INTERIM TREE BYLAW
WORKING GROUP MEETING NOTES
June 12, 2018 5:00-6:30 p.m.
Main Floor Conference Room - North

ATTENDEES:

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

Council Liaison: Councillor Booth

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

Regrets: Don Harrison

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1) WELCOME

Nic opened the meeting at 5:00 p.m., welcoming everyone including the one member of the public in attendance.

2) APPROVAL OF JUNE 12, 2018 MEETING AGENDA

Overall purpose of the meeting: 1) review of recommendations and 2) planning ahead. The Agenda was approved as circulated.

3) APPROVAL OF PREVIOUS MEETING NOTES AND REVIEW ACTIONS

Action items from the May 22nd meeting were reviewed. The following items were outstanding:

1. Changes to recommendations 1, 2 & 7. COMPLETED
2. Nic will send out a Doodle Poll to schedule an extra WG meeting to continue to review the recommendations. COMPLETED
3. Don will take the lead on preparing the implementation schedule / plan (with input from Jim) for the next WG meeting. DRAFT COMPLETED
4. WG will consider adding spacing in the hedge height definition as the intent is that it not be applied to mature trees. COMPLETED

In addition, changes to the recommendations discussed at the June 5th WG workshop were made to the working document.

4) STAFF LIAISON AND COUNCIL UPDATE

Council Update:

- The overriding objective of all involved is to wrap this up.
- Timing is important given summer Council schedule and upcoming election.
- Councillor Booth commented that the final recommendations report needs a proof read.
- After the document is finalized, steps proposed (subject to the outcome of this meeting) are as follows:
    1) Proof read document to Donna powers by Monday, June 18th
    2) CAO workshop July 9th or 16th to get a read on:
       i) Content: Feedback from Council on their acceptance / approval / alignment on proposed recommendations; and
       ii) Timing: Determine date of the report formally going to Council.
    3) Report to Council from staff re: implementation (in particular resourcing requirements), technical analysis, concerns etc.
    4) Set Council date for the report to be received.
        - Before or after election? Council wants to deal with tree bylaw but from a practical point of view it is not ideal to consider an important / controversial issue during an election period as it may it be politicized. It might be better to have it continue on in a slow and measured way if it has a better chance of being approved.

Staff Liaison Update:

- CAO meeting needs to be scheduled first before Council date can be set.
    - Looking at date in July. Balancing multiple priorities, 9th or 16th are possible dates.
    - Senior staff want to be comfortable with recommendations prior to scheduling this meeting. WG to work on clarity of intent for each of the recommendations.
    - Date to be confirmed in the next few weeks once recommendations are finalized.
    - Depending on comfort level of Council members at CAO meeting, then schedule a Council meeting date.

5) DISCUSS DATE AND ACTIONS FOR FINAL REPORT TO COUNCIL

See next agenda item.

6) REVIEW RECOMMENDATIONS / REPORT

The WG continued to go through their recommendations report (Google doc) to review and refine changes made at the June 5th workshop. The following are further agreed upon edits:

- Recommendation 1: Make clear reference to incentive based approach and more definitive language around incentive options.

- Recommendation 2 (B):
  - Remove last two sentences "This would provide…" out of recommendation and add to the basis for recommendation section.
  - Add wording "The bylaw should include a mandatory self-reporting requirement or reporting by a tree contractor…"
  - Add mention for penalty if don't comply with mandatory reporting but allow a grace period / warning for first time. Progressive discipline to include education period.

- Recommendation 4:
  - Strike wording "or other reasons approved by the municipality"
  - Add statement that cash-in-lieu should be specified as less than the fine.

- Recommendation 6:
  - Clarify intent of character of trees in these areas.
  - Take out reference to riparian areas.
  - Clarify under what condition(s) a permit would not be issued i.e. Nest, old growth tree, identified perching tree, Shore Pine, trees over 75cm.
  - Clarify when permits can be issued i.e. only trees within building envelope for a lot being redeveloped.

- Recommendation 7.3.
  - Rephrase to add: (35% represents hazardous conditions in West Vancouver regulations)
  - Remove wording "or slopes requiring drainage and hydrology considerations as otherwise defined by WG Development Regulations".

- Recommendation 10: Include more language around intent.

- Recommendation 11:
  - Clean up recommendation / keep it short.
  - Take out reference to fence height restrictions.
  - After "…4.5m (approx. 15')" move the rest of the paragraph to the basis for recommendation.

Status

- All of the main recommendations have now been reviewed and edited, just supporting recommendations left.
- 90% ready

Timing

- WG feel that June 18th date for final report to Communications Department is too soon. June 26th is more reasonable date.
- The goal is to get it to Council as early as possible.

Next steps

- Make edits as agreed upon above.
- Ernie volunteering to proof read document and coordinate other members to assist with wording and flow.
- CAO workshop on July 9 or 16*
- Staff technical analysis

- Council meeting pre or post-election*

* need report 4 or 5 days in advance of meeting

7) GENERAL / HEAR FROM RESIDENTS

Gill Shine

- Lives in an area of very large trees
- Concerned that there is nothing in the current Interim Tree Bylaw or in the proposed recommendations protecting trees on private property from damage by other people.
    - The only recourse is to pursue legal action.
        - Trespassing is a civil matter.
        - Damage to property is a criminal offence.
- Would like to see this added into the tree bylaw.
- Have protection of trees (tree protection barriers) on properties being redeveloped but not for damage to trees when there is no development.

Next Meeting:
Tuesday, June 26th, 2018, 5:00-6:30 p.m., Main Floor Conference Room - South

8) ADJOURNMENT

Meeting was adjourned at 6:45 p.m.