

Tree Protection Bylaw Update

Date:	February 15, 2022
Department, GM:	Community Development – Kate Zanon
Project Manager:	Mary De Paoli
Staff Lead:	Jess Daniels
Project Origin:	<input checked="" type="checkbox"/> Council Motion #RC20/114 to 116 <input type="checkbox"/> Staff Initiated <input type="checkbox"/> Other:
Priority Area:	<input type="checkbox"/> Exceptional Service <input checked="" type="checkbox"/> Environmental Leadership <input type="checkbox"/> Healthy City <input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Community Evolution
Strategic Alignment	Objective & Action 2.2
Proposed Priority	<input type="checkbox"/> Priority Level 1 <input checked="" type="checkbox"/> Priority Level 2 <input type="checkbox"/> Priority Level 3

Project Description

To update the current Tree Protection Bylaw to address Council direction from February 2020 and February 2022. Includes a review of existing best management practices for urban forest management and tree bylaws; engaging the public regarding potential changes; and preparing an updated bylaw for consideration based on the results of the preceding actions.

Relevant Background

Council direction from the February 11, 2020 Regular Council Meeting:

RC20/114 to 116

THAT staff be directed to update the Tree Protection Bylaw to include the following:

- Specific definitions of “significant,” meaning protected tree, that relate to size and species including DBH (diameter at breast height) for single and multi-stem trees;
- The definitions of a “specimen tree” and “heritage tree”;
- Expansion of protections to trees on private property, including a requirement to consider altering development permits to retain trees in non-ESAs;
- Guidelines for replacement trees, including height at planting, minimum height at maturity, number of replacement trees such that number of required trees increases with the significance of the tree, and that replacement trees are species that will be resilient in a changing climate;
- Guidelines for exemptions to the bylaw, including consideration of wildfire mitigation strategies and private property rights; and
- Protection for significant forest assets;

AND THAT Port Moody outline a process for suggesting/declaring a specimen or heritage tree as recommended in the report dated February 1, 2020 from Councillor Amy Lubik and Councillor Meghan Lahti regarding Updating our Tree Protection Bylaw;

AND THAT staff be directed to report back on the legal implications of the proposed update to the Tree Protection Bylaw.

Council direction from the February 8, 2022 Regular Council Meeting:

RC22/057

THAT the Urban Forest Management Strategy Public Engagement Strategy be endorsed as recommended in the report dated January 20, 2022 from the Engineering and Operations Department – Project Delivery Services Division regarding Urban Forest Management Strategy Public Engagement Strategy;

AND THAT the Tree Protection Bylaw Update be included in the Urban Forest Management Strategy, including engagement.

Project Objectives

- To confirm community values, goals and concerns related to the management of trees on private property
- To identify 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 community engagement
- To identify any legal implications of the proposed update to the Tree Protection Bylaw

Scope

In Scope	<ul style="list-style-type: none">- Research on best management practices and municipal tools for managing trees on private property, including any neighbourhood specific considerations- Identifying challenges and opportunities associated with the current bylaw- Engagement with the community to confirm values, goals and concerns related to trees on private property- Coordination of engagement opportunities with Survey #1 and #2 included in the UFMS project- Recommended bylaw updates based on Council direction, background research, staff and community engagement- Legal review of the proposed bylaw updates
Out of Scope	<ul style="list-style-type: none">- Considerations related to tree management on public lands

Work Plan Overview	
Project start date: June/July 2022	Project end date: May/June 2023
<i>Deliverable/Milestone:</i>	<i>Date:</i>
Initiate Project	April 2022
Launch webpage	May 2022
Engagement #1 (High Level Questions on Trees in Private Realm)	Late May/June 2022
Background Research, Best Practices Review, Staff Engagement	April – September 2022
Park Pop-up Events	May 2022
Engagement #2 (Targeted Questions on Tree Protection Bylaw)	November 2022
Report to Council on Key Directions and Recommendations	February 2023
Engagement #3 (Review of Recommended Changes)	April 2023
Report to Council on updated Bylaw	May/June 2023
Adoption of Updated Bylaw	June 2023

Budget	
Budget Source: TBC	
Item	Cost
Previously approved budget	\$30,000
Additional funds requested for consultant support related to expedited timeline	\$9,000
Additional staff resources to support the policy planning group who will be engaged in work scheduled for the OCP in Fall 2022	Can be accommodated within the auxiliary staff funding requested in 2022 Community Development budget
<input type="checkbox"/> Request Referral to Finance Committee	\$9,000

Decision Notes (Corporate Planning Advisor use only)		
Date	Meeting	Decision