



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**TREES, VIEWS & LANDSCAPES COMMITTEE MEETING
OF THE VILLAGE OF LIONS BAY
HELD ON WEDNESDAY, AUGUST 21, 2019 at 10:00 AM
ON SITE: 262 STEWART ROAD**

AGENDA

- 1. Call to Order**
- 2. Appointment of Recorder**
- 3. Approval of the Agenda**
- 4. Public Questions & Comments**
- 5. Approval of Minutes**
 - A. Trees, Views & Landscapes Committee – August 7, 2019 (Page 3)
- 6. Business Arising from the Minutes**
- 7. Unfinished Business**
- 8. New Business**
 - A. Tree Application #95: 262 Stewart Road (Page 5)
- 9. Public Questions & Comments**
- 10. Adjournment**

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Minutes of the Tree Committee meeting

August 7th, 2019

On-site @ 52 Brunswick Beach Road – #94

In attendance; Chair, Simon Waterson, Ron McLaughlin, Jay Barber, Jim Cannell and Mike Jury

1. **Call to order:** The meeting was called to order at 11:03 am
2. **Appointment of a Recorder:** Simon Waterson was appointed Recorder for the meeting, with Ron McLaughlin steering the meeting thru the Chair
3. **Approval of the Agenda:** The Agenda was approved unanimously
4. **Public Participation:**
 - o Nikki & Carl Lund – owners of #52 Brunswick
 - o Anne-Marie Gates – owner #51 Brunswick
 - o Mike Wilson – owner of #49 Brunswick
 - o David Hughes – Contractor/Builder
 - o Jane Moloughney
 - o Ron Innes
 - o Stew McLean – renter neighbour
 - o Valori McKay
 - o John Peterson, Nikki Lund's father
5. **Approval of Minutes:** The minutes from the previous meeting on May 31st, 2019 were approved unanimously, with three changes to be made. 1. Insert "Lund after Carl and Nikki 2. Change Norm and Harley Pellow to "renter" and not owner 3. Mrs. Lund stated that the CAO had not put into the minutes that Mike Wilson said the middle tree should be removed. Mr. Wilson said it was in the minutes. In fact, it's in the minutes, so the point is mute
6. **Business arising from the minutes:** None
7. **Unfinished Business:**

Before the next points could be discussed, Nikki & Carl Lund said the following: For the record, that the Lund's (applicants) were no longer prepared to pay for the removal of the trees. Carl Lund re-iterated this statement. The Lund's went on to say that they had requested a permit to cut the three trees and this was denied by the CAO. They would build according to the building permit issued. Going forward, if there is an issue with the root system, that would be a VoLB issue and not theirs. They would take legal action if need be.

It was recommended by Ron McLaughlin, thru the Chair, that because the Lund's stated they won't pay for the removal of the trees, which was part of the application, that this was a material point and moved the application out of the Tree Committee's mandate to decide on points a), b) and c). The members unanimously confirmed Council's decision on the application.

- a) Tree application #94: 52 Brunswick Beach Road (page 5)
 - b) Tree application #94: 52 Brunswick Beach Road – Report to Council
 - c) Tree Committee Recommendation
8. **Old Business:** None
 9. **New Business:**
 10. **Correspondence:** A letter from the Meiklejohn's was submitted
 11. **Public Questions & Comments:**
 - a) **Annemarie Gates** – Asked, could it be that the view is the main objective of this exercise? She stated that she had banking concerns as a result of cutting the trees. She questioned the Lund's not being able to build their 4600 sqft home unless the trees were cut down

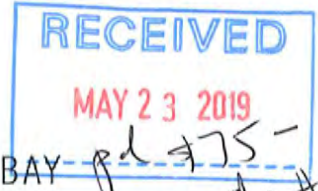
- b) **John Peterson** – Stated the money that the Lund's borrowed was costing them \$5,000 per month. He/the Lund's thought that Lions Bay would be an "easy place to get on with"
- c) **Mike Wilson** – Living in an environment amongst trees, has its own set of unique risks. He went onto say that we all live here because of the trees
- d) **Nikki Lund** – Stated that they requested a subject to allow the removal of the trees in the purchase agreement and the village CAO declined. He told her that she had to make an application and go thru the Tree Committee. She stated the village should have done their due diligence to show the risks, and if need be, hire a third arborist for opinion
- e) **Carl Lund** – Stated that they would go ahead with building and the village should be aware for the record of the risks by not cutting the trees. He mentioned that the steel and cables imbedded in one of the trees would be the cause of decay and not be as a result of building

After public comments were heard, once again, it was recommended by Ron McLaughlin, thru the Chair, that because the Lund's are stating they won't pay for the removal of the trees, this is out to the Tree Committee's mandate.

12. Adjournment: The meeting adjourned at 11:29 am.

Simon Waterson

Recorder



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Schedule "A"

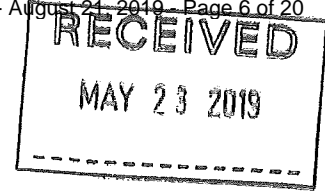
Tree Cutting Application Form

All fields must be completed

Applicant's Full Name: Nancy Seow	
Address: 262 Stewart Road, [redacted] Lions Bay, BC	
Phone: [redacted]	Email: [redacted]
Arborist/Contractor Name: Steve Hotsack (Steve's Trees)	
Phone: 778.231.5091 604 218 0678	Email:

Office Use Only	Tree Application Number: # 95
Received by: <i>Shawna Gilroy</i>	Date: <i>May 23/19</i>
Amount Paid: <i>\$75-</i>	Cash or Cheque: <i>chg # 311</i>
Application Complete? (Y/N) <i>No</i>	If no, reason: <i>Need more affected downers canvassed - advised no further affected owners per Nancy Seow</i>
Date referred to Public Works: <i>July 3/19</i>	Date returned by Public Works: <i>(See attached comments) July 25/19 + Aug 2/19</i>
Date Application to Tree Ctte:	Meeting Date:
Agenda forwarded to Tree Ctte:	Minutes received from Tree Ctte:
Council Agenda Date:	Council Decision:
Parties Notified:	
Date of Letter Notifying Applicant of Decision:	Received Damage Deposit: Name of Arborist/Contractor:
(March 1-July 31: Arborist Certification Required)	Proof of WorkSafe Certificate: Proof of Insurance (\$5 mil/VoLB Add'l Insured):
Permit Issued:	Post-work check by Public Works:
Damage Deposit Returned:	If not, reason:

Date to CAO July 26/19



TREE CUTTING PERMIT APPLICATION & CHECKLIST

Within this package, you will find the tools you will need in order to complete your Tree Cutting Permit Application. The following contents are included:

- Application form
- Form letters for canvassing *Affected Property Owners**
- Tree Cutting Permit (must be signed by CAO or designate before any cutting is allowed)
- Tree Management on Private Land Policy
- Village of Lions Bay Trees, Views and Landscapes Bylaw No. 393, 2007, as amended

* *An Affected Property Owner is any adjacent owner and any property owner whose line of sight or proximate enjoyment (eg: shade, aesthetics) may be affected if this application is approved.*

Application checklist:

- Completed Application Form
- Colour Photographs / Photocopies of Trees Proposed to be Cut
- Comments from Affected Property Owners (must include their contact information for verification purposes)
- Replanting Plan details and proposed timeframe, if applicable
- \$75 Application Fee (cash/cheque payable to Village of Lions Bay, due upon package submission)

About the process:

Upon receipt of your completed application package, Staff will confirm all required information is included before referring the file to Public Works and then to the Trees, Views and Landscapes Committee.

Supplementary documents may be required in support of this application. Should land surveys or arborist reports be required, you will be notified accordingly. The applicant is expected to bear all associated costs.

The Trees, Views and Landscapes Committee will set a date and time to meet at the location of the proposed cutting and this meeting will be advertised and open to you and to the public. You or any member of the public may speak at this Committee meeting.

Recommendations and public comments, verbal and written, will be presented for Council consideration as soon as may be possible. Staff will send an email to you and any opponents to advise of the Council meeting date when the recommendations made by the Trees, Views and Landscapes Committee will be presented along with your application.

Follow up will be performed to ensure the Replanting Plan has been achieved, if applicable.

* Note: If your application is approved by Council, you will need to provide the following:

- \$500 Damage Deposit
- Name of Arborist or Contractor
- Proof of WorkSafe BC Certification
- Proof of Insurance (\$5 million liability with Village of Lions Bay named as additional insured)



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Species/Description of Tree(s):

4 previously topped cedar trees
3 maple trees previously removed

Location of Tree(s):

All trees are located at the bottom of the property at 261 Stewart Road, adjacent to Logger's Lane Trail. Cedars have been previously topped and maples had been previously cut down but have resprouted.

**Trees must be clearly marked with marking tape in time for the Trees, Views and Landscapes Committee's site visit.*

Reason for Removal:

- | | |
|--|---|
| <input type="checkbox"/> Too close to property (foundation, garage, fence, etc.) | <input type="checkbox"/> Interfering with infrastructure (roads, sidewalks, etc.) |
| <input checked="" type="checkbox"/> Dead, dying or diseased | <input checked="" type="checkbox"/> Leaves causing problems |
| <input checked="" type="checkbox"/> Unattractive | <input type="checkbox"/> Blocking site access |
| <input checked="" type="checkbox"/> Blocking sunlight | <input type="checkbox"/> Affecting house value |
| <input type="checkbox"/> Attracting wildlife | <input type="checkbox"/> Hazardous |
| | <input checked="" type="checkbox"/> Interfering with view |

Please provide additional comments which may be useful:

The cedars would be retopped at a height that no one on the trail would be able to see. Most of the tree will be left to continue to provide any current benefits to the trail.

The maples are growing at a very bad angle and should be cut before they get too large and come down on the trail causing a hazard. They are spindly, unattractive and getting tangled up in the cedars. They drop most of their leaves on the trail in a section that is already slippery due to a natural spring water flow.

Replanting Plan, if any (please include anticipated timeframe for completion):

n/a.



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I have attached a colour photograph or colour photocopy of the subject tree(s) with descriptive notes or markings if applicable.

I have verified the information contained within this application is correct. No cutting of Significant Trees, as defined by Schedule "C" to Village of Lions Bay Tree Bylaw No. 393, 2007, as amended, is contemplated by this application or, if it is, this fact is clearly and explicitly set out in the application along with supporting rationale.

I acknowledge that responsibility for bylaw compliance rests with me as the applicant. I will indemnify and save harmless the Village of Lions Bay, its officials, employees and agents against claims, liabilities and expenses of every kind, in respect of anything done or not done pursuant to this application or ensuing permit, if issued, including negligence and/or failure to observe all bylaws, conditions, acts or regulations.

I understand that, should this application be approved, all work performed must comply with any and all conditions of approval incorporated in the Council resolution, and that failure to comply with such conditions may result in fines, penalties and/or legal action.

Nancy Seow

A black rectangular box redacting the signature of the applicant.

23 May 2019

Name of Applicant (Please Print)

Signature

Date Signed



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Form letter for canvassing Affected Property Owners (print as many copies as may be necessary)

Date: May 23/19.

Affected Property Owner's Name: Carmon Leeson

Address: 261 Stewart Road

Email Address: _____

Phone Number(s): _____

Dear Carmon:

Re: Tree Cutting Application

I intend to make an application for a permit to remove trees on municipal property and, as part of the application process, I am required to notify Affected Property Owners. The specifics of the application are as follows:

Location:	Trees are located at the bottom of the property at 261 Stewart Road, adjacent to Logger's Lane Trail.
Type(s) of Tree(s):	Cedars that have been previously topped. Maples had been previously cut down but have resprouted.
Description of Work:	Retop 4 Cedars have been previously topped at a height of approximately 25' Cut 3 maples had been previously cut down but have resprouted.
Replanting Plan:	None



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Rationale for Application:	<p>Cedars will be retopped to maintain view</p> <p>Maples would be cut down as they are overgrown, unattractive, growing at bad angles and are entangled in the cedar trees. They drop large leaves on the trail at a bad location and I am concerned they could be a hazard if they come down.</p>
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As you may be an Affected Property Owner, please accept this letter as notification of my application. I would appreciate if you would provide me with your written response as soon as possible, noting your support or any concerns regarding this work, so that I may forward your comments with my application package.

I have attached a colour photograph or colour photocopy of the subject tree(s) with descriptive notes or markings if applicable.

Thank you,

Nancy Seow



Applicant Name

Email

Phone

Affected Property Owner:

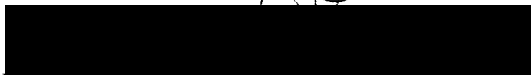
With respect to the above Tree Cutting Application, I CARMON & CASEY LEESON, am

(Name)

Supportive Opposed

Comments (if any):

Name:



Date:

May 13, 2019

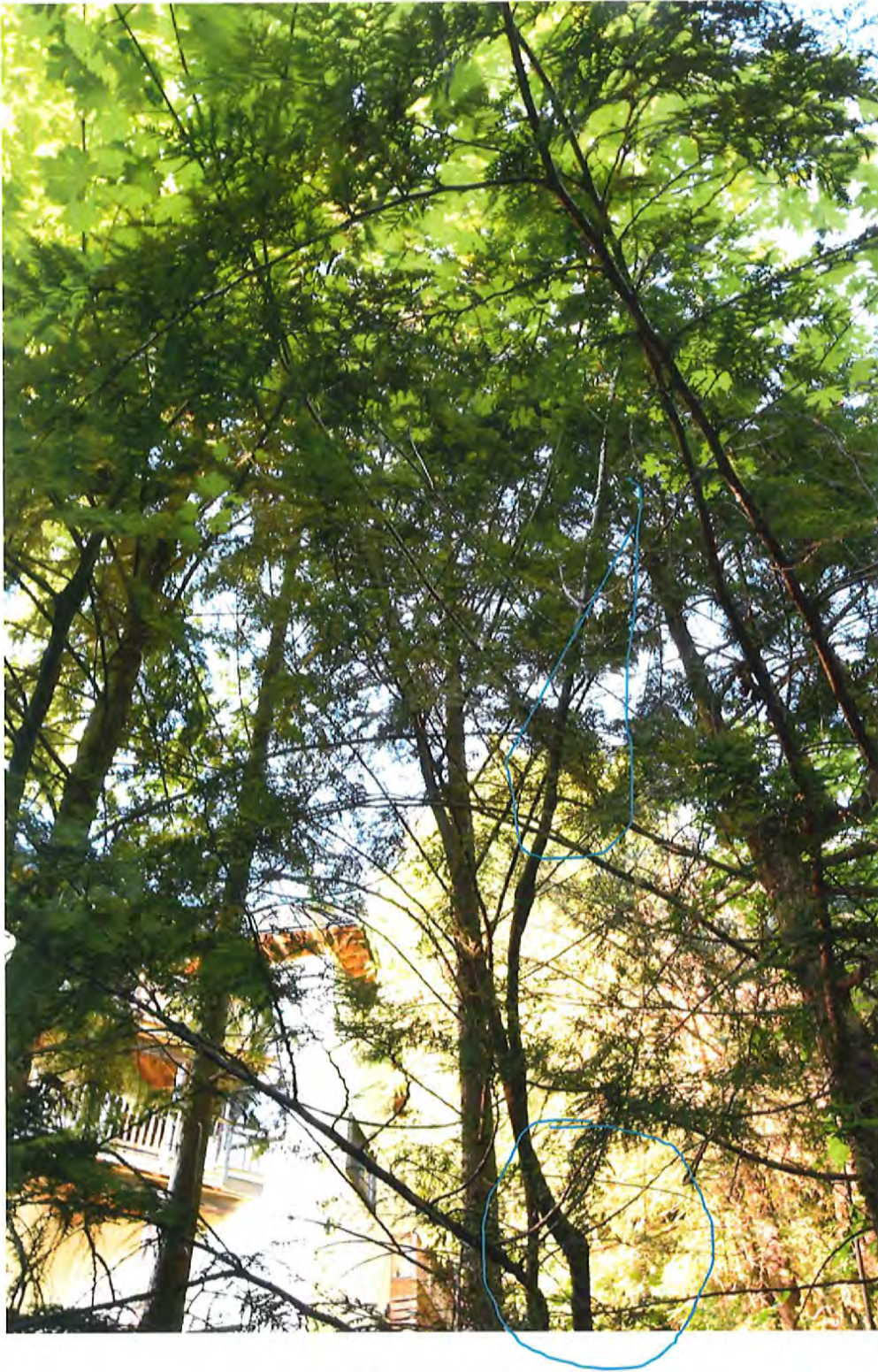
re-top previously topped evergreen trees



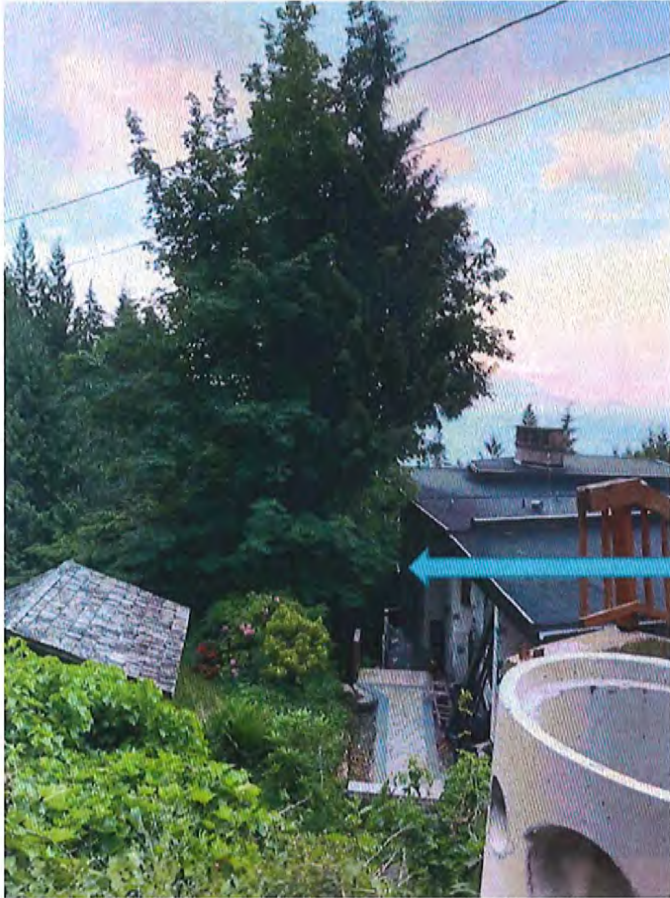
View from below on trail – topping evergreen trees will not be noticed



Maple are scrawny regrowth, branches directly over the trail. Drop lots of leaves on trail.

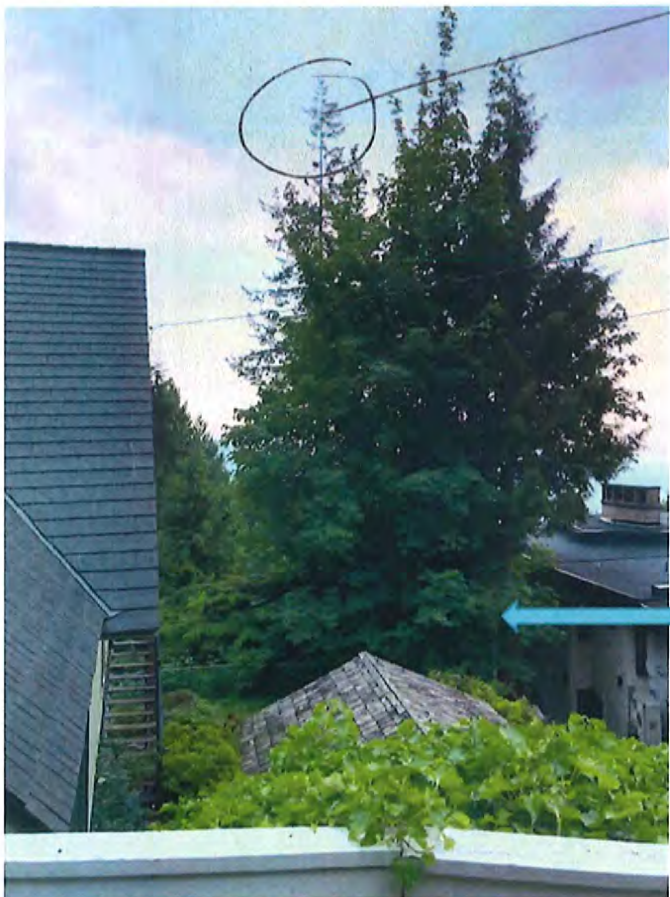


View from Stewart Road – Trees to be cut are not visible, the tops are lower than the house on the right and behind trees that will not be cut. (see arrow below for approximate location of trees to be cut)



RECEIVED
JUN 03 2019

VERY TALL TREE
IN NEXT PHOTOS



View from 233, 231 and 229 Bayview – NOTE: NO houses on Stewart are visible or trees noted in previous photo. Arrow below points to top of very tall tree further down the hill from Stewart.

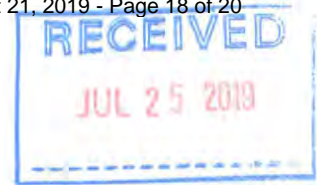


View from 239, 241 and 243 Bayview – NOTE: NO houses on Stewart are visible or trees noted in previous photo. Trees on Bayview are too tall and the trees we want to cut are much, much lower on the trail. Arrow points to very tall trees further down the hill.



View from 239, 241 and 243 Bayview at street level at Loggers Lane trail head – house at 262 Stewart Road (see arrows) in background, trees to be cut are around the bend and lower, they cannot be seen at street level.





Public Works Tree Cutting Referral Comments

Tree Cutting Application Number:	#95
Name of Applicant:	NANCY SEOW
Address of Applicant:	262 STEWART RD.
Location of Tree(s):	LOGGERS LANE
Clearly on Municipal Land: (Y/N) (If no, survey required at applicant's cost)	ALL BUT ONE. THE LARGE TREE IS UNKNOWN
Location in Relation to Municipal Infrastructure (Present & Future):	N/A
Location in Relation to Others' Infrastructure (Telus / Hydro Lines, etc.):	N/A
Slope Stability Considerations:	NO
Replanting Required (Y/N and recommendations, if any):	NO
Other Considerations / Comments:	THE LARGE TREE MAY BE ON SCHOOL PROPERTY / IT MAY BE AN OLD GROWTH FIR, I THINK THIS TREE SHOULD BE LEFT ALONE. THE OTHER TREES CAN BE REMOVED OR TOPPED
Attachments (Y/N and Description):	C.B.

Intentionally Blank