



INTERIM TREE BYLAW WORKING GROUP MEETING NOTES

April 24, 2018 5:00-6:30 p.m.

Main Floor Conference Room - North

ATTENDEES:

WG Members: Andrew Gitt, Mary Gamel, Don Harrison, Nic Tsangarakis, Craig Bench, Ernie Bodie, Ian Ferguson & Lisa Morris

Council Liaison: Councillor Mary Ann Booth

Staff: Jim Bailey, Director of Planning & Development Services & Erika Syvokas,
Planning Research Assistant

Regrets: William Cafferata

1) WELCOME

Nic opened the meeting at 5:04 p.m., welcoming everyone including the four (4) public observer in attendance.

2) APPROVAL OF APRIL 24, 2018 MEETING AGENDA

The Agenda was approved as circulated.

3) APPROVAL OF PREVIOUS MEETING NOTES AND REVIEW ACTIONS

Action items were reviewed. The following item was outstanding:

- 1) CB to set up a meeting between the DWV arborist and WG subgroup regarding the tree book. A MEETING HAS BEEN SCHEDULED FOR MAY 1ST. A MEMBER FROM THE GIS TEAM WILL ALSO BE IN ATTENDANCE AT THE MEETING TO DISCUSS A PILOT LIDAR STUDY.
- 2) Staff suggest to 'batch' and forward correspondence packages to Mayor and Council for their information. Staff to confirm suitability of this approach with Communications (FOIPPA concurrence). COMPLETED
- 3) Staff to confirm date for the final consideration of the WG's recommendations. CARRY FORWARD – TARGETTING MEETING IN LATE JUNE / EARLY JULY PENDING SCHEDULING AVAILABILITY.
- 4) WG to mark-up poster boards and get the info to staff for change to poster board and online information gallery. COMPLETED
- 5) The WG to define the parameters around the desired data for the pilot LiDAR study. CB to connect ITBWG members and GIS staff to discuss and confirm for pilot. GIS staff to consider an overall strategy that reflects:
 - a. Overall objectives
 - b. Role of pilot
 - c. Frequency of studies
 - d. Relationship with iTREE data – are both done?
 - e. Etc.

THE GIS TEAM HAS BUILT A TREE CANOPY LAYER FOR CAULFEILD BASED ON THE 2013 SAMPLE SET OF LIDAR. A MEETING HAS BEEN SCHEDULED ON MAY 1ST SO THAT THE WG CAN UNDERSTAND THE CAPABILITIES OF THE SYSTEM (CANOPY, HEIGHTS, SPECIES IDENTIFICATION) AND COSTS, TIMING, INTERVALS ETC.

4) STAFF LIAISON AND COUNCIL UPDATE

Council Update:

- A report was presented to Council at last night's (April 23) Council meeting (see report [here](#)) on the Community Energy and Emissions Plan. There was some discussion around trees in relation to their impact on the efficacy of solar panels. A reference was also made to the benefits of energy from sun penetrating the house and heating the home. *Note: the proposed WG recommendations have a condition for protecting access to sunlight for homes with existing solar energy installations (or passive solar requirements) against being shaded by trees or hedges in adjoining public or private lands but not for new homes (where solar panels are installed after trees are planted).*
- Issue around 30% grade recommendation – hydrology management and erosion control are a significant concern with removal of trees. Councillor Booth advised the WG to continue to consider this issue as the whole municipality is on the side of the mountain, posing potential and real risk of mud slides. The WG could consider recommending that a hydrology study be done.
- Retention of trees on new or redevelopment lots - will there be a requirement to retain trees? From Council's perspective, the clear-cutting issue is the number one weakness of the proposed tree bylaw.

Staff Liaison Update:

- A second workshop between staff and WG members has been scheduled for May 3rd (8-10 am in the Main Floor Conference Room) to discuss possible operational issues (day to day practicality) and administrative impacts (resourcing, workload etc.) of possible bylaw amendments.
- A letter was circulated to neighbours by a resident in Altamont regarding the proposed hedge height maximum. Staff received a flurry of calls and visits from residents concerned about retaining their existing mature hedging. Specifically they commented on the impact this bylaw would have on privacy, as well as the expense and impact it would have on the cutting of mature trees that meet the definition of "hedges".
- Jim Bailey acknowledged Chris Bishop's departure from the municipality and thanked him for his participation in the tree bylaw process. Jim also thanked the WG for all of their hard work and advised that he will now be participating in the WG meetings.

5) REVIEW PUBLIC QUESTION AND ANSWER SESSIONS OF APRIL 12TH AND 14TH

Overview of the public information sessions of Thursday, April 12th and Saturday, April 14th:

- Public guests spoken to: Only 10-12 (2 repeat visitors) on the 12th, and about 20 (1 repeat visitor) on Saturday.

- Poster boards: some comments were made at the first two meetings that the language on the “Supporting Recommendations” board was confusing. This wording was clarified on the poster boards and online versions prior to the last 2 meetings and seemed to clarify things.
- Hedges – some people had not seen this recommendation before. Views on either side of the issue were heard but the majority of people were in favour.
- Some recommendations for clarification around wording.
- Specifically need recommendation around safety.
- Comments around increasing ramifications around illegal tree cutting (consequences should be more severe)

6) REVIEW ITBWG / STAFF WORKSHOP ON APRIL 17 – TAKEAWAYS AND NEXT STEPS

Overview of April 17th ITBWG / Staff Workshop:

- There was significant push-back to a self-reporting system, including IT, FOI, expense, and DWV data access implications. This should be discussed further with DWV IT staff. Ideally, the WG will find an approach that will have a reasonable up-front cost, and a fairly low ongoing operational cost. The example of WestVancouverITE surveys, which allow resident reporting and also resident viewing of information was discussed. The whole idea was to lighten the administrative requirements by staff rather than causing more issues.
- It would be worth knowing roughly what costs jurisdictions in Greater Vancouver and beyond allow for staff (including arborist, bylaw enforcement, and development) related to tree protection. The intent is to keep administrative costs low. But there are costs for tree/canopy protection, regardless of the approach. There is also a value related to trees in the community.
 - o A suggestion was made that the ITBWG touch base with Courtenay, Coquitlam, and maybe Vancouver regarding their estimated costs for maintaining a tree bylaw once implemented.
- Staff identified that a regulation regarding maximum hedge height could cause a large initial workload for staff if implemented. However, although there may be an initial cost (to both DWV and some land-owners) this does not mean there would be large ongoing costs past the initial period.
- The comments heard from staff were a combination of professional views and personal views so that needs to be taken into account.
- Change is never easy so felt there was some staff pushback but overall feedback was good.

Next Steps:

- It was agreed that a second meeting was needed to include the staff that were invited but couldn't attend this meeting, as well as include staff from IT and Bylaws. The staff who attended this meeting should be invited to a follow-on meeting, if their calendar allows it. Ideally this meeting would occur in advance of the May 7th CAO meeting. *Note: see scheduling of meeting under Staff Update section of these meeting notes.*
- More preparation and planning is needed to ensure a more successful follow up meeting.

- Request that staff attending the follow up workshop have a good understanding of the recommendations prior to attending the workshop and prepare questions, as well as a list of concerns and recommendations on how to address those concerns in advance of the meeting. **ACTION: Staff to coordinate collection of feedback from staff prior to the ITBWG / staff workshop on May 3rd.**
- Jim asked the WG on the staff input process (how and when does the WG want input?)
 - The WG would like to hear any concerns that staff have now so that they can tweak their recommendations before going back to Council. During this entire process the WG have been bouncing ideas off Staff and the Council Liaison. Now looking for specifics from staff about what might work and what might not.

Main issues identified thus far:

- Hedges
- Retaining trees on development lots
- Workload
- Self-reporting online
- Hydrology / erosion control
- Legal issues
- Efficacy of implementation – i.e. ways to get around bylaws

7) LOOKING AHEAD: MAY CAO MEETING

- The purpose of the meeting is:
 - an opportunity for Council & the CAO to ask questions on the proposed recommendations.
 - for the WG to convey a summary of the issues heard from staff and the public and how these could be addressed.
 - to obtain Council & the CAO's advice/ suggestions.**ACTION: Staff to confirm the CAO meeting time / location.**
- The meeting will be structure will be as follows:
 - Executive summary
 - Issues identified and how the WG is planning to address these issues
 - Discussion / Q & A
- Presentation needs be clear and concise about key recommendations and general philosophy (what the WG is trying to achieve).
ACTION: Nic will put together the agenda for the meeting and circulate to the WG.
- The final recommendations will be striking balance between what the community and council and between what the community and council needs.

8) GENERAL / HEAR FROM RESIDENTS

General:

- Discussion regarding process between now and May 7th CAO meeting:
 - Resident input open until April 27th. Then comments will need to be consolidated and analyzed.
 - **ACTION: Ernie will analyze public letters received in advance of the workshop on May 3rd.**
 - Feedback from staff also needs to be consolidated after the workshop.

- Decision: Subgroup to meet immediately after the May 3rd workshop to consolidate and review the public and staff input. **ACTION: ES to book the meeting room (2 hours).**

ACTION: staff to confirm date for Council meeting.

- Discussion regarding solar panels:
 - Difference between protecting access to sunlight for homes with existing solar energy installations (to allow continued sunlight access to solar panels or passive houses) and enabling access. Staff commented that the District could not write a bylaw to require a neighbor to cut their trees. Recommending only for situations where solar panels are there first.
 - Need to see what the uptake is on passive houses etc. and consider the benefits trees provide vs. energy benefits of passive homes. Solar panels might be a legitimate basis to request that trees in parks or on District municipal land be cut.

Comments from the public:

Four (4) members of the public were in attendance and addressed the WG with the following comments:

Rainer Fassler

- Respect effort of volunteers but he is at odds with proposed recommendations.
- His concerns are focussed on the Ambleside area.
- An architect by trade, interested in house construction.
- Puzzled on how the WG will deal with 3 issues:
 - 1) General public perception current tree canopy is about right.
 - 2) Surveys show community is split on tree regulations. Concern about interim tree bylaw due to only protecting the very large trees (not many 75 cm trees left in Ambleside).
 - 3) Value of Education
 - Proposed bylaw makes it really easy to clear-cut lots and replace with 5cm trees. What happens to all the people that commented that trees need to be retained / protected? It will be too late for education once the trees are gone they are gone.
- Mostly concerned about developers / contractors. Trees on smaller lots are just nuisances. In the way for material storage, staging and finally construction.
- Can see the recommendations working for more treed neighbourhoods on the west side of the District but they do not work for Ambleside.
- *WG response: risk is lower for clear-cutting on non-development lots but the WG are considering strengthening the regulations for new / re-development.*

David

- Question around stream protection zones and cutting in those areas. Came across tree cutting in tree protection area – was an Environmental Development Permit (EDP) application. Only removal of vegetation on the permit (no construction). *Staff response: the WG's recommendations won't impact streamside protection areas. EDP's are only considered where there is a hazard tree, or there is a safety issue such as a landslide etc. The watercourse regulations require no net loss of riparian habitat.*

So if removing trees would need to replace with the same number. **ACTION: Staff to look into incorrect information on the website to do with removing trees in creek area.**

- Questions around consultation with stakeholder groups:
 - o Which groups were contacted?
 - o Particularly interested in West Vancouver Housing Association (draft report refers to receiving comments from them). Is this submission is available to the public?
 - o **ACTION: ES to give an update on how many groups were contacted and how many responses were received.**

Don and Pat from Altamont Community Association

- Hedges:
 - o Have a big impact on neighbourhood character. Maybe this issue should be turned over to the neighbourhood character working group. *A: This new WG will be more concerned with the size of homes (bulk) and will be focused on siting, retaining walls, highest building face etc.*
 - o Feel this issue is too big to solve before the Council meeting.
- Altamont is a very unique neighbourhood with different issues – large lots, monster homes cut down everything to property line, sloping sites, new development putting in retaining walls that bear down on neighbouring properties – mature hedges are needed for privacy.
- Are exemptions possible for this area? The issue has to be solved equitably and each situation is so unique.
- There needs to more time to discuss this issue.
WG response: The WG acknowledged that this is an issue that they are considering.

Next Meeting:

Tuesday, May 8th, 2018, 5:00-6:30 p.m., Main Floor Conference Room - North

9) ADJOURNMENT

Meeting was adjourned at 6:35 p.m.