



TREE PROTECTION BYLAW UPDATE

May 2026

COUNCIL PRESENTATION



TOWN OF
COMOX

AGENDA

1. Project Overview
2. Engagement Highlights
3. Proposed Bylaw
4. Implementation Considerations



| 1. Project Overview

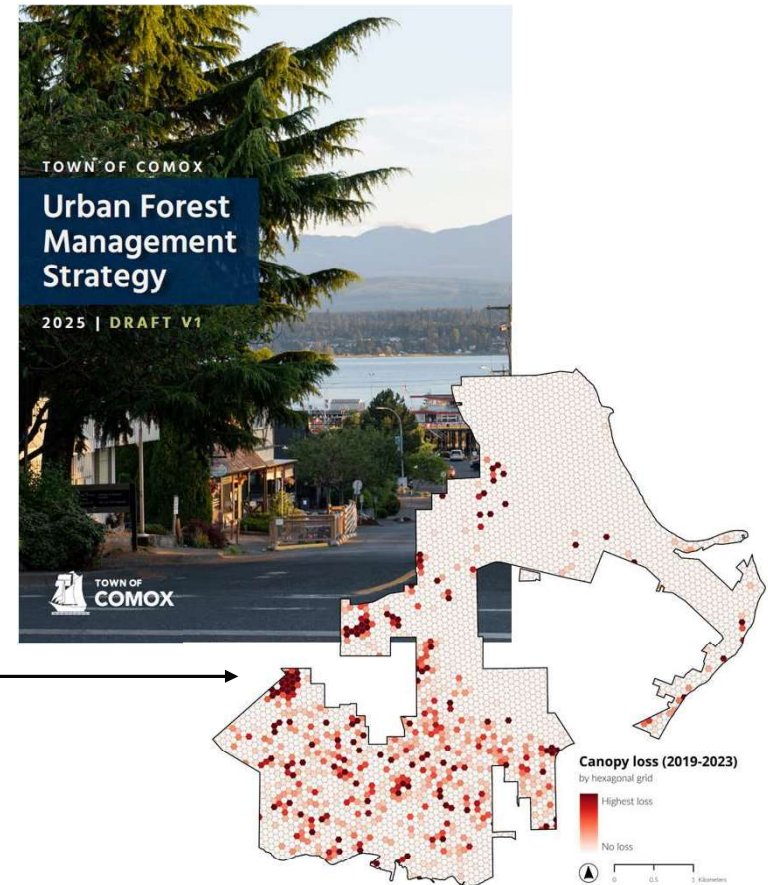
CONTEXT

Implementing the Urban Forest Management Strategy up for Council adoption in early 2026:

Provides a 30-year vision and strategic framework for planning, protection, growth, and management of the urban forest

27 hectares of canopy loss (-2%) in the past 6 years

- Recommends updating the Tree Bylaw to grow Comox's urban forest.



POLICY CONTEXT:

RELEVANT ACTIONS FROM THE UFMS

Action	Priority	Timeline	Cost
7a. Replace the current Tree Management and Protection Bylaw with a new bylaw to apply to all trees on Town property and a subset of trees on all private properties.	A	Short	\$\$
7b. Clarify protection requirements for trees subject to a Section 219 covenant under the Land Act.	A	Short	\$
7c. Consider establishing, by bylaw, higher levels of oversight for a class of significant trees in Comox.	A	Short	\$
7d. Ensure adequate tree protection measures are installed where trees will be retained on or near construction sites or other sites where tree-damaging activities occur, for the duration of the activities.	A	Short	\$
7e. Establish a minimum 1:1 replacement ratio when regulated trees are cut or removed, with higher replacement ratios in place for higher-value trees.	A	Short	\$
7f. Consider the resourcing and enforcement requirements of a new bylaw during financial planning for the 2026 fiscal year and following years.	A	Short	\$\$\$

CONSIDERATIONS FOR REGULATING TREES

Appropriate level of regulation must consider the desired level of:



Urban forest protection



Private property impacts



Implementation resources

| 2. Engagement Highlights

What We Heard From The Community

Two Phases:

Phase 1 Nov 19 – Dec 19
(2025)

Online Survey

63 respondents

Phase 2 April 8 - 22 (2026)

In-person open house

110 attendees

In-person focus group

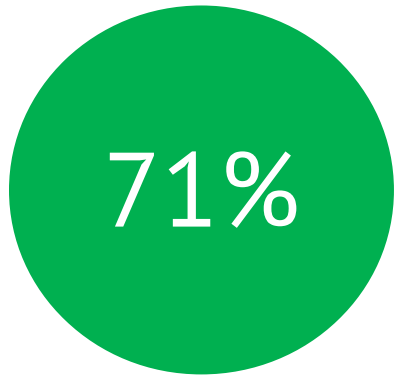
14 attendees

Online feedback form

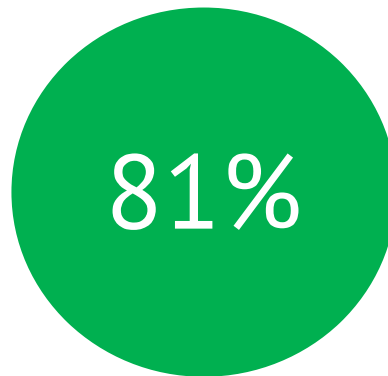
30 respondents

What We Heard From The Community – Phase 1

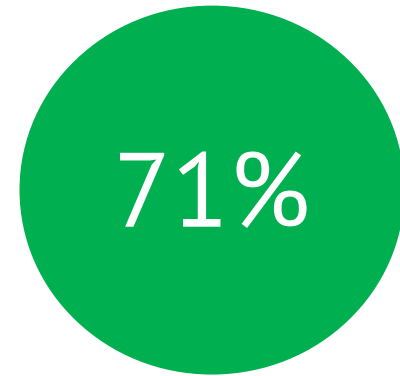
How and where the bylaw should apply



Strongly support the bylaw to regulate trees on private property



Strongly support regulating tree cutting associated with development



Strongly support regulating tree cutting associated with other reasons.

What We Heard From The Community – Phase 1

Types of trees that should be regulated

48%

Strongly support
applying the bylaw to
trees with at least 20cm
DBH

61%

Strongly support
applying the bylaw to
native species at a
smaller size

86%

Strongly support
applying the bylaw to
trees of any size within
an environmentally
sensitive area

84%

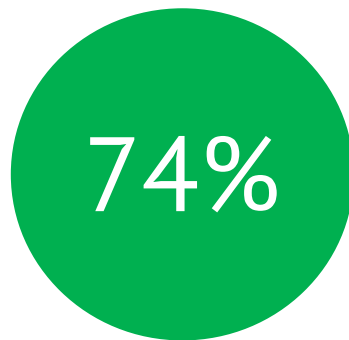
Strongly support including
specific measures for
important trees that may be
very old, rare or
culturally/ecologically
valuable.

What We Heard From The Community – Phase 1

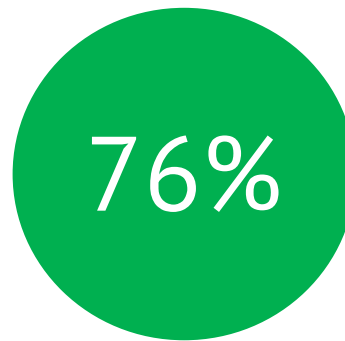
Objectives for protected trees



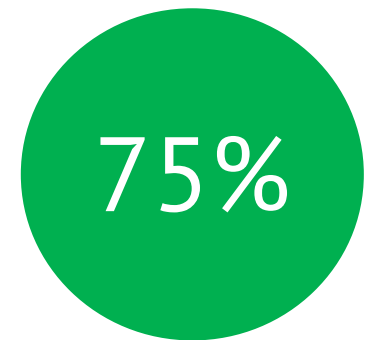
Strongly support requiring replacement trees to be planted



Strongly support requiring arborist reports to support tree removal or construction activities



Strongly support incentivizing tree retention, especially for mature trees



Strongly support making exceptions for special circumstances, such as hazard tree removal

What We Heard From The Community – Phase 1

Q: How should implementation of the bylaw should be resourced?

2.08

Equity / Fairness

Use lower permit fees for those with less ability to pay; may require higher general taxation to avoid other service cuts.

2.04

Cost Recovery

Use higher fees and penalties to fund the bylaw; may shift costs onto owners with many protected trees that benefit the community.

1.75

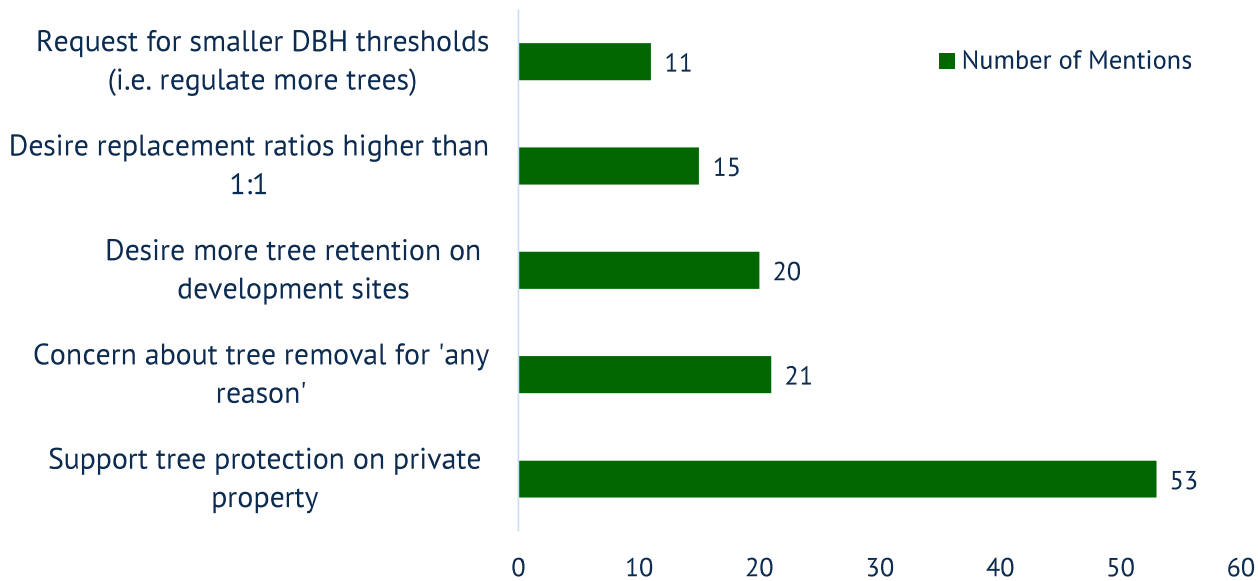
Service Efficiency

Reallocate staff before raising fees or taxes; may reduce other services and affect residents and staff in those areas.

What We Heard From The Community – Phase 2

In-Person Open House

Key Points Raised by Participants (110 responses)



What We Heard From The Community – Phase 2

Online Feedback Form

Common Themes Across the Online Feedback Form



| 3. Proposed Bylaw

Previously Discussed: March 11

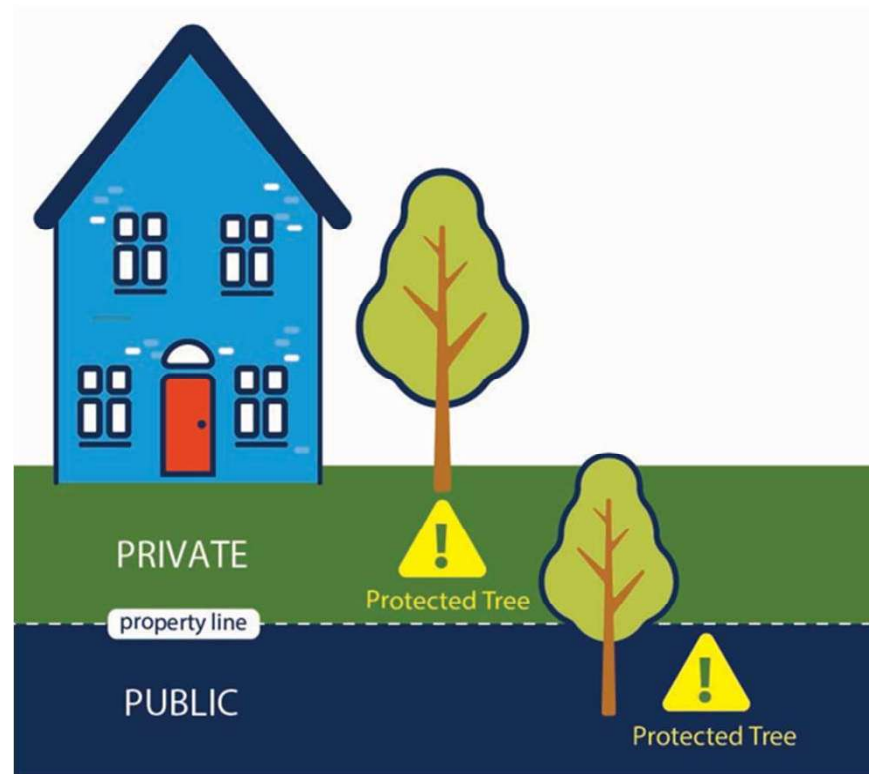
Topic	Council Input
Size of Regulated Trees (DBH)	30 cm and larger, with staff to report back on criteria for regulating classes of high value tree.
Where the Bylaw Applies	Bylaw will apply to all properties in Comox.
Reasons A Permit Can be Issued	In general, regulated trees can be removed for any reason while higher value trees may have “additional protections”.
Tree Replacement	A replacement ratio is supported, with staff to report back on a suggested ratio.

Recap of Confirmed Directions

- Topic 1 – Where the Bylaw Applies
- Topic 2 – Regulated Trees
- Topic 3 – Cutting Regulated and Protected Trees
- Topic 4 – Tree Replacement

1 – Where the Bylaw Applies

- The Bylaw applies to all properties; both City-owned and privately-owned.
- **A permit will be required for cutting of a Regulated Tree.**
- Regular maintenance that aligns with arboricultural best practices does not require a permit.



2 – Regulated Trees and Protected Trees

A Regulated Tree is:



OR



OR



2 – Regulated and Protected Trees

What is a Priority Species?

‘Priority Species’ include the following species:

- Douglas-fir (*Pseudotsuga menziesii*)
- Western redcedar (*Thuja plicata*)
- Western hemlock (*Tsuga heterophylla*)
- Grand fir (*Abies grandis*)
- Sitka spruce (*Picea sitchensis*)
- Western white pine (*Pinus monticola*)
- Shore pine (*Pinus contorta*)
- Pacific yew (*Taxus brevifolia*)
- Seaside juniper (*Juniperus maritima*)
- Arbutus (*Arbutus menziesii*)
- Garry oak (*Quercus garryana*)
- Bigleaf maple (*Acer macrophyllum*)
- Trembling aspen (*Populus tremuloides*)



Douglas-fir (*Pseudotsuga menziesii*)



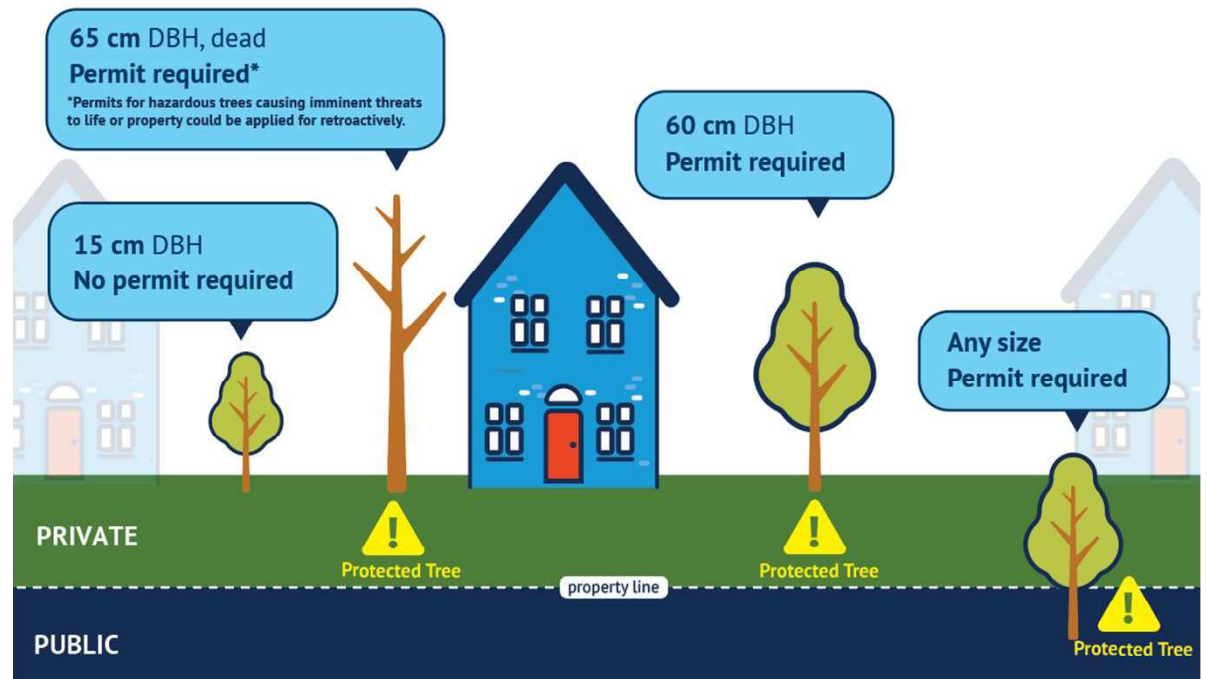
Shore pine (*Pinus contorta*)

2 – Regulated and Protected Trees

What is a Protected Tree?

A protected Tree is:

- A tree ≥ 60 cm DBH on private property
- Trees of any size that are:
 - On Town property
 - Retained or planted as a condition of a permit
 - The object of a section 219 covenant.
 - A Replacement Tree planted under this bylaw
 - A Retained Tree used to reduce replacement requirements.



3 – Cutting Regulated and Protected Trees

Information requirements:

Non-development related

Permit Application (address, legal identity, number of regulated trees, number of protected trees, short description of purpose)

Development related

Arborist Report and Tree Management Plan required to accompany permit application related to development.

*May be other information requirements, depending on application.

3 – Cutting Regulated and Protected Trees

Reasons a permit will be issued to cut/remove on private property:

Regulated Tree

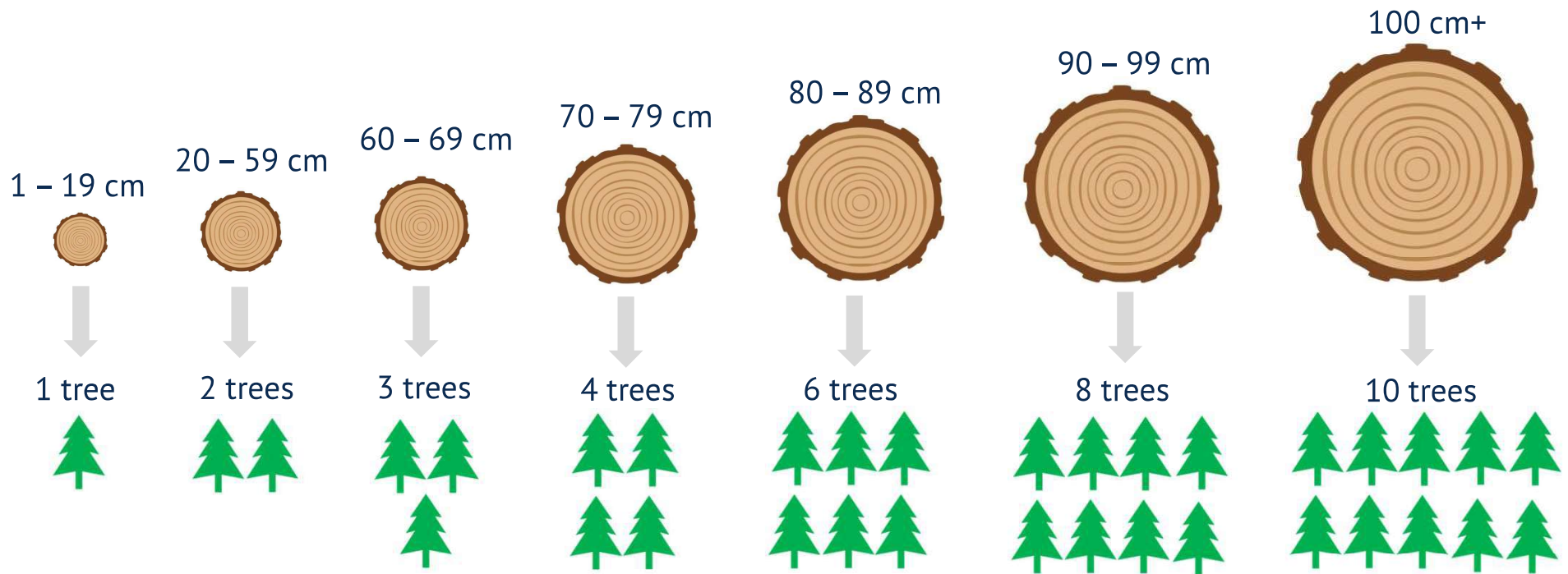
- For any purpose of the cutting/removal

Protected Tree

- Dead, unmitigable hazard, wildfire hazard (*requires professional opinion), conflict with approved building footprint, unavoidable conflict with essential site elements, causing damage to buildings, or an invasive tree.

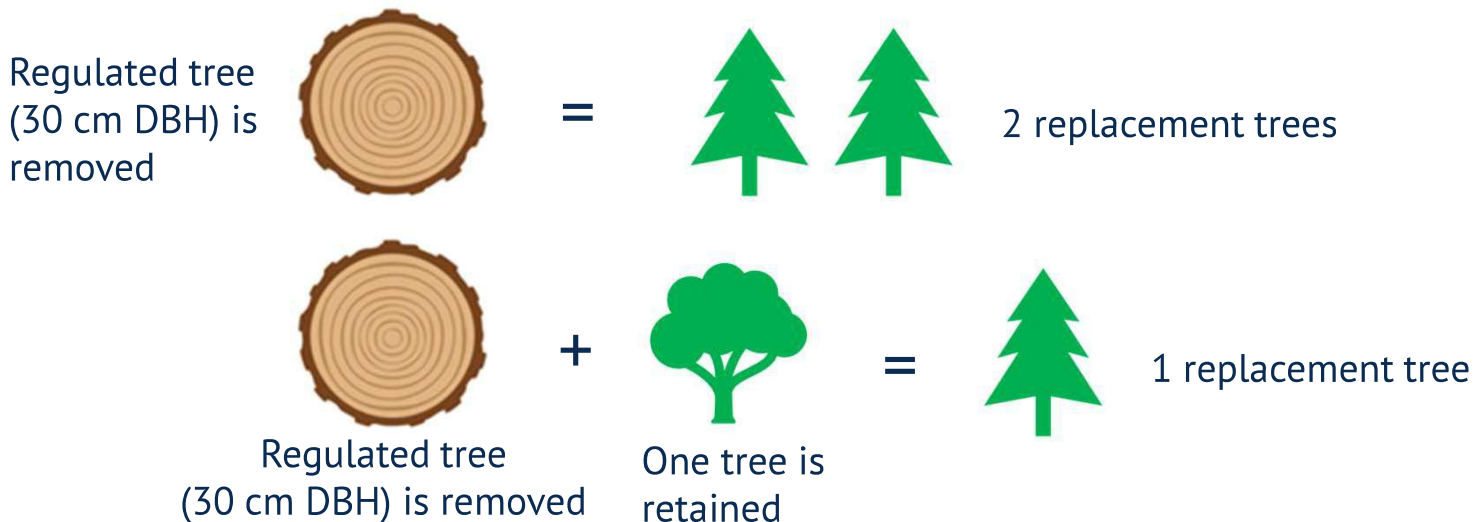
4 – Tree Replacement

Tree replacement requirements are based on the size (DBH) of the removed tree.



4 – Tree Replacement

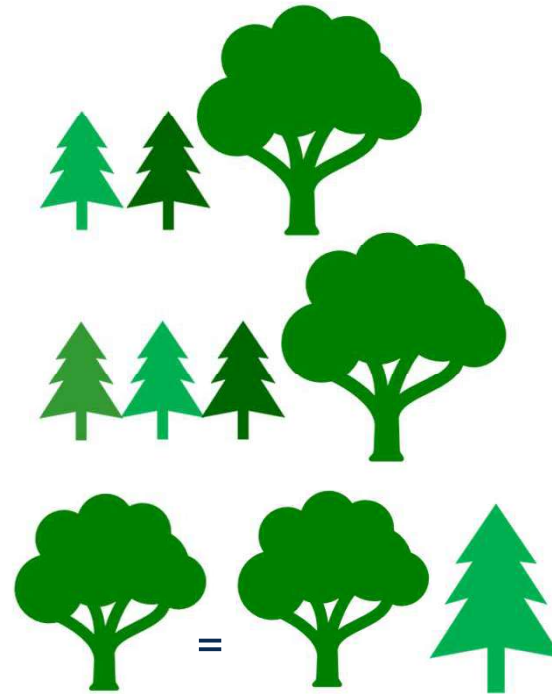
- The number of Replacement Trees required can be reduced by one for each Retained Tree, so long as under 10 trees will have been removed from the Lot within the past 2 years



4 – Replacement Tree Selection

- Three considerations:

- 1) When 1, 2 or 3 Replacement Trees are required, at least 1 Replacement Tree should be a medium or large canopy species
- 2) When 4+ replacement trees are required, at least 25% will be a large species
- 3) When a Priority Species is removed, at least half of the total number of replacement trees required must also be a Priority Species.

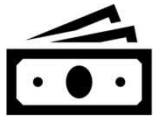


4 – Cash-in-lieu

- Cash-in-lieu may be accepted when:



OR



Cash-in-Lieu funds will be deposited in a Reserve Fund created for the Town to plant and maintain trees.



4 – Replacement Requirements - Exceptions

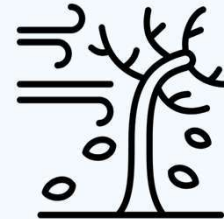
- Replacement requirements may be waived when:

Tree removal is
necessary to mitigate a
wildfire hazard



OR

A tree is being removed
for emergency purposes



| 5 – Tree Protection Measures

Reasons a permit will be issued to cut/remove on private property:

Tree Protection Zones

- Default 10x DBH, can be varied by a Tree Management Plan
- Fencing must be installed for the duration of the works.
- Work in a Tree Protection Zone must be pre-approved and supervised by an Arborist
- Signage must identify the Tree Protection Zone

6 – Securities

Tree Permits in connection with development will require securities:

Replacement Trees

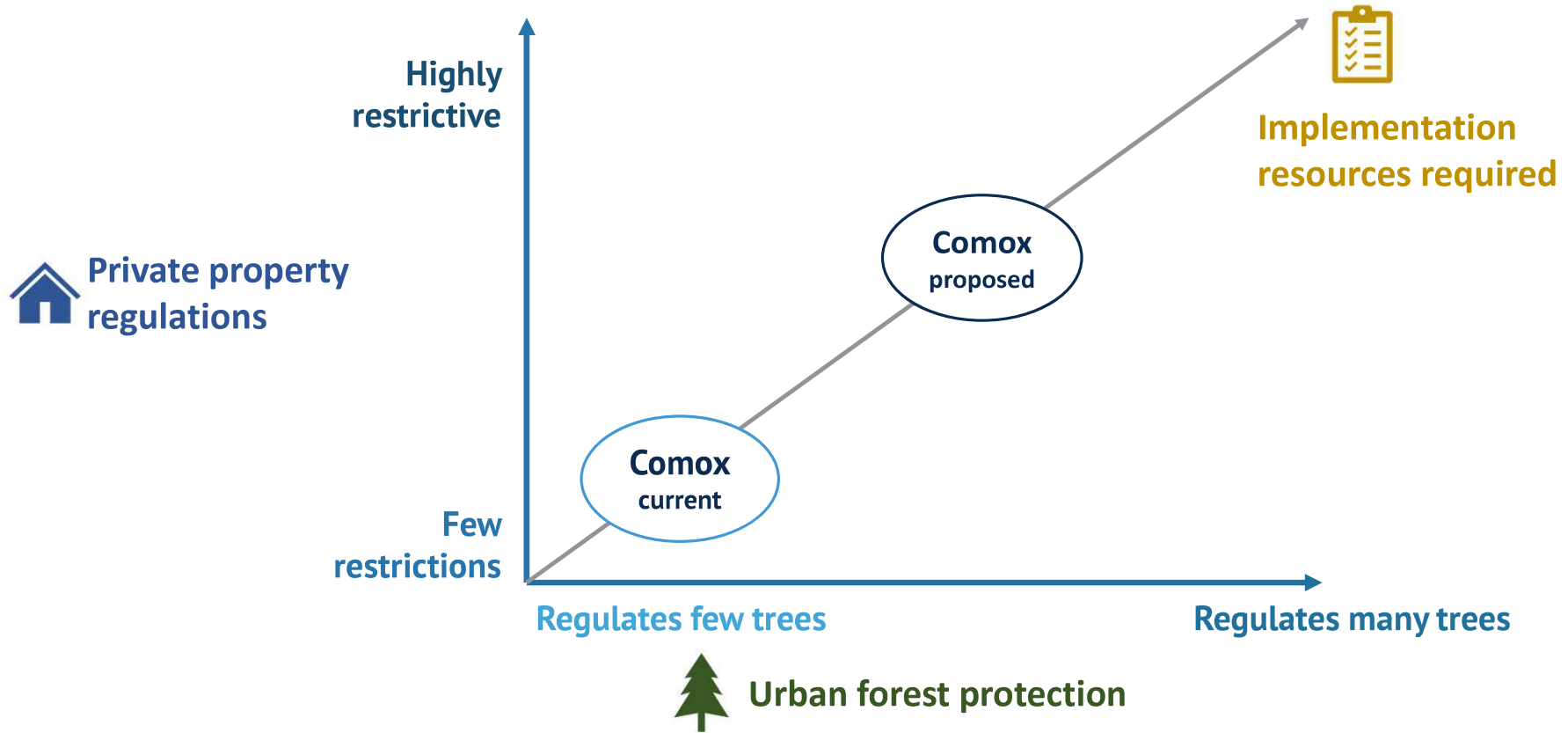
- 125% of the equivalent cash-in-lieu value, held for two years after planting.

Preserved/retained trees

- 125% of the estimated value of the trees, capped at \$15,000 per single family dwelling/lot and \$150,000 in connection with a subdivision, development permit, development variance permit, or rezoning.

4. Implementation | Considerations

Summary of Anticipated Impacts



Implementation Considerations

1. Increased Staffing Requirements:
 - New bylaw will expand permit process, increasing demands on staff.
2. Permit Volume Uncertainty
 - Estimate: one FTE per 250 permits
3. Awareness and Outreach
 - New bylaw will require education and explanatory materials.

| Questions

