UFS as well as shared messaging to the wider public. These partners include arborists, nurseries, landscape industry.

### ***Tree Bylaw review***

The review of the Tree Bylaw will occur in two phases.

#### ***Phase 1***

Will include targeted housekeeping revisions to improve interpretation clarity, resolve and conflicts within the Bylaw and improve internal monitoring of private tree protection requirements during construction. Arboriculture and development industry are the key interest-holders who work with the Bylaw regularly and consultation will be focused on meetings and engagement with these two sectors for this phase of review.

#### ***Phase 2***

Will follow the findings of the UFS 2025 review to reflect any directions provided through that renewed Strategy. This could include for example applicability of the Bylaw to lands, reviewing options for achieving tree density targets when removing trees, and adding the number and type of trees to be protected such as those with heritage value, rare species value, larger size class, or special groves as identified within the community, both on public and private lands.

### ***Project timeline***

The project will be phased throughout 2025, the communication strategy for which is identified in Attachment 2.

#### ***Phase 1:***

Targeted Tree Bylaw housekeeping revisions to immediately address ineffective or unclear aspects of the Bylaw.

#### ***Phase 2:***

Canopy cover LiDAR procurement and analysis. This must wait until 'leaf-on' timeline of the late spring in order to accurately capture the canopy of the existing urban forest.

#### ***Phase 3:***

Targeted interest-holder and public engagement over the warmer months, including pop-up engagement opportunities in known neighbourhoods in need of additional tree planting, as well as on-going online opportunities to learn more and get involved.

#### ***Phase 4:***

Presentation of the revised Strategy to the public and interest-holders.

#### ***Phase 5:***

Presentation of the revised Strategy to Council for adoption.

#### ***Phase 6:***

If further Tree Bylaw amendments are required to reflect the direction of the adopted UFS this will be identified at the end of 2025 for 2026.

**POLICY ANALYSIS:**

A number of City policy documents and Bylaws reference urban forest values, inform and are implicated by the UFS.

**Official Community Plan Bylaw No. 3070, 2022** includes the objective of “The urban forest is healthy and growing towards a 34-40% canopy cover target”. This objective is supported by four specific actions to strategically support the UFS through OCP Bylaw:

NE 21 - Continue annual planting targets of 300 new trees on public land and work towards 850 new trees on private land until 2040.

NE 22 Continue to regulate tree removal, and ensure replacement, through the use of the Tree Protection and Management Bylaw.

NE 23 Continue to integrate City trees, forests, and green infrastructure into asset management planning, including budgeting, policy development, and staff resourcing.

NE 24 Implement the Urban Forest Strategy plan, manage, protect, grow and partner actions.

As the OCP will also be reviewed in 2025 in order to comply with provincial housing legislation, these policies related to the urban forest will be reviewed as the UFS review is underway.

**Integrated Rainwater Management Plan (2024),**

Identifies two of the three key outcomes of that Plan that directly relate to urban forest health:

- protecting watershed health through preserving natural drainage routes as much as possible, limiting impervious areas, retaining trees and forest cover, and directing rainwater to absorptive soil; and
- engaging the community to restore and monitor waterways given much of the land within local watersheds is privately owned. These efforts to engage the public in pursuit of watershed health can be co-developed to include messaging on restoring and stewarding urban forest values as well.

**Parks and Recreation Master Plan (2019)**

Identifies as a goal to protect and enhance the environment which includes protecting significant ecological assets, as well as incorporating tree values into park design to fulfill a wider range of community services such as shade and beauty.

**Subdivision and Development Servicing (SDS) Bylaw**

is a key land development regulation tool that can support future tree values in new developments, such as by regulating soil volume requirements, above ground, below ground space requirements, functional tree standards, streetscape cross-sections amendments and utility clearances. These specifications will be reviewed as part of the 2025 SDS Bylaw review.

**FINANCIAL IMPLICATIONS:**

\$70,000 has been budgeted in the 2025 budget in the Community and Sustainability Planning division to conduct the review. Consultants will be retained to conduct this work and will work closely with Development Services and other City Departments. Approximately \$30,000 will be required to obtain the LiDAR canopy cover imagery, a further \$15,000 will be required to conduct the land and canopy cover

analysis by external consultants. The remaining \$25,000 will be used to support review of the UFS as well as communication and engagement activities by external consultants.

#### **ADMINISTRATIVE IMPLICATIONS:**

Update to the UFS is being led by the Development Services department working closely with Operational Services and Recreation, Culture and Community Services. Information Technology division will assist with the GIS information collection and records keeping. The consultation and review of specific implementation programs such as the tree planting voucher program will be led by the Operational Services team as part of the UFS review. Communications division will play a role throughout on supporting public communications.

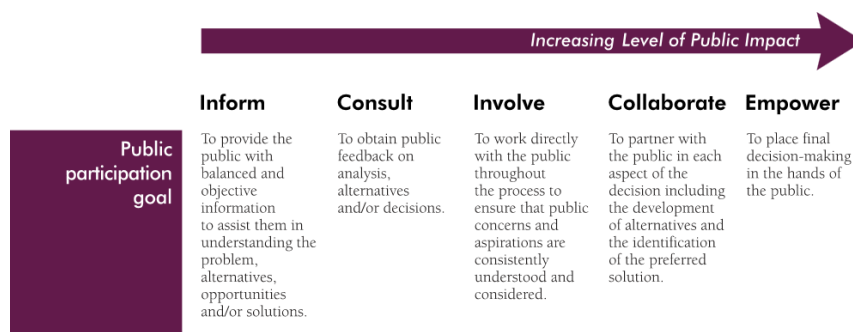
#### **STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Natural Environment - Promote and communicate the Urban Forest Strategy & Tree Protection Bylaw and review Bylaw
- Buildings and Landscape - Update Subdivision Bylaw, including offsite frontage improvements

#### **PUBLIC ENGAGEMENT:**

The proposed UFS Communication and Consultation Plan is outlined in Attachment 2 and identifies the types of engagement activities that will take place during 2025. These engagement objectives would be to inform, consult, and involve the public based on the IAP2 Spectrum of Public Participation



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The goals of the proposed UFS Communication and Consultation Plan are:

1. Communicate that a targeted update to the Tree Bylaw is occurring, and will focus on interpretation clarity. This engagement will be targeted to those working with the Tree Bylaw most directly such as the arboriculture and development industry.
2. Communicate that an update to the Strategy is occurring and will be informed by new canopy cover analyses, as well as how to get involved. This will lend naturally to opportunities to educate on the role of the urban forest and natural assets in community planning and servicing.
3. Work with the community to understand the community's perceptions on the urban forest so that subsequent ongoing communication strategy and specific communication tools can be tailored to Courtenay residents needs as co-stewards of the urban forest into the future.

**OPTIONS:**

1. THAT Council receive the report “Urban Forest Strategy and Tree Bylaw Update, Communication Strategy and Workplan” and endorse the communication strategy outlined in Attachment 2 in order to guide community and interest-holder communication and engagement.
2. THAT Council provide alternative direction to staff.

**ATTACHMENTS:**

1. Urban Forest Strategy indicator evaluation tables
2. Urban Forest Strategy communication plan

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