



INTERIM TREE BYLAW
WORKING GROUP MEETING NOTES
February 13, 2018 4:00-6:30 p.m.
Main Floor Conference Room - North

ATTENDEES:

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

Council Liaison: Councillor Mary Ann Booth

Staff: Chris Bishop, Manager of Neighbourhood and Development Policy & Erika Syvokas, Planning Research Assistant

Regrets: N/A

1) WELCOME

Andy opened the meeting at 4:05 p.m., welcoming everyone including the two public observers in attendance.

2) APPROVAL OF FEBRUARY 13, 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) Nic will follow up with Squamish First Nations to set up a meeting. COMPLETED

4) STAFF LIAISON AND COUNCIL UPDATE

Council Update:

As previously discussed, the WG's final report will be marked DRAFT and will be presented to Council "for information" only. Target date is March 5. It is suggested that there be a public review period before being considered formally by Council. Councilor Booth relayed a suggestion from a staff member that the WG host education sessions once the report is available publicly and the community has had time to consider the recommendations. This will assist ITBWG, staff and Council in understanding the community's reaction to the proposed changes.

Discussion:

- This is a good opportunity for interested residents and stakeholders to review the report in depth, better understand the recommendations, and provide an opportunity for additional feedback to the WG before Council makes any decisions.

- The final report will be made available on the website, hardcopies at Municipal Hall and possibly other municipal facilities (i.e. library etc.).
- The education sessions could be in the format of Q & A sessions - a way to explain the recommendations in an easy to understand format.
- Need to be clear on the objectives of the public consideration period.
- Ideally any feedback / comments would go to the WG's email address (treebylaw@westvancouver.ca) where they can be collected and shared for discussion.
- The District's Communications Department would help in the preparation of a communications plan for the feedback period.
- Could try to get the draft report out even before it goes to Council.
- 1 month for public review was originally suggested, however with spring break in March, a suggestion was made to schedule the consideration of the report by Council in May. **ACTION: Chris will look into the Council dates and circulate to the WG.**

Staff Liaison Update:

CB is working on the staff report to Council which will accompany the WG's Final Report scheduled for the March 5th meeting.

The staff report recommends that during the Interim Tree Bylaw Working Group Final Report public review period, staff finalize a more detailed legal and administrative review of the proposed recommendations and provide this detailed feedback to the ITBWG for their consideration during the review period. This review will ensure the efficacy of any proposed bylaw changes and will also consider issues surrounding the legality, budgetary and staffing impacts, administrative practicality and enforceability of the recommended changes.

5) DISCUSS FINAL REPORT TO COUNCIL AND MAKE IMPROVEMENTS

Step 1: Review comments, recommendations and improvements

1. Comments:

- For the Executive Summary portion of the report:
 - o Bill suggested that the recommendations list be shortened to the top 5 vs. listing all of the recommendations. Decision: to explain the overall approach of the bylaw (# of trees per lot size to maintain the tree canopy).
 - o Will add a few pros and cons for each of the Options. Suggestion to put them in a table or matrix format in the report.
- Suggestions from Craig:
 - 1) Consider a no fee permit for tree removal on non-development lots (those below minimum number required) to track tree removal (important data to use with the tree canopy studies) and allow staff to respond to concerns in a professional manner.
 - 2) Include some language around industry best management practices for root protection.

- 3) Hedges should be defined and their heights limited.
- 4) Develop a full range of best management practices for residents and developers applying for tree cutting permits. This would involve specific criteria (guidelines) or requirements for the application process, Arborist reports, tree protection during construction, tree replacement guidelines and other topics as District staff see the need.

Step 2: Comments and Suggestions for Improvements to Bylaw Subgroup Recommendations:

The bylaw subgroup met February 9th to discuss the recommendations. The meeting was very well attended and covered a lot of ground. Andy reviewed the recommendations from the subgroup meeting and the WG provided comments / suggestions:

1) Recommendations 2.1.1,2: Tree Density

- Ernie compared replacement tree requirements for City of Coquitlam, Courtenay, DNV and Vancouver.
- Question around arriving at min number required. The issue is that we do not have existing canopy numbers. Ideal to have measure, but can set a % canopy target. To err on the side of caution might want to set number on the high side to safeguard against overcutting. Very difficult to compare municipalities as each has different requirements. Action: Ernie will do more research (needed rather than pulling a number out of the air) and then redistribute to the group and if need be the subgroup can meet. Could look at having different min requirements for eastern lots vs western lots.

2) Recommendation 2.a.1,2: What constitutes a tree?

- Decide on a diameter but exclude hedges
- Most communities use 10 cm for definition and 20 cm diameter for counting towards the minimum # of trees (count towards tree density).
- Can have canopy without larger size - goes better with recommended tree species. Justification for having smaller trunks. Decision: For DWV recommendation will be 10 cm for both, keeps it simpler.
- Replacement trees need to be protected.
- Allow smaller trees to be planted. Less expensive, more chance of survival.
- Trees in immobile planters do not count. Need to clearly add to definition.
- Suggestion to add exemption for Alders and Cottonwoods. Or could be education piece.

3) Recommendation 2.a.2: Additional tree removal for non-development lots

- 1 tree removed every 3 years without permit
- Suggestion to add tree replacement feature (tree replacement supported by residents and acts as a safeguard to prevent tree canopy loss on non-development lots). Apply it to all lots. Exemption then becomes redundant.
- Need to consider risk associated with exemption. However, no benefit to developer as developer will need to plant minimum numbers.
- Tracking trees removed through exemption could help determine what the impact on canopy would be.

- Vote – support for status quo, no replacement requirement for 1 tree every 3 years. To be reviewed after 3 years.
- 4) Recommendation 2.a.4: Protection of Certain Native Species
- Suggestion to add Dogwood
- 5) Recommendation 2.1.5: Trees near shore area over 75 cm within 50 metres of shoreline require permit
- Add additional regulation for trees removed between March 1 and July 31.
- 6) Recommendation 2.a.7: Protection of riparian areas, heritage trees, steep slopes
- Heritage trees: leave off recommendations.
- Slopes: DWV has a DP process (which looks at tree retention) for lots being developed that have steep terrain. Suggestion that a permit be required to remove trees on lots not under redevelopment that have steep terrain to look at slope stability and drainage.
- 7) Recommendation 2.a.10: Definition of a hedge, maximum permitted height
- The intent is to address views and sunlight.
- Discussed 10 ft maximum height.
- Suggestion of making it a guideline instead or a guideline leading to a bylaw.
- Staff could always recommend it is a guideline only.
- Could kill very mature hedges.
- Also the issue of hedges on the District boulevard. Could be caveat that this apply to hedges on private property only.
- The WG voted on to add as a bylaw – The majority are in favour, Craig is opposed to have in bylaw feels like it should be a guideline.
- Definition of hedge is important so there is no administration / red tape for maintaining hedges.

Step 2: Next steps for the Final Report

- Ernie requested all WG members provide feedback to individual section authors by Thursday afternoon (February 15).
- Ernie will compile the sections and then have 2 WG members will review the completed draft.
 - o Mary and Ernie volunteered
- Feedback on Draft 2 is due Sunday (February 18).
- Section authors to provide updates daily to the WG with any new content.
- Suggestion to add consultation with CEC (3 meetings - July 19, Oct 4 and December 20th)
- Feedback from staff – Chris to provide in the next couple of days
- Suggestion for better section numbering

8) GENERAL

Carolanne Reynolds and Ron Osterman were in attendance and addressed the working group.

Carolanne Reynolds commented that:

- It would be helpful if agendas and other related documents being discussed are provided for the public who attend the regular meetings.
- The recommendations should be scientifically based, this would help to avoid disagreement. It is the community's collective responsibility to have vegetation that protects the mountainside (slope stability, drainage etc.), environment and their neighbours. Important that people understand the importance of the role trees and vegetation play in slope stability.
- If regulations apply to residents then they should apply to the municipality.
- Measurements should be provided in imperial as well as metric.
- The WG should investigate the roll / benefits of Alders (which are commonly thought of as having no value).
- As the WG is looking to protect eagle / heron nesting, suggestion to also investigate protection of owl nests.
- Trees near ephemeral creeks – need scientific study.
- WG meetings require 3 business days' notice (*staff note: there is no legal requirement to post Working Group agendas, however the District's practice is to post Working Group meeting agendas 2 days in advance to facilitate community participation*).
- Notice should also be provided for subcommittee meetings (*staff note: The District's WG Guidelines state that the date, time, place and agenda of full Working Group meetings be posted. There is no requirement / guideline for subcommittee meeting details or agendas to be posted*).
- The community is changing rapidly. So although tree loss has not historically been an issue, it is now.

Ron Osterman commented that:

- The WG needs to find somewhere in the middle between property rights and tree protection.
- He is a proponent for tree replacement.
- He feels it is important to have a security for landscaping.
- There needs to be a common sense approach.
- Emphasized the importance of trees but that the size of the trees is the problem.

Next Meeting:

Tuesday, February 27, 2018, 5:00-6:30 p.m., Main Floor Conference Room - North

9) ADJOURNMENT

Meeting was adjourned at 6:40 p.m.