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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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**TREES, VIEWS & LANDSCAPES COMMITTEE MEETING  
OF THE VILLAGE OF LIONS BAY  
HELD ON TUESDAY, OCTOBER 17, 2017 at 9:30 AM  
ON SITE: 20 Kelvin Grove Way**

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**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 and Landscapes Committee – June 2, 2017 (Page 3)
- 6. Business Arising from the Minutes**
- 7. Unfinished Business**
- 8. New Business**
  - A. Tree Application #80 – 20 Kelvin Grove Way (Page 5)
- 9. Public Questions & Comments**
- 10. Adjournment**

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Minutes of the Tree Committee meeting

June 2<sup>nd</sup>, 2017

On-site @ 305 Oceanview

1. In attendance; Chair, Simon Waterson, Ron McLaughlin and Michael Jury.
2. The meeting was called to order at 09:35am.
3. Simon Waterson was appointed Recorder for the meeting.
4. The Agenda was approved unanimously.
5. Public Participation – Ms. Anne-Marie Prior  
**She was enquiring about a situation regarding trees on a neighbour's property.**
6. The previous minutes from the meeting dated 27<sup>th</sup> February 2017 were approved unanimously.
7. Old Business; None.
8. New Business;  
***Tree Application #79 – 305 Oceanview - moved by Ron McLaughlin; Seconded by Simon Waterson, that the tree be removed and associated debris be removed.***
9. Adjournment; - The meeting adjourned at 09:54am.

Simon Waterson

Recorder

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**RECEIVED**

AUG 18 2017

pd cash \$75  
596671



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Schedule "A"

**Tree Cutting Application Form**

All fields must be completed

Applicant's Full Name: <i>Hennie &amp; Sophia van Vuuren</i>	
Address: <i>20 Kelvin Grove Way, Lions Bay, BC V0N 2E0</i>	
Phone: [REDACTED]	Email: [REDACTED]
Arborist/Contractor Name: <i>Pacific West Tree Services Inc.</i>	
Phone: <i>604-341-0651</i>	Email: <i>info@pacificwesttree.ca</i>

Office Use Only	Tree Application Number: <i>#80</i>
Received by: <i>Susan Lonttet</i>	Date: <i>Aug 18 2017</i>
Amount Paid: <i>\$75-</i>	Cash or Cheque: <i>cash 596671</i>
Application Complete? (Y/N) <i>No</i>	If no, reason: <i>no replies from 1001 55 KG. Sent to owner 55KG. Sept 23/17. email to 10KG reply for 10KG</i>
Date referred to Public Works: <i>Aug 22/17</i>	Date returned by Public Works: <i>Sept 2/17</i> (See attached comments)
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:  (March 1-July 31: Arborist Certification Required)	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):

Douglas Fir & some deciduous

Location of Tree(s):

a. Across the road from Kelvin Grove Way #20 & #30

b. On the easeway between Kelvin Grove Way #10 & #20

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

Reason for Removal:

- Too close to property (foundation, garage, fence, etc.)
- Dead, dying or diseased
- Unattractive
- Blocking sunlight
- Attracting wildlife

- Interfering with infrastructure (roads, sidewalks, etc.)
- Leaves causing problems
- Blocking site access
- Affecting house value
- Hazardous
- Interfering with view

Please provide additional comments which may be useful:

Please see letters & pictures enclosed.  
 Our home (Kelvin Grove Way 20) is currently being marketed, several potential buyers have commented negatively on trees obscuring the view of the ocean.

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

N/A



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY


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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.

H. J. J. van Vuuren            12/08/2017

Name of Applicant (Please Print)      Signature      Date Signed

The Municipality of Lions Bay  
PO Box 141  
400 Central Rd  
Lions Bay  
BC, V0N 2E0

August 12, 2017

To: The Tree Committee and Council

**RE: Application for Tree Cutting Permit**

1. Attached please find an application for a Tree Cutting Permit on behalf of the owners of #20, #30 and #40 Kelvin Grove Way in order to restore the magnificent views of the ocean that we previously had. During 2009 we obtained permission from the Ministry of Transportation and the Municipality of Lions Bay to cut the trees across from our houses on Kelvin Grove Way.

Lot 50 is currently owned by the Ministry of Transportation. I spoke to Mr. Naizam Jaffer and he informed me that the Municipality will approach The Ministry of Transportation to obtain their support for this application.

Attached please find a photograph (A) of the trees to be trimmed. Should you require any further information, please don't hesitate to contact us.

2. Attached also please find an application for a Tree Cutting Permit on behalf of the owners of #20 and #30 Kelvin Grove Way in order to restore the views we previously had; trees involved are those planted directly in front of our houses and those planted on the ease way between Kelvin Grove Way #10 and #20. We only wish to cut new branches from the tops of these trees (ca. ½ inch thick or thinner) so that our views of the ocean will be restored from the top floors of our houses; we will not have a view of

the ocean from the ground floor of our houses once these trees have been trimmed but that its fine with us, we appreciate the atmosphere that the trees bring to our environment.

The trees in question are not naturally occurring trees, I believe they have been planted by the developer of Kelvin Grove Way to shield the public from the ugly 3 m high wall constructed with concrete blocks that was built in front of our houses on Kelvin Grove Way to prevent land from our lots sliding onto the road. Moreover, the trees between Kelvin Grove Way 10 and 20 on the ease way were planted to shield the house on Kelvin Grove Way 10 from the public using the ease way.

Attached please find photographs of the trees to be trimmed (B – Trees on the sidewalk in front of Kelvin Grove Way #20 and # 30 and, C- trees on the ease way). We bought our homes for the outstanding views of Howe Sound and this view is now disappearing fast because of maturing trees on municipal property. If you require further information please don't hesitate to contact us.

Sincerely



Hennie JJ van Vuuren  
20 Kelvin Grove Way



Sophia van Vuuren  
20 Kelvin Grove Way



George Liu  
30 Kelvin Grove Way



Jing Song  
30 Kelvin Grove Way

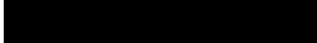


**Andrew Crane**  
**40 Kelvin Grove Way**

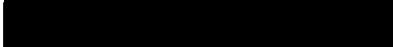


**Bev Dicks**  
**40 Kelvin Grove Way**

**Email addresses of applicants:**

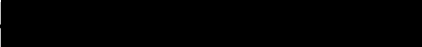
Hennie JJ van Vuuren - 

Sophia van Vuuren - 

George Liu - 

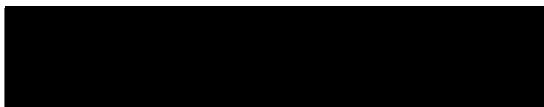
Jing Song 

Andrew Crane - 

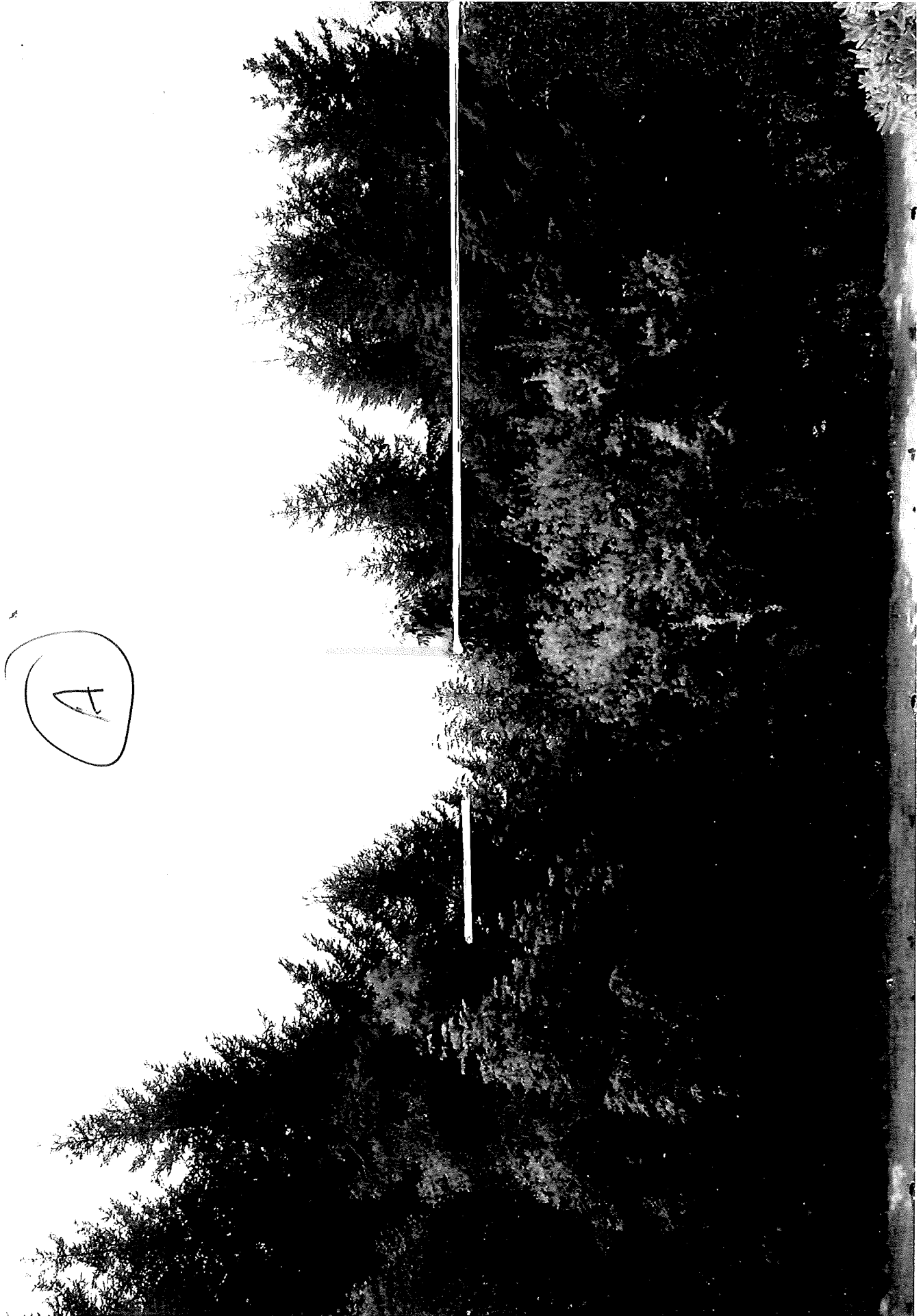
Bev Dicks 

We are currently marketing our house (Kelvin Grove Way 20) for sale and our property is being advertised by Craig Doherty. Possible buyers have commented on the trees negatively affecting the view from our house and I will appreciate it if this application can be handled as soon as possible.

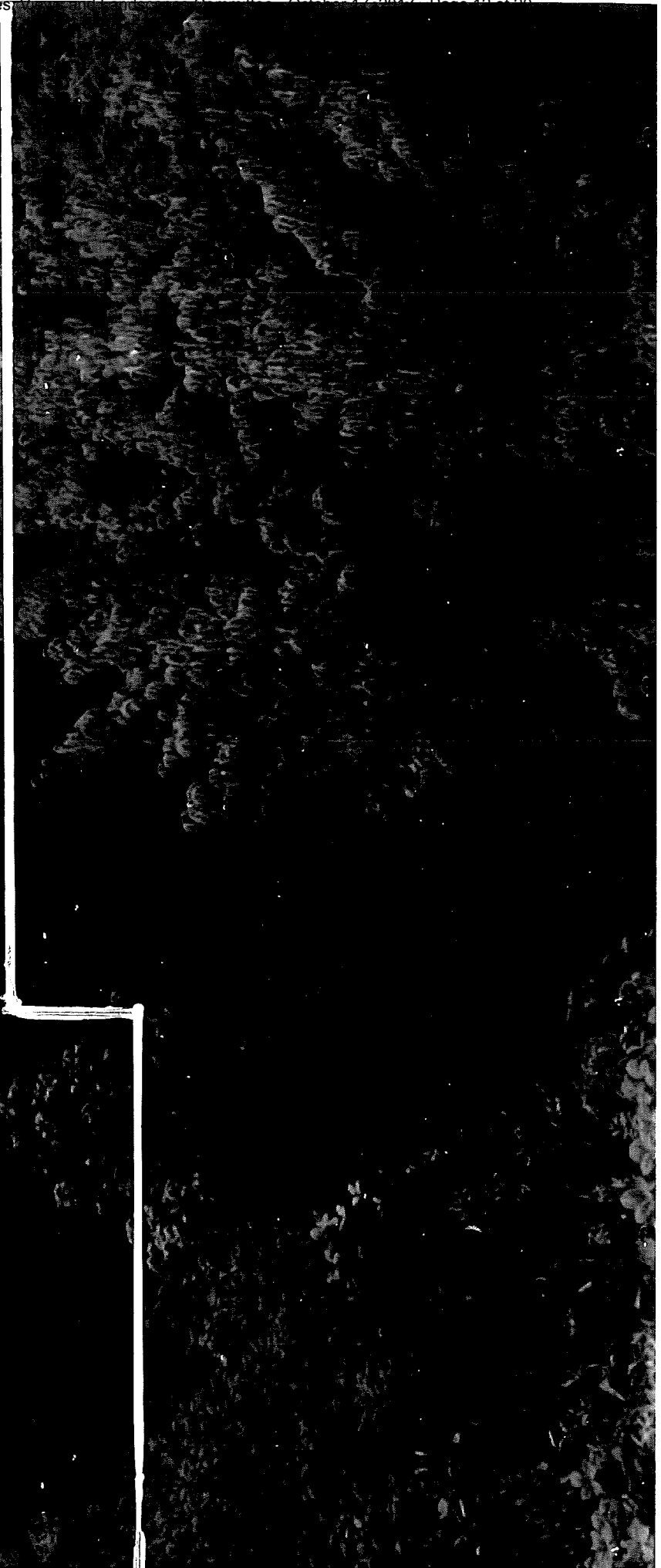
Sincerely



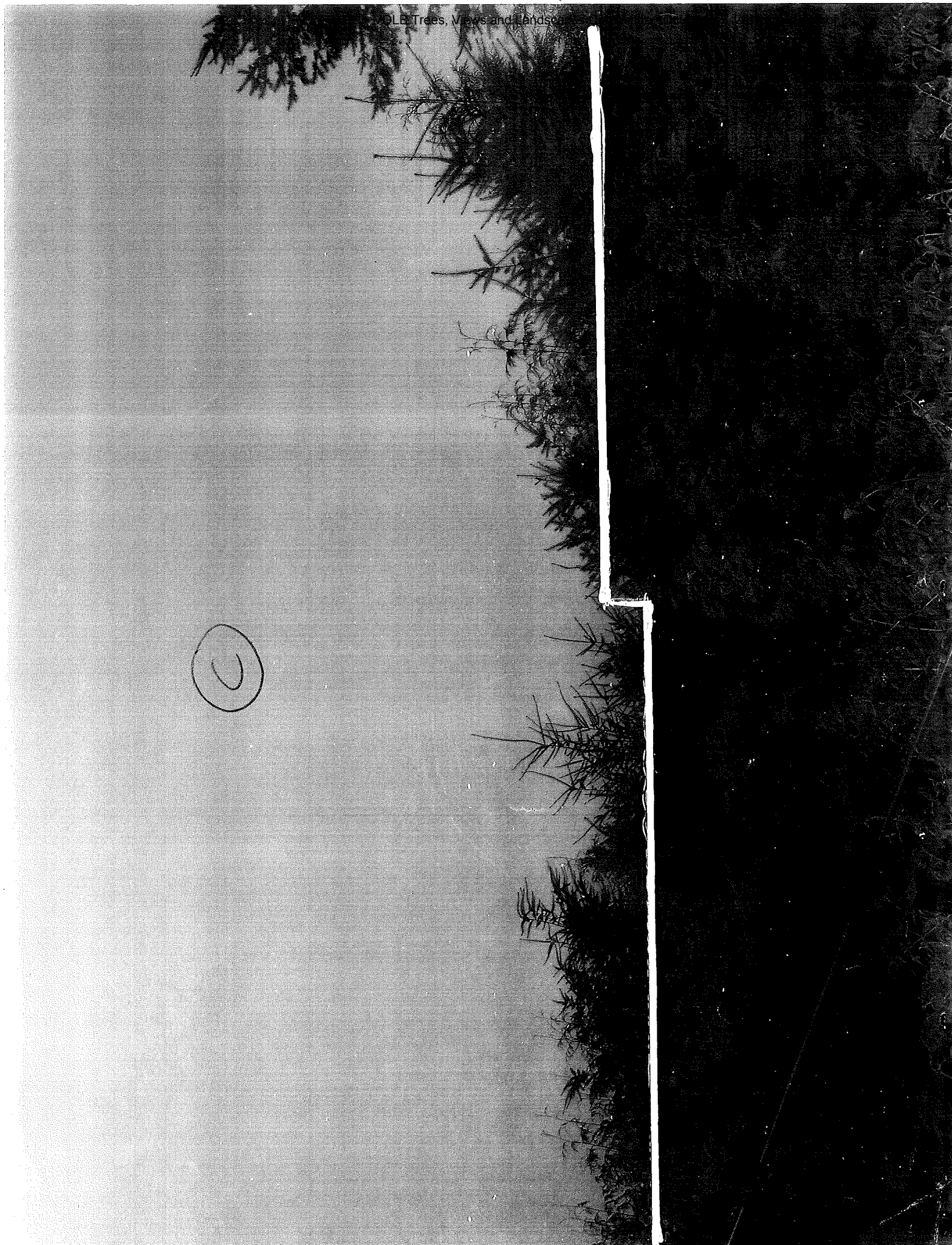
Dr. HJJ van Vuuren

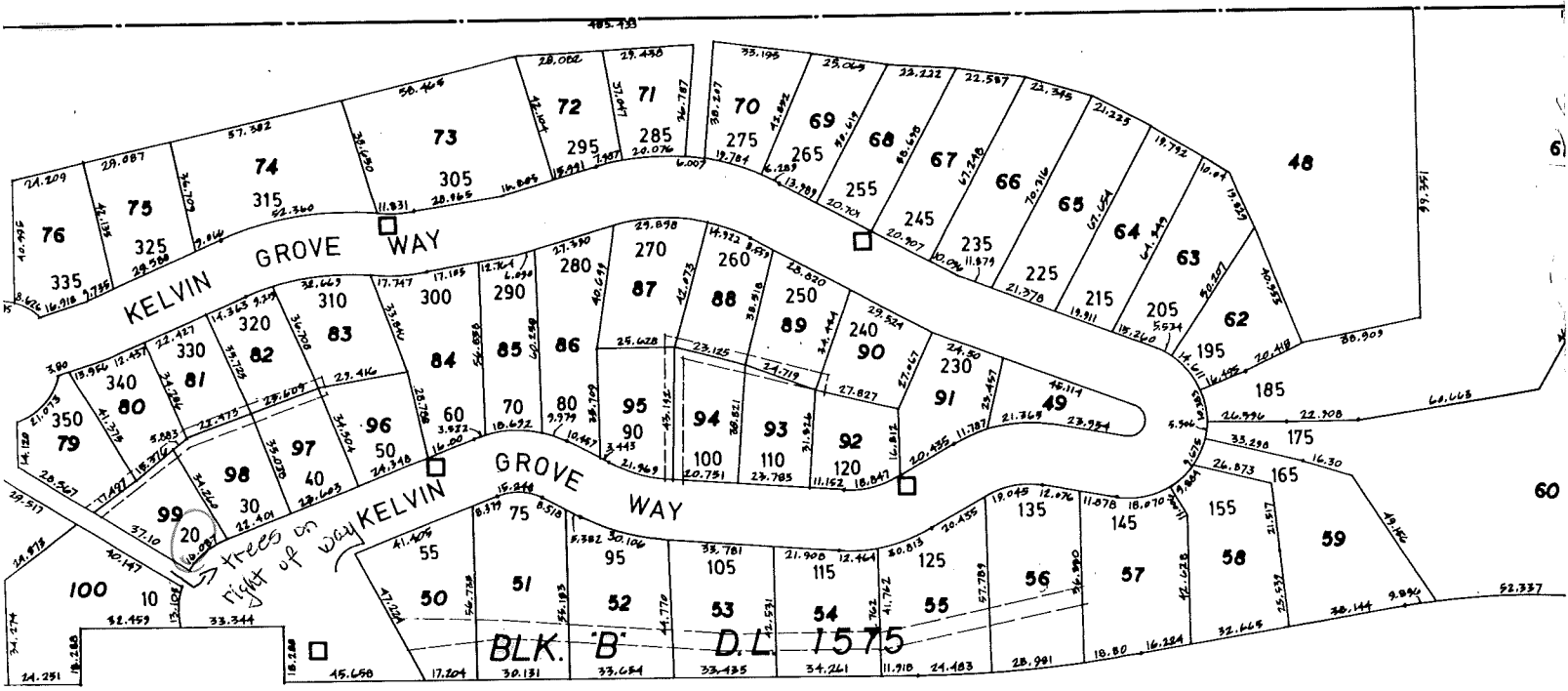


(b)

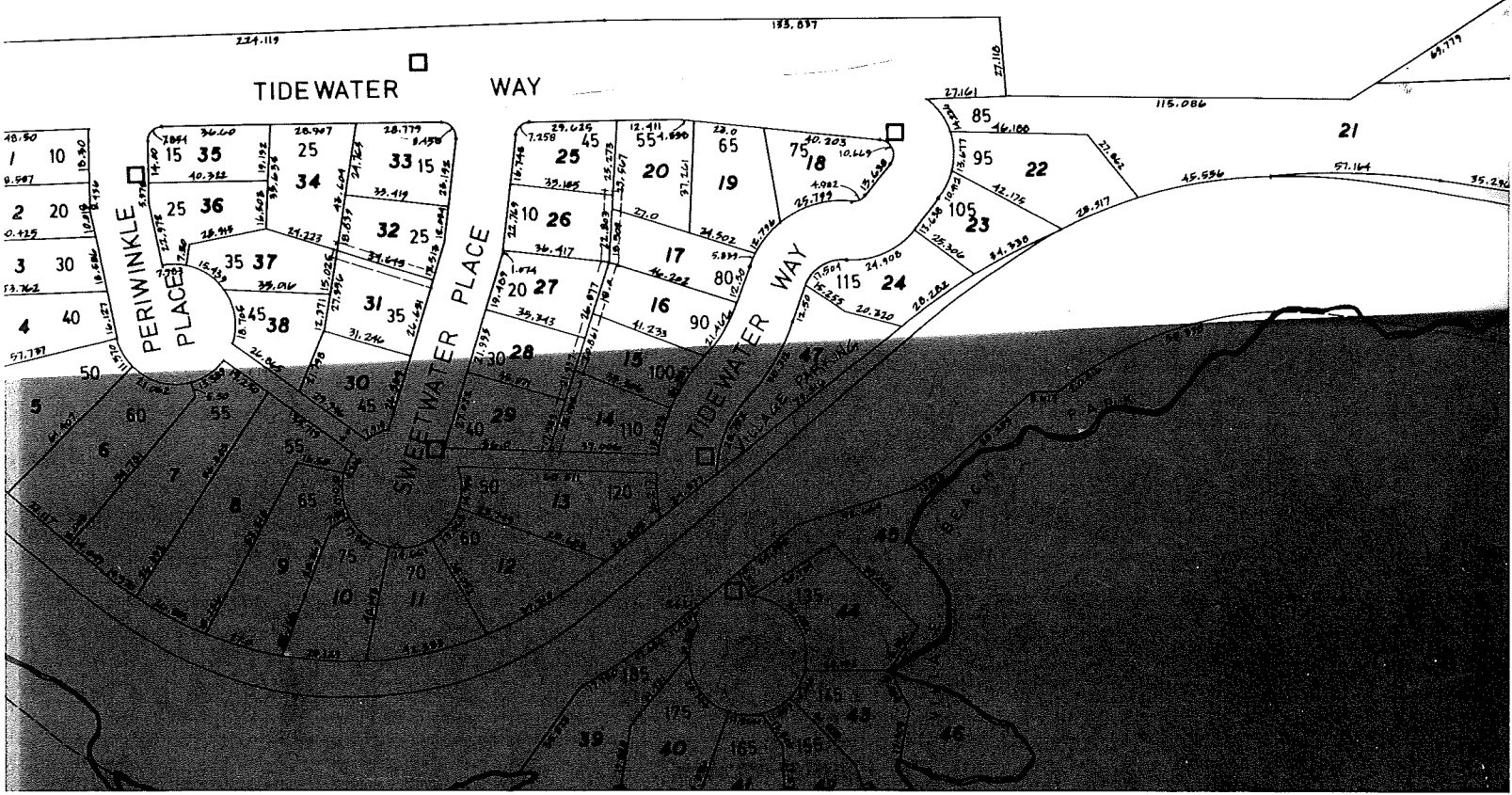


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HIGHWAY N° 99



## Lions Bay Reception

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**From:** Naizam Jaffer  
**Sent:** Monday, September 25, 2017 3:54 PM  
**To:** Lions Bay Reception  
**Subject:** TCP 80: 20 KG Way

Garth, as the Public Works representative met with Peter and Mr. van Vuuren and concurs with what Peter has set out below.

All the best,

Naizam (Nai) Jaffer  
Public Works Manager | Village of Lions Bay  
Village Office (604) 921-9333 | [www.lionsbay.ca](http://www.lionsbay.ca)

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**From:** Peter DeJong  
**Sent:** September 22, 2017 2:49 PM  
**To:** Naizam Jaffer <njaffer@lionsbay.ca>; Garth Begley [REDACTED]  
**Cc:** Lions Bay Reception <reception@lionsbay.ca>  
**Subject:** ROW between 10 and 20 KG Way

The south boundary of the municipal right of way appears to be 8.1 feet from the sundeck structure on the side of 20 KG Way, according to the survey that was done September 1992. However, the survey also notes the house as "Dwelling under construction", so who knows if things ended up exactly where they are now.

I have re-read the neighbour's letter and her conditions for consent sound reasonable (trim on angle of slope, be careful of her garden, remove trimmings, especially from her garden, etc.). So I don't see any particular issues with this scope of work. The leaders will grow again but if they break off towards either property, there is little likelihood of damage. If the next property owner of 20 KG doesn't want to trim them in the future, we may have to do some removals.

If there are any trees that are actually on the property of 20 KG, they may obviously be trimmed or removed. Any maples in the ROW should be removed as opposed to trimmed or limbed.

On the west side of the street, the first house is number 75, the next one going up the hill is 95. The lot that was sold by MOTI (undeveloped) adjacent to the first house is 55 KG Way. The balance of the point of land between KG Way and the highway off ramp appears to be municipal road right of way. I'm going to check on that because there's a decent portion there. Pending any future municipal development on 35(?) KG Way, I think Garth and I are comfortable with re-topping of trees on public property as they are not near the road or any power lines so future leaders should not be a hazard risk. The maples could be removed entirely from in front of 55 KG (to the extent they are on municipal boulevard), but no trees can be trimmed or cut within 55. There may be maples or other spontaneous trees and bushes in front of or on the municipal portion at the

end, but applicants should think twice about cutting those as they may help screen the highway and cut down on noise.

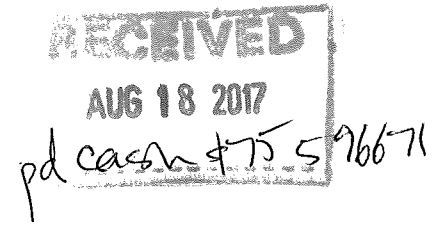
**Peter DeJong, BA, LLB, CRM**  
*Chief Administrative Officer*



**The Municipality of the Village of Lions Bay** [www.lionsbay.ca](http://www.lionsbay.ca)  
PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0 , Canada  
Village Office (604) 921-9333 | Fax (604) 921-6643

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The Municipality of Lions Bay  
PO Box 141  
Lions Bay  
BC, V0N 2E0



August 12, 2017

To: The Tree Committee and Council

**RE: Application for Tree Cutting Permit on Ease Way between Kelvin Grove Way #10 and #20 (attached)**

The owners of Kelvin Grove Way 30 and ourselves (Kelvin Grove Way 20) have applied to trim the trees directly in front of our homes on Kelvin Grove Way and the trees on the ease way between Kelvin Grove Way 10 and 20 that now have a big impact on our views of the ocean. I have spoken to the owner of Kelvin Grove Way 10 to support our application; the trees in question do not impact on the views from Kelvin Grove Way 10. The current owner stated that she will only support our application if I also pay for the trimming of trees on her side of the trees on the ease way and a large tree on her lot. Furthermore, she indicated that she would prefer the trees to be trimmed along the lines of the slope of their lot; I am willing agree to this proposal if the municipality agrees that trees be significantly trimmed to align with the slope of her property. I indicated to her that I am willing to pay to trim the top of the trees on the ease way but feel that it is her is her responsibility to pay for trimming of trees on her side of the fence and the large tree at the entrance of her driveway if she wished that these trees be trimmed. She then furthermore stated that she doesn't believe that the trees between our two homes are indeed planted on the ease way as shown by the municipality; she believes these trees are planted on her lot. She has indicated that she will write to the municipality about this issue.

It is clear that she I not going to support our application unless I pay for the trimming of trees on her side of the fence which I feel is unjust. My neighbor and I bought our homes for the outstanding view of Howe Sound and this view is now disappearing because of maturing trees on municipal property. If you require further information please don't hesitate to contact me.

**I am providing this information for the benefit of the Committee, please don't distribute this letter to other neighbors.**

Sincerely

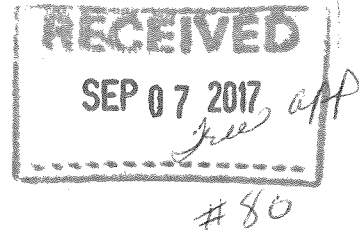
A solid black rectangular redaction box covering the signature area.

Dr. Hennie JJ van Vuuren  
20 Kelvin Grove Way, PO Box 715, Lions Bay, BC, V0N 2E0



**WARREN MOEN**  
**BRENDA MOEN**

10 Kelvin Grove Way  
Lions Bay  
BC  
Canada



September 1, 2017  
City of Lions Bay  
Reference:  
Cutting Trees in Kelvin Grove Way

Dear Ms Susan Louet,

I am writing this letter in response to #20 Kelvin Grove Way's request to trim the trees in the east side of my property, bordering the ease way, in efforts to reestablish his house's view and selling value.

It is not in my interest to cut these trees since it will decrease the privacy of my property and therefore I would rather the trees remain untouched.

However, since the homeowner of #20 Kelvin Grove has come forward with this request that will solely benefit the value of his home, I will only consent to him cutting the trees if he does it in a way that will keep my view's esthetic by following my trimming conditions and financing the complete cost.

A few years ago these same trees were trimmed without my consent. The landscapers cut it unevenly, left patchy areas and left fallen tree branches on top of my garden, damaging my plants (please see attached pictures). I would like to prevent this problem by requesting the following trimming conditions:

1. The trees should be trimmed evenly on both sides.
2. The trees should be trimmed following the downward slope, parallel to the land. In other words, the trees should be trimmed at an angle and not leveled, straight across. (Please see picture with rough approximation of cut line).
3. All tree trimmings should be picked up and discarded of.
4. The trimming company must be mindful of my garden and not damage plants with their equipment etc.
5. If possible, please consider that these trees are homes for many blue jays and to not disturb them, trees should be trimmed late fall.

I recognize the need of my neighbor's request. Nevertheless, I would also appreciate it if he understood how his request impacts my home and respects my concerns.

Thank you for your efforts in advance,

Dr. Brenda Moen

This picture was taken on July 14, 2014 when they were trimmed without my consent.



This picture depicts the rough angle I would like the trees to be trimmed.



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