



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

ON TABLE CORRESPONDENCE - JUNE 15, 2021 Regular Council Meeting

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From: [REDACTED]
To: [Lions Bay Office](#)
Subject: Re: Noise Bylaw Exemption
Date: Tuesday, June 15, 2021 6:44:51 AM
Attachments: [PastedGraphic-1.png](#)

Hi Karla,

As I only have 2 minutes tonight I wanted to reduce my submissions to writing so as to allow my 2 minutes to be used should any of Mayor or Council have questions of me.

I wonder if you would please circulate these written submissions.

WRITTEN SUBMISSIONS IN SUPPORT OF EXEMPTION/EXCEPTION TO THE NOISE BY-LAW SO AS TO ALLOW FOR AMPLIFIED MUSIC

Council Meeting June 15

1. **Letters of Support:** From seniors, people my vintage and younger residents. This was not a concerted effort to drive support. This is a small sample of much larger support.
2. **Submissions:**
 - a. On June 10 BCS 815 Strata Council passed a resolution sanctioning Summer music events at 350 Centre Road. Strata Council represents 70% ownership of the entire building. The 3 Strata Council members own a residential apartment ensuring adequate representation of residential interests.
 - b. All of the current residential owners bought into a mixed-use complex knowing that they were doing so (a) above a Store & Café that has been in the building for more than 25 years and (b) has had a Food Primary Liquor licence for many, many years. This is not a new business nor new licence allowing for use of the patio. **It would be like buying next to a highway and asking the Ministry of Transport to only allow bicycles or buying next to an airport and complaining of the aircraft noise.**
 - c. The patio is, in fact, Limited Common Property exclusively for the use of the Store and Café.
 - d. The music on all previous occasions has been acoustic guitar and vocals. On most occasions it has ceased at 6pm.
 - e. The proposed music schedule for 2021 would be approximately 6 events over a 3 month period. **Each of our music events this year will be in support of a local organization (LBVFD/LBSAR/School PAC).**
 - f. Our events are publicized widely via social media and posters in and around 350 Centre Road. The owners are aware of our functions. This allows owners to plan accordingly and leave the Village should they find music particularly offensive.
 - g. These sorts of events and live music are something that the Village residents are asking for given the spread of age groups and the Lions Bay ownership tenure of residents who have attended over the last few years; seniors, young parents, owners for many years and recent buyers into the Village have all attended. There is a demand we are catering to and we are getting people out of their homes. **This is particularly important for the people who have been house-bound during the pandemic.**
 - h. We are complying with all of our business licences.
 - i. We should be entitled to run and grow our business without unreasonable interference from 3 (out of 1300) owners.
 - j. Our position is not the same as a house concert series event exemption because:
 - i. We are a **for-profit business in a commercial zoned precinct** and the closest residences (other than our own strata residences upstairs) are either behind our building (so the sound is diffused) or close to 100m away to the south);
 - ii. Lions Bay is the most seasonal of markets and **we cannot use our patio in the Winter.**
 - iii. This business is not exactly a "cash cow". **As a for-profit business that supports the community via the post office, jobs for locals and our support of local artists, artisans, etc we need as much support as possible.**
 - k. Finally, we have compromised in seeking an exception that is limited by:
 - i. Season - only until the end of Summer. We cannot use the patio in winter.
 - ii. Days of the week - Fri, Sat or Sun;
 - iii. Times of the day - not before 12pm or after 9pm.

Any opposition to live music requests that there be nothing at all. No compromise. Just no live amplified music at all.

Finally, I wanted to address any query as to why music cannot be scheduled that is not amplified. Below is the Q&A that I put to local resident musician Mark Coghlan and his responses which I presented to Village Council.

Mark Coghlan's (as an expert) opinion on why amplification is important for a professional, polished performance:

- a. **Would your voice be strained over a 3 hour period?** - Absolutely, actually it would take much less than that.
- b. **Would the quality of sound be diminished?** - Not only the quality of the "sound" but also the quality of the performance. To be sure we hear music with the expectation of a polished, finished-end result. Reverb and such come in here, but also there are some things non performers don't typically think about. For example reverb on a vocal can create sort of a virtual ledge to sit your voice on. This is handy to "lean" on when you're singing high, elongated notes or are tired. Not having it there makes for either a thinner, less compelling sound or a conservative performance. Which in turn leads to people tuning out. Or to describe it in its technical term, it becomes boring.
- c. **Would the quality of music diminish?** - Again I point to the performance. People are often stunned to find that when their favourite "pro" singer is just singing, stripped down so to speak, they sound an awful lot like normal people. That goes for any other instrument that could be played un-effected. Not the end of the world perhaps, and there is no diminishing raw talent and practice, but there is an old adage from Gordon Ramsay about cooking that might apply here. Paraphrasing as I must it's something like "People don't typically have a deep fryer in their house because that's one of the things they go to a restaurant for." The point being that when someone goes to hear a musician they want something elevated and special. The live, social experience is part of it, but also they expect something more than the neighbour kid hacking out "Wonderwall". A performance by a prepared, professional performer is not something most people get at home.
- d. **Would it significantly limit the songs and effects you could use?** - Yes and all. Definitely a full performance requires songs in different keys, featuring different frequencies and with different intensity and timbre. Shouting for a couple of hours to keep things fresh would do no earthly good. Also without amplification the only effect you could employ would be naturally occurring echo. If your at a point where this happens then you're louder than if you amplified.
- e. **Anything else that you believe is relevant?** - Something else to consider is compression. In lay terms this is the process of restricting the difference in the dynamic range. Or the difference between the softest notes and the loudest. (Think of the difference between a whisper and a shout). A compressor squashes this dynamic range and allows one to set it with a high level of control over total or max volume. In practical terms let's say you have a singer or player that has low, soft, heartfelt material, but also loud bombastic moments as well. To hear the low stuff you would set the gain for that to be intelligible, but then the loud stuff would be very or too loud. A compressor brings up the low stuff so you can hear it but not have the more aggressive material be overwhelming. In short THIS IS THE MAIN REASON WHY PEOPLE COMPLAIN. Especially about amplification. A compressor, (which I use on both guitar and vox) can make it consistently LESS LOUD than when not amplifying. Performing without amplification can be louder, and definitely less musically pleasing than with. If you want it to be quieter, then conditioning with the use of amplification is the way to go.

I would respectfully ask that the Lions Bay Council reinstate its resolution from last year.

Craig Doherty
Owner



On Jun 11, 2021, at 3:42 PM, Craig Doherty <craig@lionsbay.com> wrote:

Karla,

From: [REDACTED]
To: [Council](#)
Subject: Music at the cafe.
Date: Tuesday, June 15, 2021 7:27:33 AM

Greetings,

A couple of years ago Craig had to make a pitch for allowing live music at the cafe, and as I understand he will have to do so again.

Firstly, please consider this email as support for him doing so. Having an arts community, regardless of how small, makes our village healthier and happier.

Secondly, he came up with a list of a few questions often asked. As I am trained in audio engineering he felt having them answered by someone knowing the technical side might be beneficial. Below is that interchange.

- *would your voice be strained over a 3 hour period, (without amplification)*
-
- Absolutely, actually it would take much less than that.
-
- *would the quality of sound be diminished?*
-
- Not only the quality of the “sound” but also the quality of the performance. To be sure we hear music with the expectation of a polished, finished end result. Reverb and such come in here, but also there are some things non performers don’t typically think about. For example reverb on a vocal can create sort of a virtual ledge to sit your voice on. This is handy to “lean” on when you’re singing high, elongated notes or are tired. Not having it there makes for either a thinner, less compelling sound or a conservative performance. Which in turn leads to people tuning out. Or to describe it in it’s technical term, it becomes boring.
-
- *would the quality of music diminish?*
-
- Again I point to the performance. People are often stunned to find that when their favourite “pro” singer is just singing, stripped down so to speak they sound an awful lot like normal people. That goes for any other instrument that could be played un-effected. Not the end of the world perhaps, and there is no diminishing raw talent and practice, but there is an old adage from Gordon Ramsay about cooking that might apply here. Paraphrasing as I must it’s something like “People don’t typically have a deep fryer in their house because that’s one of the things they go to a restaurant for.” The point being that when someone goes to hear a musician they want something elevated and special. The live, social experience is part of it, but also they expect something more than the neighbour kid hacking out Wonderwall. A performance by a prepared, professional performer is not something most people get at home.
-
- *would it significantly limit the songs and effects you could use?*
-
- Yes and all. Definitely a full performance requires songs in different keys, featuring different frequencies and with different intensity and timbre. Shouting for a couple of hours to keep things fresh would do no earthly good. Also without amplification the only effect you could employ would be naturally occurring echo. If your at a point where this happens then you’re louder than if you amplified.

Something else to consider is compression. In lay terms this is the process of restricting the difference in the dynamic range. Or the difference between the softest notes and the loudest. (Think of the difference between a whisper and a shout). A compressor squashes this dynamic range and allows one to set it with a high level of control over total or max volume.

In practical terms let's say you have a singer or player that has low, soft, heartfelt material, but also loud bombastic moments as well. To hear the low stuff you would set the gain for that to be intelligible, but then the loud stuff would be very or too loud. A compressor brings up the low stuff so you can hear it but not have the more aggressive material be overwhelming.

In short THIS IS THE MAIN REASON WHY PEOPLE COMPLAIN. Especially about amplification. A compressor, (which I use on both guitar and vox) can make it consistently LESS LOUD than when not amplifying.

Performing without amplification can be louder, and definitely less musically pleasing than with.

If you want it to be quieter, then conditioning with the use of amplification is the way to go.

Thank you again for considering live music.

As one who has performed here I can say with certainty that Lions Bay residents do enjoy these events. I have seen many happy, familiar faces before me enjoying the experience as I've played. Hopefully some of that is due to the quality of the performance, but I suspect most of it is just due to being able to stroll down to a community meeting point... with their significant other... having a glass or two and simply relishing the fact that they live in a community where they can.

Mark Coghlan,
www.reverbNation.com/markcoghlan

From: [REDACTED]
To: [Council](#)
Subject: Music at the Lions Bay Store draft
Date: Monday, June 14, 2021 8:06:19 PM

To the Lions Bay Council,

I understand that at your meeting tomorrow June 15 you will be discussing a proposal from the Lions Bay Store for live amplified music.

I am communicating my full support for the proposal as I very much enjoyed the small concerts that were in place before covid. The music was not loud enough to blast anyone out of their seats and ended at a sensible hour. It certainly was enjoyed by a good number of local patrons and helped the business of the store. It gave me an opportunity to meet new members of the village and to refresh friendships that had lapsed.

I think most people in the village will agree upon the improvement in operations under the present owner. Not only has the selection of staff improved but also the offering of goods in the store has widened. The food in the Cafe is remarkable for a small village cafe. There is much more of a local culture being created and the store giving support to local organizations such as the Fire Brigade and local artisans has created a wonderful 'village buzz'.

As a local hospitality business owner, myself, I know how tough times have been over the covid period, we can ill afford to lose the store and feel that Council should support the proprietor of the store as he seeks to regain lost ground.

Yours respectfully

Andrew Wilton

From: [REDACTED]
To: [Council](#)
Cc: [Craig Doherty](#)
Subject: Permission for live music on the Cafe patio over the summer
Date: Monday, June 14, 2021 11:05:08 AM

Tuesday night council meeting.
See above.

Kind Regards

Isobel Chester
[REDACTED]

From: [REDACTED]
To: [Council](#)
Subject: Support for Amplified Music Application
Date: Monday, June 14, 2021 9:32:22 AM

To the Lions Bay Council

I am writing in support of the application by Criag Doherty, Lions bay Cafe, for amplified music during the summer. As has been shown over past years, the way that the Cafe works to build community is amazing. By providing a venue in the Village for our community to gather and enjoy our beautiful setting, we are drawn closer together, know each other better, and, ultimately, take care of each other. These are qualities that make Lions Bay special and the strong community that it is. Music is an incredible catalyst for gathering people together by creating a welcoming and relaxing environment. In addition, these events show guests from outside of Lions Bay what a special place we have.

Not allowing music simply says that we are not welcoming, we do not tolerate fun and do not want people to get together to make our community stronger.

Sincerely

Michael



MICHAEL MOORE (he/him)

Director of ATL Skill Development & Data for Learning
Senior School Teacher, Upper School Track and Field
and Cross Country

[REDACTED] [REDACTED]

From: [REDACTED]
To: [Council](#)
Cc: [Ron McLaughlin](#); [REDACTED]
Subject: Yes please to live Music exception to the noise bylaw
Date: Monday, June 14, 2021 8:34:07 AM

Good morning Lions Bay Council and Mayor McLaughlin,

Tanya and Roger Cosgrave here. We hope you all had a great weekend despite the rain. We understand that Craig Doherty will be coming before Mayor and council on Tuesday to petition for an exemption to the Noise By-Law, allowing the store/cafe to be able to amplify their live Musician guitarist and or singers. We'd like to be on record saying that we support this petition. Live music is a wonderful way to bring community together. Having a beer on the patio of the cafe, while listening to a live musicians , should definitely be allowed and an exception for the amplified music, should be made .

Thank you so much for considering this exception.

Tanya and Roger Cosgrave
[REDACTED]

iPhone insanity

iPhone insanity

From: [Agenda](#)
To: [Lions Bay Office](#)
Subject: Music
Date: Monday, June 14, 2021 1:31:26 PM

From: Ami McKay [REDACTED]
Sent: Sunday, June 13, 2021 11:08 PM
To: Council <council@lionsbay.ca>
Subject: Music

Hello there Lions bay Councillors,

I would love it if you can work on the bylaw that allows music at the cafe. It has been a long year and we are looking forward to having some normalcy back at the village and a reason to celebrate.

Thank you for your consideration.

Kind regards,

Ami McKay
PURE Design Inc.
Interior Design Services
[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Council](#)
Subject: Music
Date: Monday, June 14, 2021 7:05:45 AM

Dear councillors

We are writing to you to show our support for Craig Doherty's desire to bring live music to the cafe this summer.

Music is such a great way for people to celebrate summer and have a few hours of bliss , as well as supporting local artists.

We have thoroughly enjoyed it previously and know that it is a positive thing for our village to embrace.

Thank you
Barb San Severino & Lee Thorley

From: [REDACTED]
To: [Council](#)
Subject: Music at Cafe
Date: Monday, June 14, 2021 7:54:31 AM

Hi All,

I'd like to put my support behind outdoor music to be allowed at the Lions Bay Cafe. Allowing this would be fantastic for all of our friends and neighbours to gather and connect in a positive environment. Rekindling old friendships, that have been limited due to Covid, as well as creating new ones by perhaps meeting new Villagers that have moved here over the past 15 months.

This would be fantastic for our community...

Best,

Don

Don Thomas

[REDACTED]

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From: [REDACTED]
To: [Lions Bay Feedback](#)
Cc: [Lions Bay Office](#)
Subject: Feedback As Requested: PRV Station Kiosk Wraps
Date: Saturday, June 12, 2021 3:20:17 PM

Hello Nai and Council,

Thank you for the opportunity to provide feedback on your plan to ...

1. Perform minimal landscaping around the PRV station on Mountain Drive, and
2. Cover the kiosk with a vinyl wrap using a natural vegetation scene to make it blend into the background.

Our family supports the plan with the following caveats:

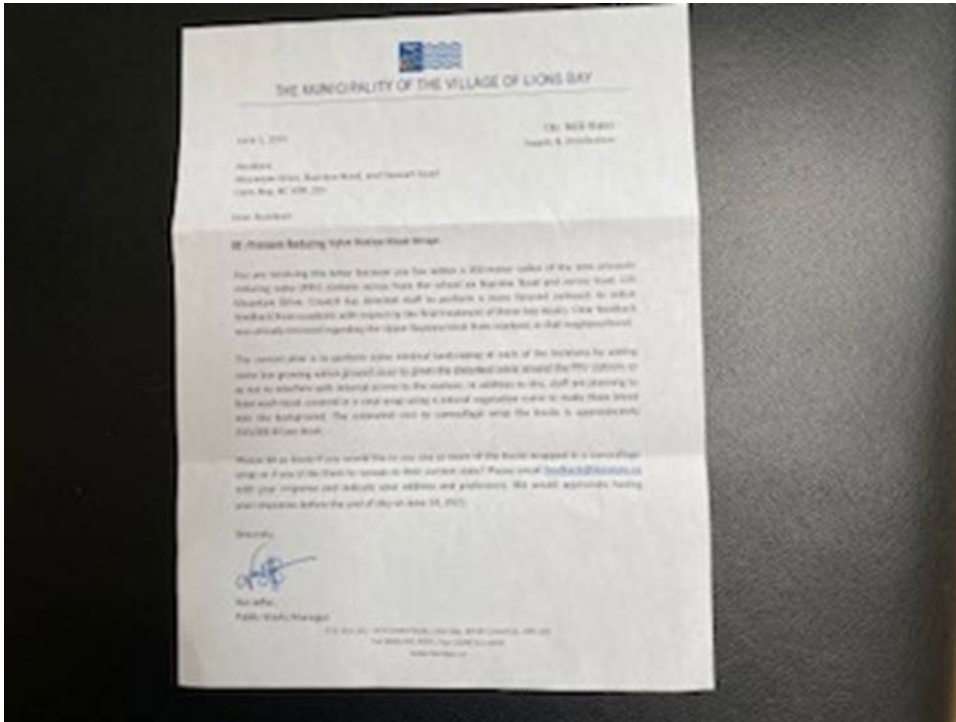
1. We are interested to understand if the residents within a 300-metre radius of the new PRV station on Mountain Drive will again be consulted to “vote” or opine on the selection of the vinyl wrap scene. In short, what will the selection process/criteria for selection of the wrap scene be (who will decide)? Will or could a contest or other selection process be put in place to showcase the work of local Lions Bay artists?
2. How was the decision made that the vinyl wrap would “blend into the background”? In many communities I have visited across Cda electrical stations and other utility “boxes” have been transformed into an artist’s canvas that becomes an art installation, rather than camouflage. See Yellowknife call for entries: https://www.yellowknife.ca/en/living-here/resources/Transformer-Art/2017-TRANSFORMER_AND_TRAFFIC_LIGHT_BOX_PUBLIC_ART_PROGRAM-APPLICATION.pdf Also, here for examples (many more on the net for this community and others, including Vancouver!): <https://www.mytruenorthnow.com/14939/yellowknife-utility-light-boxes-turned-into-pieces-of-public-art/>
3. We are interested in understanding the breakdown of the quoted cost of \$10K (seems high/too high). Will native ground cover be sourced from the Village at no/little cost? Will the native plant society in the Village be involved? Could the Village apply for community art grants, if our family’s suggestion of turning the stations into art installations is shared by others?

In summary, our family supports the use of natural vegetation and wrapping the PRV station on Mountain Drive (and Bayview), although we feel there are opportunities to reduce the cost per kiosk and to take a “detour” to permit a community engagement project that would beautify the Village; we do, after all, have a community arts group!

It seems that there are many questions related to your plan that warrant the need for further dialogue and engagement with the community.

Sincerely,

Lena Cuthbertson & Family



From: Cuthbertson, Lena [PH]

Sent: Sunday, June 06, 2021 9:30 PM

To: 'feedback@lionsbay.ca' <feedback@lionsbay.ca>

Cc: 'office@lionsbay.ca' <office@lionsbay.ca>

Subject: Feedback As Requested: Portable Toilet installation proposal

Hello Nai and Council,

Thank you for the opportunity to provide feedback on your proposal to install portable toilet facilities at the trail head by the school parking lot and/or on Mountain Drive. Please see below our family's response:

Short response:

1. We do NOT support the proposal to locate a portable toilet near the entrance to Trudi's Trail on Mountain Drive, nor adjacent to the PVR station on Mountain Drive.
2. We conditionally support the location of portable toilets at key trail heads in the Village.
3. We propose two alternative solutions.

Long(er) response:

As a family of avid hikers, we appreciate and live by the Centre for Outdoor Ethics' "leave no trace" principles that outline how to behave in the outdoors to minimize human impact on the

environment. <https://lnt.org/why/7-principles/> Three of these principles: Plan ahead, Dispose of Waste Properly, and Be Considerate of Others ... must be considered not only at the beginning and end of a day or longer (overnight) hike that starts in our Village, but also while on the trails. By providing portable toilets without providing education on these principles and how to action them, we question if Lions Bay will be seen as “protecting” only our own properties without consideration of the surrounding lands and streams, including our watershed. Installation of portable toilets at trail heads without signage or other education about what to do if “nature calls” while on the trails serves to only “move” the problem away from our residential properties onto the trails.

We propose two alternative, in our view, better solutions to the problem:

Our preferred solution:

1. No installation of portable toilets. Rather, investment in educational signage at Village trail heads, at the Village General Store, on our Village website, accompanied by a social media campaign. This is a cheaper alternative than portable toilet installation and maintenance, and it demonstrates that Lions Bay residents are not only concerned with our own personal property, but that we also care about our watershed and the environment in general.

A second option:

2. A combination of i. well-maintained portable toilets at strategic locations **and** ii. Education, signage, and digital promotion, as outlined in #1 above about “how to go to the bathroom in the woods”.

The second option requires that any portable toilets installed by the Village must be well-maintained. The toilet at the north entrance to the Lions Trail often has toilet paper strewn outside the facility and the door was recently off the hinges. If toilets can be well-maintained, strategic locations would be those that are in locations with the most foot traffic, i.e., at the northern trail head on Sunset Drive and, as suggested, at the trail head off the school parking lot; perhaps also near the Village Store at the start of the Centennial Trail; installing a second toilet at the Sunset Drive trail head may be helpful if one is “out of order” and to address peak usage times.

We welcome the opportunity for further dialogue on this issue, including support to action the education and social media campaign suggestions.

Sincerely,

Lena Cuthbertson & Family



response: As a family of avid hikers, we appreciate and live by the Centre for Urban... must be... only our own properties, but we... These of these principles: Plan ahead, Dispose of Waste Properly, and Be Considerate of Others... question if we in Lions Bay are "protecting" only our own properties, but we... on the trails. Without providing education on these principles and how to act on them, I question if we in Lions Bay are "protecting" only our own properties, but we... Installation of portable toilets at trail heads without signage or other education that addresses what to do once "nature calls" when on the trails, only "moves" the problem away from our residential property... We propose an alternate, in our view, better solution to the problem: A combination of 1. well-maintained portable toilets at strategic locations, 2. education about "how to go to the bathroom in the woods" "thousand" going bags... Any portable toilet must be well-maintained. The toilet at the north entrance to the Lions Trail often has toilet paper strewn outside the facility and the door was recently off the hinges.

THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

File: S340 Wastewater

May 31, 2021

Resident
210 to 280 Mountain Drive

Dear Resident:

RE: Portable Toilet Facility

We have been made aware of several instances whereby hikers have been defecating on trails and even on private residential property within the Village. In one instance, an individual hiker was caught in the act adjacent to a resident's hot tub. Given this objectionable activity, Council is considering the placement of a couple of additional portable toilets in the following areas:

1. At gravel school parking lot adjacent to the trail head, and
2. On Mountain Drive adjacent to the PRV or near the entrance to Trudi's trail.

Because you reside adjacent to one of these locations, we are reaching out to obtain your thoughts on this issue. If you strongly feel one way or the other, please email feedback@lionsbay.ca so we may record your position. Please note that email responses to the feedback@lionsbay.ca account is subject to being included in Council Correspondence.

Sincerely,



Nazam(Nai) Jaffer,
Public Works Manager

P.O. Box 141 - 400 Centre Road, Lions Bay, British Columbia, V0N 2E0
Tel: (604) 921-9333 / Fax: (604) 921-6643

From: [REDACTED]
To: [Lions Bay Feedback](#)
Subject: Kiosk Wraps
Date: Saturday, June 12, 2021 4:33:41 PM

Hi Nai! Hope everything is going well for you and your family.

Regarding the kiosks:

Some of the wraps can certainly be very camouflaging for these types of things. We do like the effect. The two kiosks we drive by already have trees and vegetation behind them and the kiosk green blends in.

At 10K per kiosk, it would be better to keep those funds for more needed repairs or emergencies.

Thanks for asking,
Gail & Doug Craig

Sent from my iPad

From: [REDACTED]
To: [Lions Bay Feedback](#)
Cc: [Ron McLaughlin](#); [Neville Abbott](#); [Fred Bain](#); [Norman Barmeier](#); [Jaime Cunliffe](#)
Subject: Pressure Reducing Valve Station Kiosk Wraps
Date: Monday, June 14, 2021 11:37:11 AM

Dear Mr. Jaffer,

I thank you for your letter dated 1. June canvassing my opinion on the proposed expenditure for the PRV Kiosks in my neighbourhood.

I do not think that this is a reasonable proposition given the projected cost of \$10,000 a piece. I feel the village would be better off using these funds more productively elsewhere. It has generally been my impression that our community is pressed for funding and I feel the cost of these 'stickers' rather exorbitant. I, therefore, do not support this proposed expense.

Although these Kiosks are admittedly a bit of an eyesore, I do not think that wrapping them in vinyl will change that.

While costs are one concern, the kiosks regrettably also run counter to two additional core issues for our community. They detract from our beautiful natural setting and rural character on the one hand and further reduce the opportunities for off-street parking, something that is in short supply throughout the village, on the other. They are quite industrial looking and take up at least one parking spot each. Could they not have been installed under ground?

It would have been great to have been given the opportunity to participate early in the decision making process around this project. A letter such as the one I am responding to would have been an excellent way to do this.

I understand that there are many factors that go into decision making. Lions Bay is a distinct community with a long tradition of volunteerism and civic engagement. Residents take pride in their surroundings and given the chance we would welcome participating in the decisions that shape our neighbourhoods.

I do appreciate you reaching out and hope that going forward we will be given the opportunity to provide our views early in the next project.

Kind regards,

Oliver Ganske

From: [Public Works](#)
To: [Lions Bay Office](#); [Peter DeJong](#)
Subject: Fwd: PVR Finish concepts
Date: Monday, June 14, 2021 4:03:57 PM

For inclusion on table

All the best,

Naizam (Nai) Jaffer
Public Works Manager
Village of Lions Bay

From: werner nolte [REDACTED]
Sent: Monday, June 14, 2021 3:55:11 PM
To: Public Works <works@lionsbay.ca>
Subject: PVR Finish concepts

Hi. My name is Werner Nolte at 200 Mountain Drive. I am responding to your request for input as to the finishing of the PVR valves.

Two comments:

First of all, the cost is outrageous. I've been in the sign business, and done a considerable amount of vinyl graphics. While vehicle "wraps" can be expensive due to the need to form the vinyl over compound curves and the need to remove and replace some trim etc., these enclosures consist mainly of flat panels. No rivets or what have you.

I still work with some people who do this sort of thing and I will ask them what a reasonable cost would be. I haven't measured these things, but I think that 200 square feet is close. I will let you know what I find out.

As far as the graphics themselves go, this sort of treatment can work, it can also do exactly the opposite of what is intended. If the graphics are not chosen carefully, they will stick out like a sore thumb. There are many examples of this in the vancouver.

Anyway, I'll let you know what find out re the cost.

Thanks for the opportunity to comment.

Werner Nolte

From: [Neville Abbott](#)
To: [REDACTED]; [Council](#); [Agenda](#)
Subject: RE: Nesting season
Date: Sunday, June 13, 2021 4:34:48 PM
Attachments: [210615 RCM Package tree bylaw amendment.pdf](#)
[210615 RCM Package tree permit #110.pdf](#)

Hello Bree,

As you are probably aware this matter was discussed at the previous council meeting and a resolution was passed to prohibit tree cutting on Village land during the songbird nesting season. The resolution as well as the proposed bylaw amendment, as proposed by staff, can be found on pages 154-205 of this Tuesday's regular council meeting agenda.

The intention is to approve the proposed bylaw amendment, or revise further and approve, followed by three readings during Tuesday's meeting. Also, Council will agree to convene a special meeting to adopt the revised bylaw on Thursday June 17.

You will also notice the bylaw revision is preceded by another Tree Permit #110 on pages 143-152.

I have extracted the relevant pages into the attached PDFs for convenience.

Regards,

Neville Abbott
Councillor
The Village of Lions Bay
Cell: (604) 363-2667

From: bree stoddart [REDACTED]
Sent: May 22, 2021 4:43 PM
To: Council <council@lionsbay.ca>; Agenda <agenda@lionsbay.ca>
Subject: Nesting season

Dear Lions Bay Council and Public Works

I have just reviewed some of the agenda for the Council scheduled for Tuesday night. The revised tree bylaw (starting on page 267) caught my attention.

The section about replanting has me confused because I thought that replanting is already in our current bylaw. Why is it being introduced again if not enforced right now?

And most important: cutting and pruning must not be allowed during nesting season. The

proposal of having a Registered Professional Biologist examine a tree for nests before cutting is not practical from the point of cost alone. Obtaining such a Professional to undertake the work (especially when several trees are involved) would be extremely expensive and most residents would not do this.

An arborist's examination of a tree is not enough. He or she is familiar with the state of a tree, not the birds or other wildlife that occupy it. The size of a Rufous Hummingbird nest is 2 inches in length. It is made of plant down held together with spider webs and often camouflaged with lichen, moss or bark. Twenty nests can be present within a few yards of each other. Anna's Hummingbird nests are even smaller. They are 1 inch high and about 1.5 inches in diameter. These nests are using similar construction materials – plant down, webs, moss, lichen and small pieces of bark.

It is absolutely impossible for an Arborist (even some very experienced Naturalists would have difficulty) to see and identify hummingbird nests amid the foliage, leaves, branches and more. The nests are tiny and camouflaged. Chickadees often make nests in holes created by woodpeckers in rotting wood. These nests can be difficult to spot. They can be 8 inches deep inside a tree so impossible to see if the holes contain tiny nests or not.. These are only a few examples. The songbird population is in serious trouble and urgent action is needed. It starts with us. The remedy is not to circumvent responsibility by pushing it onto an Registered Professional Biologist or an unqualified person like an Arborist.

Council members and Village Staff: If you care about our environment, our future and that of our children, stop politicking and take action. You can't please everyone so don't try. Just ban cutting, pruning, topping and windowing in the nesting season.

Respectfully,

Bree Stoddart

From: [Neville Abbott](#)
To: [REDACTED]; [Ron McLaughlin](#); [Council](#); [Peter DeJong](#)
Subject: RE: URGENT - RELATING TO COUNCIL MEETING TONIGHT 4TH MAY, 2021.
Date: Sunday, June 13, 2021 4:35:05 PM
Attachments: [210615 RCM Package tree bylaw amendment.pdf](#)
[210615 RCM Package tree permit #110.pdf](#)

Hi Charlie,

As you are probably aware this matter was discussed at the previous council meeting and a resolution was passed to prohibit tree cutting on Village land during the songbird nesting season. The resolution as well as the proposed bylaw amendment, as proposed by staff, can be found on pages 154-205 of this Tuesday's regular council meeting agenda.

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Neville Abbott
Councillor
The Village of Lions Bay
Cell: (604) 363-2667

From: Charlie Bradbury [REDACTED]
Sent: May 4, 2021 10:27 AM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Council <council@lionsbay.ca>; Peter DeJong <cao@lionsbay.ca>
Subject: URGENT - RELATING TO COUNCIL MEETING TONIGHT 4TH MAY, 2021.
Importance: High

Mayor, Council and Village Staff.

Please see the attached .PDF concerning Tree Application #109.

Thank you.

From: [Neville Abbott](#)
To: [REDACTED]; [Council](#)
Cc: [REDACTED]
Subject: RE: Tree cutting and trimming
Date: Sunday, June 13, 2021 4:38:54 PM
Attachments: [210615 RCM Package tree bylaw amendment.pdf](#)
[210615 RCM Package tree permit #110.pdf](#)

Hello Arlene,

As you are probably aware this matter was discussed at the previous council meeting and a resolution was passed to prohibit tree cutting on Village land during the songbird nesting season. The resolution as well as the proposed bylaw amendment, as proposed by staff, can be found on pages 154-205 of this Tuesday's regular council meeting agenda.

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Regards,

Neville Abbott
Councillor
The Village of Lions Bay
Cell: (604) 363-2667

-----Original Message-----

From: Arlene Halstrom [REDACTED]
Sent: May 24, 2021 4:31 PM
To: Council <council@lionsbay.ca>
Cc: bree stoddart [REDACTED]
Subject: Tree cutting and trimming

I am in receipt of the letter sent to council and mayor by Bree Stoddart.

I support her thoughts 100%. The plight of songbirds and other species of birds should be recognized by all of us. The loss of habitat, even here in beautiful Lions Bay is not to be overlooked.

Trimming or cutting down of trees should be done from late July to December. The Anna's hummingbirds are already nesting in January and even the trained eye has difficulty recognizing their tiny nests. The magnificent Northern Flicker, due to loss of trees with hollows will even nest in telephone poles. It is horrendous does enough to read of the millions of birds killed by cats and anything we can do to keep these delightful songsters safe must be done.

I urge you to listen to Bree and your own good sense in the cutting or trimming of trees.

Arlene Hakstrom

Sent From Arlene

From: [Neville Abbott](#)
To: [REDACTED] [Council](#)
Subject: RE: "No tree cutting would be permitted on village land during the bird nesting season"
Date: Sunday, June 13, 2021 4:39:10 PM
Attachments: [210615 RCM Package tree bylaw amendment.pdf](#)
[210615 RCM Package tree permit #110.pdf](#)

Hi Vivienne,

As you are probably aware this matter was discussed at the previous council meeting and a resolution was passed to prohibit tree cutting on Village land during the songbird nesting season. The resolution as well as the proposed bylaw amendment, as proposed by staff, can be found on pages 154-205 of this Tuesday's regular council meeting agenda.

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I have extracted the relevant pages into the attached PDFs for convenience.

Regards,

Neville Abbott
Councillor
The Village of Lions Bay
Cell: (604) 363-2667

From: Vivienne O'Keeffe [REDACTED]
Sent: May 24, 2021 4:57 PM
To: Council <council@lionsbay.ca>
Subject: "No tree cutting would be permitted on village land during the bird nesting season"

Dear Council,

In 2019, the mayor assured me in a meeting that no tree cutting would be permitted on village land during the bird nesting season. I recall that as I left, I thanked him on behalf of the birds. Imagine my total dismay when I learned that staff are proposing changes to the Tree Bylaw that would continue to allow tree cutting during what they regard as off-peak periods, including April and May. These months are when many nests and nestlings are MOST vulnerable. The baby birds are completely unable to get out of an endangered nest and will die if the branch and nest fall. Worse, they could end up being put through a woodchipper alive. It is inconceivable that we in Lions Bay would allow this to happen.

I have yet to see an arborist check for nests properly, which are usually impossible to spot from the ground, and have not seen work halted for any reason.

I am begging council to stand firm on the promise made to me two years ago and not allow tree cutting of any kind during the nesting season of mid-March to mid-August which due to climate change is now regarded as the songbird/migratory bird nesting season. At all other times of the year it is vitally important that trees also be checked for nests properly, as other birds (including hummingbirds) lay eggs outside these months.

In regard to public consultation, I am puzzled as to what the question might be? Highly credible studies and federal/provincial legislation clearly support a ban on tree work during a scientifically defined nesting period. This is a policy decision our council should implement in Lions Bay in support of national and international efforts to protect birds, similar to the climate action we are now supporting.

We have to take real action to stop the loss of so many birds.

If residents are notified to plan cutting from September onward only, it is perfectly possible to plan tree work outside the nesting season.

I have also seen a concerning lack of enforcement of the Tree Bylaw in recent years, resulting in the loss of birds and bird habitat, as well as the natural beauty which is characteristic of our village. I would encourage council to ensure all residents are made aware of the Tree Bylaw and the need for permitting BEFORE work is commenced. We now have full-time bylaw officers who should be enforcing the bylaw and assisting with educating residents.

I hope I can say thank you on behalf of the birds again.

Sincerely

Vivienne O' Keefe

[REDACTED]
[REDACTED]

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