



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**TREES, VIEWS & LANDSCAPES COMMITTEE MEETING
OF THE VILLAGE OF LIONS BAY
HELD ON WEDNESDAY, DECEMBER 29 at 10:00 AM
ON SITE: 195 Kelvin Grove Way**

AGENDA

1. **Call to Order**
2. **Appointment of Recorder**
3. **Approval of the Agenda**
4. **Public Questions & Comments**
5. **Approval of Minutes**
 - A. Minutes from November 23, 2021, Committee Meeting (Page 3)
THAT the Trees, Views and Landscapes Committee approve the November 23, 2021 Committee meeting minutes.
6. **Business Arising from the Minutes**
7. **Unfinished Business**
8. **New Business**
 - A. Tree Application #117 – 195 Kelvin Grove Way (Page 7)
Recommendation
Committee Recommendation:
THAT the Trees, Views and Landscapes Committee recommends to Council THAT Council [approves/rejects] Tree Cutting Permit Application No. 114, subject to the following:
 - a. [Topping/Trimming] is to be in accordance with the photos and requested work in the application materials; [or enter alternate provisions]
 - b. The applicant must clean up and remove all associated debris and notify the Municipality as soon as possible after the cutting to advise that this has been done;
 - c. [If applicable] The tree cutting permit shall be valid for one year subject only to confirmation prior to any cutting, or repeated cutting, within that period of:
 - i. Compliance with the bylaw restrictions regarding bird nesting season,
 - ii. damage deposit, arborist/contractor's WorkSafe BC certificate and insurance in compliance with Municipal requirements, and
 - iii. any other Municipal bylaw requirements

Agenda – Trees, Views and Landscapes Committee Meeting – December 29, 2021

Village of Lions Bay

Page 2 of 2

9. Public Questions & Comments

10. Adjournment



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

TREES, VIEWS & LANDSCAPES COMMITTEE MEETING

OF THE VILLAGE OF LIONS BAY

HELD ON TUESDAY, NOVEMBER 23, 2021

VIA ZOOM VIDEO CONFERENCE

MINUTES

In Attendance:

Committee: Chair, Simon Waterson (via video conference)
Mayor, Ron McLaughlin
Jay Barber (via video conference)
Jim Cannell (via video conference)
Mike Jury (via video conference)

Staff: CAO, Peter DeJong (via video conference)
Public Works Manager, Nai Jaffer (via video conference)

Public: One member of the Public (via video conference)

1. Call to Order

Chair Simon Waterson called the meeting to order at 11:04 am

2. Appointment of Recorder

CAO DeJong was appointed recorder

3. Approval of the Agenda

Moved/Seconded

THAT the Agenda be approved as distributed

CARRIED

4. Public Questions & Comments

None

5. Approval of Minutes

Moved/Seconded

THAT the Trees, Views and Landscapes Committee minutes of November 10, 2021 be approved as distributed.

CARRIED

6. Business Arising from the Minutes

None

7. Unfinished Business

None

8. New Business

A. Review of Bylaw and Procedures with Village Administration and Public Works

- i. The new Nesting Season provisions of the bylaw were discussed and CAO DeJong noted that amendments are required to clarify the process for retaining a Registered Professional Biologist for a Nesting Survey in order to get an exemption to cut during the Nesting Season. It was agreed that *communications* around the impacts of the provisions are paramount. The following points were noted:
 - Provisions need to be front and centre on the application form – form to be removed from bylaw and updated
 - Information on tree cutting permits and the nesting season restrictions should be part of the Building Permit packages
 - Use realtors to help spread the word to new purchasers about logistics around when they can cut and when cutting is restricted
 - Mayor to make a point of raising with new residents he meets and include in Mayor’s Message from time to time
 - Include relevant information in the New Residents Guide
 - Educate current residents about applicability of federal and provincial nesting regulations to private land as well as our local bylaw provisions re. public land, using periodic education pieces in the Village Update, Mailouts and Facebook (use committee or council members to insert in FB)
 - Possible tag line: “Cut now or cut later”
- ii. It was suggested that enforcement of the tree bylaw needs to be stronger when people do break the rules
 - Examples were cited
 - Public Works awareness requested re. potential unpermitted cutting during off-season when Bylaw Enforcement Officers not present
 - Suggestion for more education of BEOs for enforcement during nesting season
- iii. The required public notice provisions for Tree Committee meetings was raised and it was agreed that the notice could be amended to provide for a shorter period as long as there was an opportunity to advertise the meeting in the Village Update (eg: notice of meeting in Friday VU followed by a Tree Committee meeting on the following Monday – Note: need at least 24 hours notice from publication of VU).
- iv. The process for repeated cutting/pruning provisions was raised and discussed with the following points being noted:

- Process should be streamlined so that Tree Committee involvement is not required unless there are objections received
 - Shouldn't be necessary to re-canvas neighbours – just insert notice of re-cutting in Village Update
 - Notice requirements need to be clear
 - Public Works needs to check the site before and after re-cutting
 - Insurance, WCB, traffic safety etc. requirements need to be confirmed
- v. Questions were raised about the process where applicants are having difficulty getting hold of neighbours and the following points were noted:
- If applicants having difficulty then office staff will assist and attempt to contact neighbours
 - Neighbours should not lose opportunity to be consulted just because they happened to be on holiday
 - Where unreasonable delay, further actions will be considered, including setting a deadline for response – feedback from Tree Committee may be sought in such situations
 - Notice of application includes the application materials and neighbours can inspect flagged trees as well
- vi. Discussion took place regarding the role of the Tree Committee in ensuring residents have an opportunity to be heard, both applicants and affected neighbours, and where Committee is comfortable mediating disputes they are at liberty to do so, but are not obliged to do so.
- vii. CAO DeJong confirmed that the amendments discussed would be sent to the Tree Committee for review before being brought to Council for consideration. It was also noted that any potential future amendments regarding substantive matters, such as the definitions of “Significant Trees”, should involve a wider consultation with the general public.

9. Public Questions & Comments

None

10. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 12:23 pm.

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Schedule "A"

Tree Cutting Application Form



All fields must be completed

Applicant's Full Name: <i>WILLIAM & SUSANNE BERRY</i>	
Address: <i>195 MELVIN GROVE WAY</i>	
Phone: [REDACTED]	Email: [REDACTED]
Arborist/Contractor Name: <i>BLACKTUSH TREE SERVICES</i>	
Phone: <i>604-848-9874</i>	Email: <i>INFO@BLACKTUSH TREESERVICES.COM</i>

Office Use Only	Tree Application Number: <i>117</i>
Received by: <i>Shawna</i>	Date: <i>DEC. 1/21</i>
Amount Paid: <i>\$75</i>	Cash or Cheque: <i>chq #52</i>
Application Complete? (Y/N) <i>yes</i>	If no, reason:
Date referred to Public Works: <i>Dec 9/21</i>	Date returned by Public Works: (See attached comments) <i>Dec 13/21</i>
Date Application to Tree Ctte: <i>Dec 17/21</i>	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: (Mar 26-Aug 16 Registered Professional Biologist):	Received Damage Deposit: Name of Arborist/Contractor: 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:



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Species/Description of Tree(s):

REMOVAL OF CEDAR/DOUGLAS-FIR CLUSTER

Location of Tree(s):

TOP OF DRIVEWAY BETWEEN 165 & 175 HELVIN CROVE

**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 type="checkbox"/> Dead, dying or diseased | <input type="checkbox"/> Leaves causing problems |
| <input type="checkbox"/> Unattractive | <input type="checkbox"/> Blocking site access |
| <input type="checkbox"/> Blocking sunlight | <input type="checkbox"/> Affecting house value |
| <input type="checkbox"/> Attracting wildlife | <input checked="" type="checkbox"/> Hazardous |
| | <input checked="" type="checkbox"/> Interfering with view |

Please provide additional comments which may be useful:

AS IT IS A CLUSTER OF SMALL TREES, CONCERN COULD BE HAZARDOUS DURING HIGH WINDS.

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

NONE



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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.

I understand that per section 3.4.8 of Tree Bylaw No. 393, 2007, in order to protect nesting birds, no tree cutting may be carried out between March 26th and August 16th in any given year, unless:

- the cutting is required to deal with a Hazardous Tree; or
- subject to the requirement for a nesting survey by a Registered Professional Biologist, the cutting is approved by the Council as an exception where the application is connected to a building permit or other process which, if delayed, the Council considers would result in hardship to the applicant and the Council may consider:
 - i. the circumstances of the applicant;
 - ii. the scope and location of the application;
 - iii. the timing of the cutting in relation to the nesting calendar attached as Schedule "E" to the Tree bylaw.

WILLIAM RERRY

NOV 30, 2021

Name of Applicant (Please Print)

Signature

Date Signed



SUBJECT
TREE

TREE CLUSTER



Public Works Tree Cutting Referral Comments

Tree Cutting Application Number: 117

Name of Applicant: William and Susanne Berry

Address of Applicant: 195 Kelvin Grove Way

Location of Trees(s);

Clearly on Municipal Land: (Y/N)
(If no, survey required at applicant's cost)

Location in Relation to Municipal Infrastructure (Present & Future):

SEWER CONNECTIONS
WATER CURB STOP VALVES

Location in Relation to Others' Infrastructure (Telus/Hydro Lines, etc):

Slope Stability Considerations:

no

Replanting Required (Y/N and recommendations, if any):

no

Traffic Management : (Y/N)

no

Other Considerations / Comments:

DO NOT IMPACT THE SEWER OR WATER PIPING OR VALVES

Attachments (Y/N and Description):

YES DRAWING OF INFRASTRUCTURE

CTB

DEC/13/21

