



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**TREES, VIEWS & LANDSCAPES COMMITTEE MEETING
OF THE VILLAGE OF LIONS BAY
HELD ON MONDAY, FEBRUARY 27th, 2017 at 08:45 AM
ON SITE @ 445 TIMBERTOP DRIVE**

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 Meeting – January 24, 2017 (Page 3)
6. **Business Arising from the Minutes**
7. **Unfinished Business** – Abbott Application question still outstanding – CAO to respond
8. **New Business**
 - A. Tree Application #75 – 445 Timbertop Drive (Page 5)
9. **Public Questions & Comments**
10. **Adjournment**

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Minutes of the Tree Committee meeting

Jan 24th, 2017

On-site @ 85 Isleview Place

1. In attendance; Chair, Simon Waterson, Tony Clayton and Ron McLaughlin
2. The meeting was called to order at 09:31 am.
3. Simon Waterson was appointed Recorder for the meeting.
4. The Agenda was approved unanimously.
5. Public Participation – Mr. Kirk Henry
6. The previous minutes from the meeting dated 16th January 2017 were approved unanimously.
7. Old Business; - Abbott Application question still outstanding – CAO to respond
8. New Business;
Tree Application #78 – 85 Isleview Place - Moved by Tony Clayton; Seconded by Simon Waterson, that the subject trees and associated debris be removed. Approved unanimously.
9. Adjournment; - The meeting adjourned at 09:36 am.

Simon Waterson

Recorder

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* rec'd Nov 17/16
Photos to follow.



15

THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Tree Cutting Application Form

- JOINT APPLICATION

All fields must be completed

By ALL AFFECTED HOMES

Sandra Ignas

Applicant's Full Name: Kathleen Mitchell + Sheldon Goldberg + Ernie Flesch	
Address: 445, 455 + 475 - TIMBERTOP DR.	
Phone: [REDACTED]	Email: [REDACTED]
Contractor Name (if applicable):	
Contractor Phone: N/A	

Kathleen Mitchell

Description of Trees:
EVERGREENS + BROAD LEAF MAPLES
- PREVIOUSLY TOPPED

Location of Trees:
STAND OF TREES - DIRECTLY IN FRONT OF THE ABOVE ADDRESSES - BETWEEN MUTUAL DRIVEWAY + TIMBERTOP DR.

*Trees must be clearly marked with marking tape in time for the Tree Committee's site visit. ✓

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

Description of work to be done (and additional comments which may be helpful):

TREE TOPPING ONLY

NO TREES TO BE REMOVED - WITH EXCEPTION OF SMALL BROAD LEAF MAPLES AT ADDRESSES

PREVIOUS PERMITS HAVE BEEN ISSUED TO TOP THESE TREES



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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

N/A

I have verified the information contained within this application is correct.

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 the recommendations of the Tree Committee, as endorsed by Council, and that failure to comply with the recommendations may result in fines, penalties and/or legal action.

[Redacted Signature]

Signature of Applicant

Oct 3, 2016

Oct 3/16

Date Signed

Oct 3/16

[Handwritten Signature]

Date Received by Office:

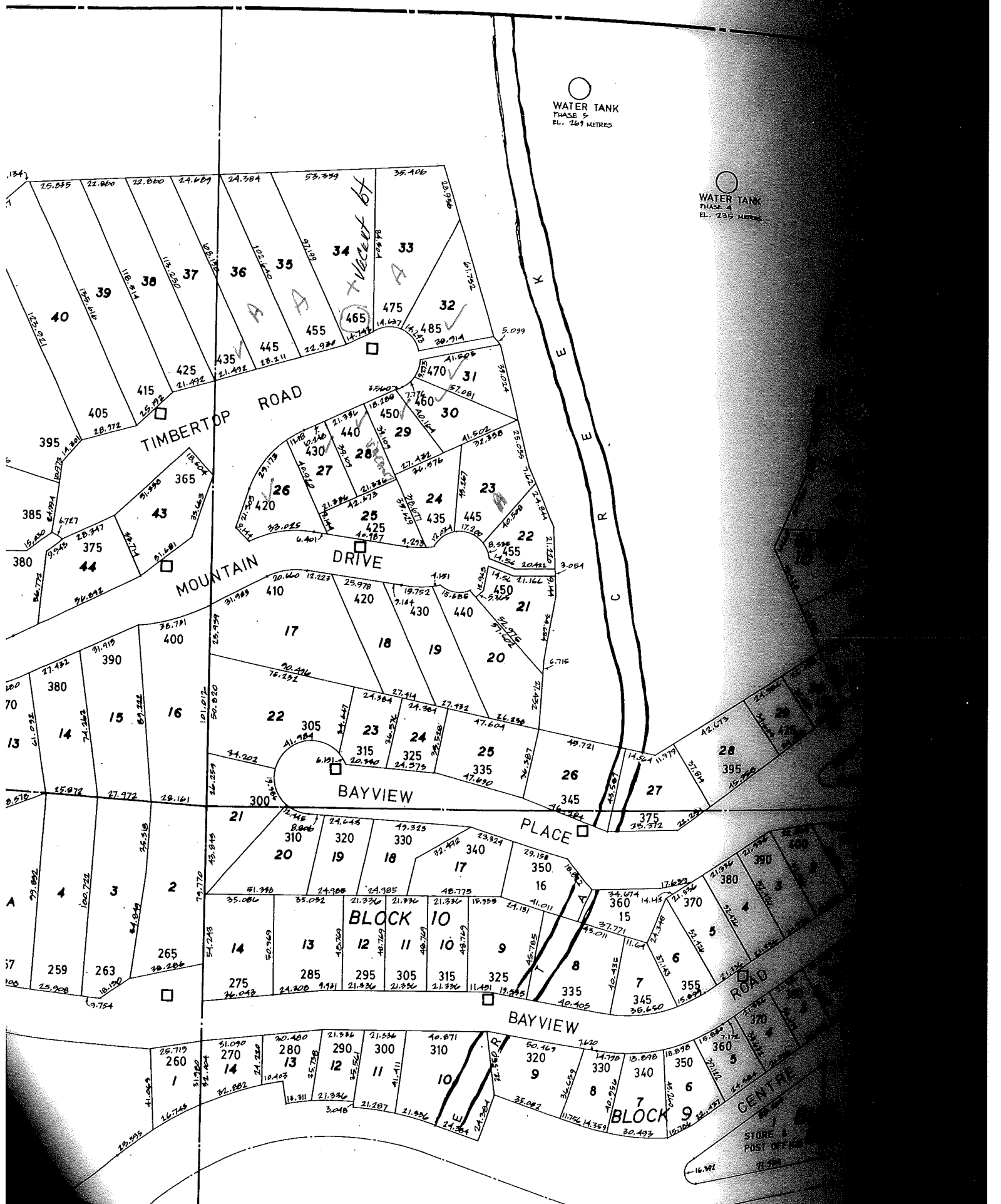
Received by:

RECEIVED
NOV 18 2016

[Handwritten Signature]

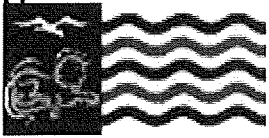


Sent from my iPhone



Lions Bay Reception

From: Peter DeJong
Sent: Tuesday, February 14, 2017 4:49 PM
To: Lions Bay Reception; Shawna Gilroy
Cc: Simon Waterson; Ron McLaughlin; [REDACTED]
Tree App #75



Hi Fran:

Please see the comments below from Public Works re. this application. I note the comments are consistent with those of the Wrays at 460 Timbertop and those of the most directly affected neighbour, Mr. Swartz, at 435 Timbertop.

From: Garth Begley
Sent: Friday, February 10, 2017 3:55 PM
To: Peter DeJong <cao@lionsbay.ca>
Subject: Tree topping

Tree topping is poor tree management.

False leader tops grow which are weak and prone to break off in strong winds.

I suggest that if the tallest trees are removed completely you can create a cycle. As the smaller trees mature they can be removed to keep ones view unhindered.

This will allow sunlight down to the forest floor to help germination of other plant species.

This would ensure that a strong healthy root system was maintained to prevent erosion on the steep embankment.

Thanks, Garth Begley

Please add to the file and notify Tree Committee. If they get back to us on Wednesday, the earliest date for a meeting would be Friday, February 24th. Some effort should be made to ensure that the neighbour most affected (and opposed) has an opportunity to be in attendance and to be heard at the meeting, so perhaps the 25th or 26th would be ideal. Any submissions, comments and discussion at the meeting needs to be carefully minuted for the file. I also note that cutting between March 1-July 31 may be permitted if a certified arborist confirms there are no bird nests in the subject trees. Most of the tree cutting contractors have arborists on staff.

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer

The Municipality of the Village of Lions Bay www.lionsbay.ca

Neighbors
comments
& concerns

Tree App
75.

435 Timbertop

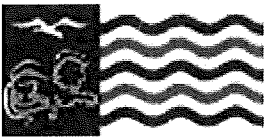
Lions Bay Reception

From: Lions Bay Reception
Sent: Friday, December 02, 2016 12:29 PM
To: Nai Jaffer
Subject: FW: Trees cut in 435 Timbertop Drive

Just received this from Guillermo Schwartz, 435 Timbertop who was NOT canvassed by his next door neighbor (445) on the affected driveway side of Tree Cutting Permit Application #75. The application is joint between 445, 455 & 475 Timbertop.

This will be included in the file to the Tree Committee and thought it best to advise you as well.

Fran McNichol
Administrative Assistant



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From: Guillermo Schwartz [mailto: [REDACTED]]
Sent: Friday, December 02, 2016 10:52 AM
To: Lions Bay Reception <reception@lionsbay.ca>
Cc: [REDACTED]
Subject: Trees cut in 435 Timbertop Drive

Dear Tree committee,

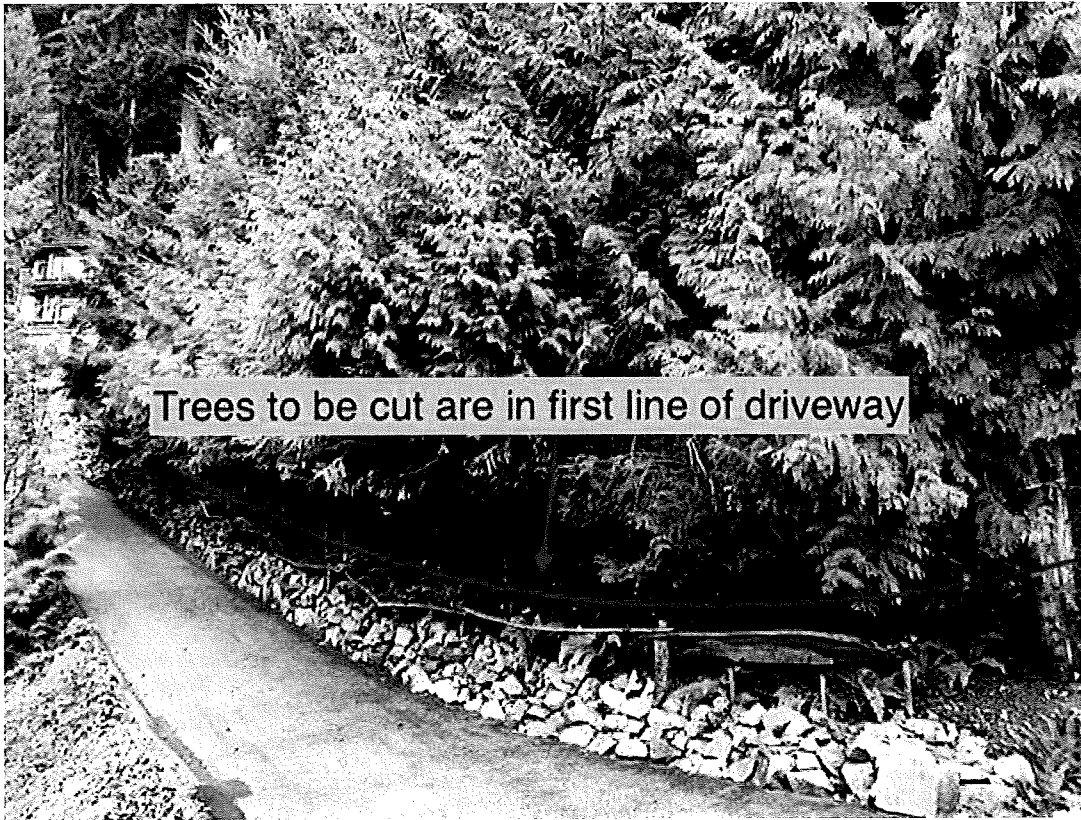
I am the owner of 435 Timbertop dr. on which driveway the trees are going to be cut. As the family probably most affected by this action I wanted to state that we totally disagree with this measure. The first reason is that as you can see in the photo the trees that are going to be cut are right next to the driveway that goes up to my house and it would leave it full of stumps and the driveway aesthetically disfigured.



Second the only person that as far as I can see those trees could be affecting are my next-door neighbour. As you can see in the photo the trees that have been marked down to be cut down do not affect his view at all.



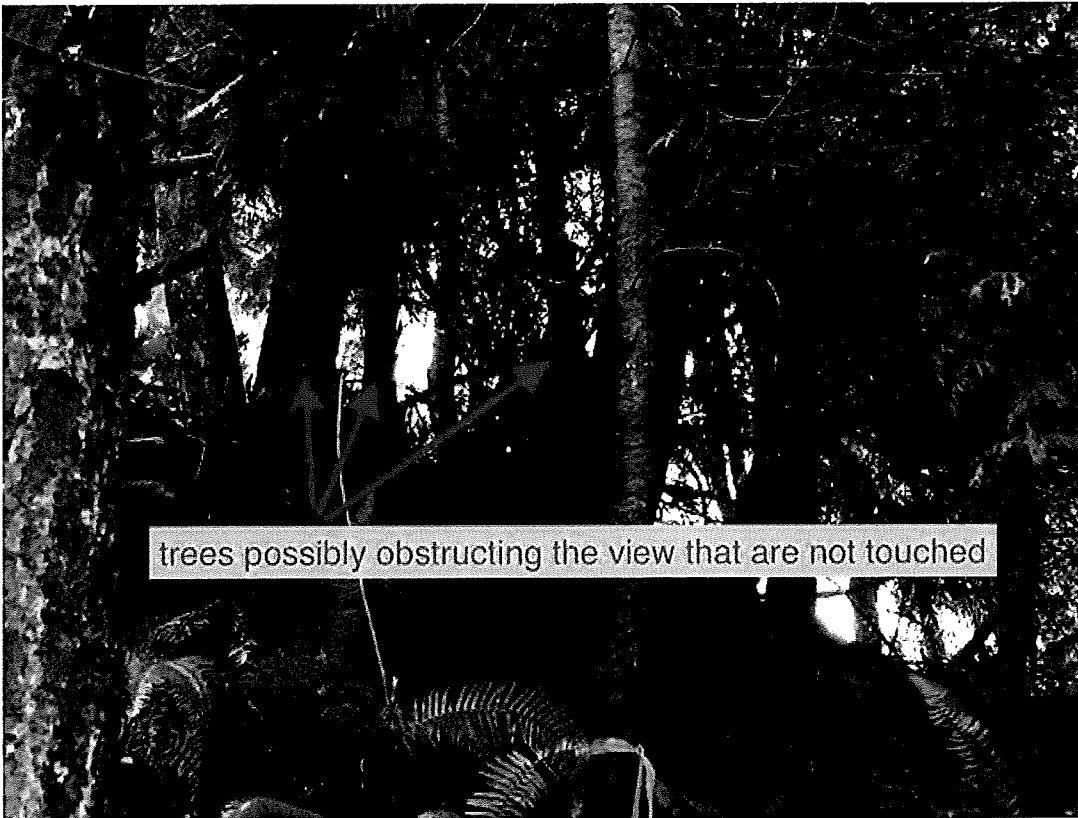
The only two trees that will be affecting his view (as per photo above) are higher up inside the hill and have not, funnily enough, been marked down to be cut.



Then there is the hazard risk. First taking down those trees will make that area much more sensitive to rain and much more unstable, affecting the only exit from my house. That hill has had its trees cut down before when the neighbour built his parking counterleaved platform and all those tree trunks were left on the hill instead of being cleaned up. The exposure to rain and the cut itself of the trees could make them unstable. The last thing I would like is to have an accident on the driveway or the driveway destroyed.



Example of old trunks left behind



trees possibly obstructing the view that are not touched

We had already this problem with trees on the driveway before. Our neighbour complained about obstruction to his view from the opposite side of the driveway. He wanted to cut all the trees on that side of the hill which again would have been an aesthetical disaster and a hazard. So we took upon ourselves to manage the top of the trees to make sure that his view was not obstructed. As far as I know there have no complaints since.

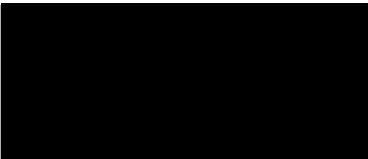
It is not the first time we invest on the public land around our property. We have worked with the public land manager on designing a road curb and river bed to ensure the maintenance of the road and reduce the water flooding on the road.



So as we proposed before we are willing to take upon ourselves the management of the trees situated around that side of the driveway, as we already do with the opposite ones, so that nobody's view is impeded when they continue growing. The ones higher in the hill that might be currently an obstacle to scenery viewing have not been selected to be cut. That might be a good thing considering the current hazardous situation with old trunks in the hill but if they need to be managed maybe instead of cutting them the tree committee should consider just trimming them. I am at your disposal for any clarification or help that you might need.

Thank you

Guillermo.



485 Timber top #35
420 430 440

Lions Bay Reception

From: Kathy Mitchell [redacted]
Sent: Thursday, December 01, 2016 2:09 PM
To: Lions Bay Reception
Cc: Simon Waterson; Ron McLaughlin
Subject: FW: Tree Topping

I think all that's left is Public Works...
Kathy

From: Dominique Allouche [mailto:[redacted]]
Sent: Thursday, December 1, 2016 2:00 PM
To: Kathy Mitchell
Cc: Allouche, Marie-Christine
Subject: RE: Tree Topping

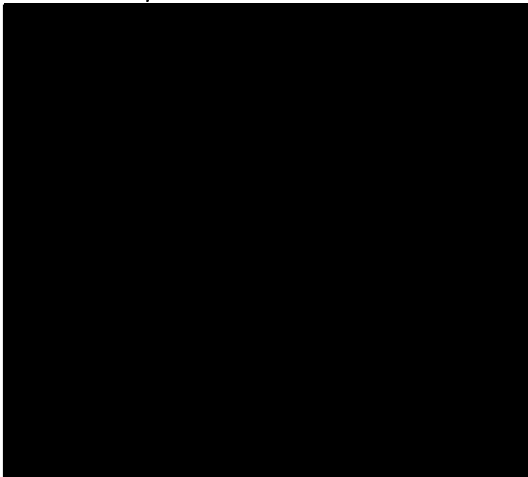
485 Timber top

Hi Kathy,

Marie and I have no objection in regards to the tree topping you are proposing.
You can certainly proceed with the tree work.
Thank you for the compliment, it has been a long process.....

Regards,

Dominique Allouche



From: Kathy Mitchell [redacted]
Sent: December-01-16 11:59 AM
To: Dominique Allouche
Cc: [redacted]
Subject: Tree Topping

Hi Dominique

We are your neighbours at 445 Timbertop . As you can see by the attached letter we would like to top the trees on the cul de sac in front of our home. We have applied to the village jointly with 455 and 475 Timbertop. The Village will not consider our application until we consult with our neighbours and it seems that the village will not submit to the tree committee until we have your views on the issue. Everyone else in the cul de sac as been consulted and agreed to the idea.

You will see the trees in the cul de sac that are under consideration marked with pink flagging tape.

As a group we will go along with whatever the tree committee wants and hope that you will agree with us improving our view (which is rapidly disappearing)

A quick email response will be sufficient to keep the process moving...

Thanks for your help with this. And by the way we think that your new driveway and view are wonderful. It's nice to see some light at the end of the road when drive up our driveway!

Regards

Kathy Mitchell (white stucco house at the top of the long driveway)

Lions Bay Reception

420 Timbertop

From: Kathy Mitchell <[REDACTED]>
Sent: Tuesday, December 06, 2016 5:13 PM
To: Lions Bay Reception
Subject: Fwd: tree topping

Follow Up Flag: Follow up
Flag Status: Flagged

Per your latest request I have canvassed 440 430 and 420....

The response from the residents at 420 are below
The response from Herb Johnson at 430 was sent directly to you
I have discovered that the residents of 440 Paul and Rachel and their sons Luke and Will have moved back to the UK permanently. Currently the house is vacant and there is a for rent sign out front.

I believe everyone has responded and look forward to the application being forwarded to the tree committee.

Regards
Kathy Mitchell
445 Timbertop

Sent from my iPad

Begin forwarded message:

From: John Robb <[REDACTED]>
Date: December 6, 2016 at 4:56:58 PM PST
To: Kathy Mitchell <[REDACTED]>
Subject: Re: tree topping

I am good. The reason I hadn't responded is precisely what you point out - it doesn't impact us.....
John

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

From: kat cleland <[REDACTED]>
To: Kathy Mitchell <[REDACTED]>
Cc: [REDACTED]
Sent: Tue, 06 Dec 2016 17:54:38 -0700 (MST)
Subject: Re: tree topping

Hi Kathy I am fine with you topping the trees. I have not sure how John feels as we haven't discussed it but if you don't hear from him take it as no problem.

Kat

Sent from my iPhone

On Dec 6, 2016, at 12:25 PM, Kathy Mitchell [REDACTED] wrote:

Hi Kat and John

Regarding the request for comments on the tree topping permit I sent to you. I would appreciate receiving a short response from you at your earliest convenience.

Sorry for the inconvenience... please call me if you wish to discuss anything [REDACTED]

Regards

Kathy Mitchell

<Tree Permit Canvas Letter.pdf>

Handwritten signature

430 Timbertop

Lions Bay Reception

From: Herbert Johnston [REDACTED]
Sent: Sunday, December 04, 2016 4:40 PM
To: [REDACTED] Lions Bay Reception
Subject: Support for tree topping below 445 Timbertop Road, Lions Bay

To whom it may concern:

This is to let the tree committee know that Herb Johnston at 430 Timbertop Road is in support for the proposed tree trim and topping of trees across the street from me as it is appropriate and desirable. Safety and view will be enhanced for others by dealing with these trees. If there are any questions about my support, please feel welcome to contact me at [REDACTED] or by email,

Sincerely,

Herb Johnston, owner and resident at 430 Timbertop Road

470 Timbertop

Lions Bay Reception

From: Simon Waterson [REDACTED]
Sent: Thursday, December 01, 2016 8:18 AM
To: Lions Bay Reception
Cc: Kathy Mitchell; Public Works; Ron McLaughlin
Subject: 470 Timbertop

Follow Up Flag: Follow up
Flag Status: Flagged

Apologies for the delay I have been taking a course and somehow missed/forgot the request.

We will agree to whatever the tree committee decides and therefore will have no objection to their decision.

Regards

Simon

On Nov 30, 2016, at 3:54 PM, Lions Bay Reception <reception@lionsbay.ca> wrote:

Kathy

I am still awaiting a neighbour response from Simon Waterson and the owner of 485 Timbertop, Dominique Allouche.

Kathy, just so you know the process. All the information comes to the office first from the applicant with payment and with all neighbours signed off or responses from them. We check to make sure we have all pertinent information and follow up if we do not. Public Works checks out the location of the trees, which I have asked them to do but have not had a response yet. When we have all this information we then send it to the Tree Committee and they then do their review and meeting. This information then goes before Council for approval. The office then notifies the applicant of Council's decision.

Thank you

Susan Loutet
Administrative Assistant

<[image001.jpg](#)> **The Municipality of the Village of Lions Bay.** www.lionsbay.ca
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From: Ron McLaughlin
Sent: Wednesday, November 30, 2016 3:07 PM
To: Kathy Mitchell [REDACTED]

Cc: Helen & Simon Waterson [REDACTED]

Lions Bay Reception [REDACTED]

Subject: Re: 445 Timbertop

Dear Reception: For the file. Trust we are near completing the due diligence and this application is ready to send to the committee so that it can go to Council for the 20th. Best regards.....Ron

From: Kathy Mitchell <[REDACTED]>

Sent: Tuesday, November 29, 2016 12:44 PM

To: Ron McLaughlin

Subject: 445 Timbertop

Hi Ron

I have indicated to Simon that we will do whatever the tree committee thinks is best . We just want to reclaim our view and preserve it. If we have to remove trees we will and replant or whatever....

Kathy

Timber top

Lions Bay Reception

From: Ron McLaughlin
Sent: Wednesday, November 30, 2016 3:05 PM
To: Lions Bay Reception
Cc: Helen & Simon Waterson; Kathy Mitchell
Subject: Fw: Tree Topping

*#450
neighbor
response*

Dear Reception: For the file.....Ron

From: Kathy Mitchell <[redacted]>
Sent: Tuesday, November 29, 2016 1:22 PM
To: 'Josh Moody'
Cc: Ron McLaughlin; Simon Waterson
Subject: RE: Tree Topping

I agree Josh.... I have copied the tree committee with your concerns. What you are proposing is exactly what we would like to do .

Regards
Kathy

From: Josh Moody [mailto:[redacted]]
Sent: Tuesday, November 29, 2016 12:58 PM
To: Kathy Mitchell; Shannon Nering
Cc: Ingrid Wray
Subject: Re: Tree Topping

Hi Kathy-

Also a late response as agin we were away. We would be fine with topping, but we would prefer that the tree topping was intended to simply keep most of the trees at appropriate length to improve views but not to stump the trees.

In the past many trees were cut back to the stump and we feel that this does not look nearly as good as mature trees that are topped to a specific height and maintained thereafter.

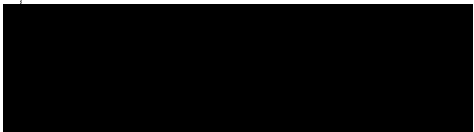
Thank you,

Josh Moody

450 Timber top

On Tue, Nov 29, 2016 at 12:16 PM Shannon Nering <[redacted]> wrote:

Hi Kathy — I'm sure this is probably fine. We were away for Josh's mom's memorial when this came through. Are these the trees above where we park our cars?



[REDACTED]

On Nov 23, 2016, at 1:03 PM, Kathy Mitchell [REDACTED] wrote:

Hello Neighbours

A joint application has been made to the tree committee by the residents of 445,455 and 475 Timbertop. As you will see by the attached letter we would like to top the trees on the North side of the Cul de Sac as they are impeding our view . I would appreciate it if you would take the time to view the letter and respond to me. If you would like further information please drop me an email or call me at [REDACTED]

Thank you for taking the time.

Regards

Kathy Mitchell 445 Timbertop
<Tree Permit Canvas Letter.pdf>

460

Lions Bay Reception

From: Kathy Mitchell <[REDACTED]>
Sent: Thursday, November 24, 2016 8:48 AM
To: Ingrid Wray; Ron McLaughlin; Simon Waterson; Lions Bay Reception
Subject: Fwd: Tree cutting application
Attachments: application to top trees.pdf; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ingrid

It was nice chatting to you today. I appreciate your interest and quick response to my request. It is difficult to satisfy everyone's needs regarding trees and views and your understanding in this case is welcome. We will be considerate of your concerns when we begin topping and agree that removal of any and all broadleaf maples (weeds!) is necessary and we are happy to do that .

As you can see I am forwarding your response to the appropriate tree committee members.

Thanks again...
Regards
Kathy Mitchell
445 Timbertop

Sent from my iPad

Begin forwarded message:

From: Ingrid Wray <[REDACTED]>
Date: November 23, 2016 at 8:54:57 PM PST
To: Kathy Mitchell <[REDACTED]>
Cc: Shannon Nering <[REDACTED]>
Subject: Tree cutting application

Hi Kathy and Shannon,
Please find attached a letter outlining our conversation today Kathy . I could not see where on the application form I was to comment so am hoping this letter will be sufficient. Please forward this to the relevant person on the Tree Committee.

Regards ,
Ingrid

#460. Timbertop
neighbour
response

November 23/16

Ingrid and Andrew Wray
460 Timbertop Dr,
Lions Bay.
[Redacted]

To Kathy Mitchell and the Tree Committee,

Regarding the application for a permit to cut trees by Kathy Mitchell in front of 445, 455, 475 Timbertop Dr

I discussed with Kathy this afternoon this application and made her aware of my concerns regarding the topping of trees both for the health of the tree and the unappealing aesthetics of the resulting process, however I understand that maintaining a view is important to homeowners for many reasons. I also understand that these trees have previously been topped several times.

The applicant assures me that the intention is to top 8 -10 feet off at most (I assume this would take them down to about the previous height at the last topping). I did suggest that selective cutting down of a few trees would be a more agreeable solution to me but understand that option has been discussed before but a consensus could not be reached with other neighbours. I did agree unequivocally that the Broad Leaf Maples should be cut down as far as possible or removed as they grow far to fast and are not suitable to be growing at the edge of the road.

I have discussed this with my husband who is in agreement with me and will sign below

[Redacted signature]

[Redacted signature]