



## **Environmental Advisory Committee**

### **Minutes**

December 17, 2020, 4:00 p.m.

Via electronic mean

15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

PRESENT: R. Hynes, Chairperson  
S. Crozier, Vice-Chairperson  
P. Byer  
J. Lawrence  
D. Riley  
I. Lessner  
Greg Newman

ABSENT: W. Boyd

COUNCIL: Councillor E. Johanson, Council Representative (Non-voting)

STAFF: J. Gordon, Director of Engineering and Municipal Operations  
G. Newman, Manger of Planning  
A. Claffey, Arboricultural Technician  
D. Johnstone, Committee Clerk  
C. Richards, Committee Clerk

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#### **1. CALL TO ORDER**

The Chairperson called the meeting to order 4:04 p.m.

#### **2. ADOPTION OF AGENDA**

**2020-EAC-038:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee adopt the agenda for December 17, 2020 as circulated.

## **Motion CARRIED**

### **3. ADOPTION OF MINUTES**

**2020-EAC-039:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee amends the December 8, 2020 meeting minutes as follows:

- Recommendation on page 6 to be amended to read "THAT the Environmental Advisory Committee recommends that the minimum size for the definition of a "protected tree" in Bylaw 1831 be reduced to a trunk diameter at breast height (DBH) of at least 20cm or less"
- At the bottom of page 8 the last bullet changed to "Rather than only identifying that business licenses be revoked, it was suggested that the recommendation be amended to state that licenses could be suspended ~~and/or~~ revoked";

AND THAT the minutes be adopted as amended.

## **Motion CARRIED**

### **4. TREE MANAGEMENT BYLAW 1831 AND TREE MANAGEMENT ON CITY LANDS POLICY 611**

The Committee continued their discussion on this item, providing comments on potential recommendations (*noted in italics*). The following comments were provided:

*R13. The EAC recommends that Bylaw 1831 be revised to add a Type 4 Permit entailing reduced fees, documentation and/or replacement tree requirements. Qualifying activities would include works resulting in harm to a protected tree that is causing serious demonstrable damage, or risk thereof, to an existing building or infrastructure, in circumstances where the damage cannot be remedied or averted by other reasonable means. Works authorized under such a permit would normally be limited to pruning of structural branches or roots, would not normally extend to the removal of a protected tree, and would not include works to satisfy purely personal preferences or to facilitate additions or modifications to existing buildings or infrastructure (e.g. landscaping esthetics, driveway expansion or diversion).*

- A Type 4 permit was suggested by staff in an effort to work towards compliance.

- The Committee discussed the overall intent of the permit. It was noted that the circumstances around this need to be clear to the public.
- It was suggested that staff would be responsible for developing criteria around this type of permit.
- It was debated if the Committee should move forward with this recommendation and if it provides what the Committee is intending.
- Wording changes were suggested as follows:

*The EAC recommends that Bylaw 1831 be revised to add a Type 4 Permit entailing reduced fees, documentation and/or replacement tree requirements. Qualifying activities would include works resulting in harm to a protected tree that is causing serious demonstrable damage, or risk thereof, to an existing building or infrastructure, in circumstances where the damage cannot be remedied or averted by other reasonable means. Works authorized under such a permit would normally be limited to pruning of ~~structural~~ branches or roots, would not normally extend to the removal of a protected tree, and would not include works ~~to satisfy purely personal preferences or to facilitate additions or modifications to existing buildings or infrastructure (e.g. landscaping esthetics, driveway expansion or diversion)~~ for which a type 1, type 2 or type 3 permit would otherwise be required.*

**Action Item:** R13 to be discussed further at the next meeting to allow members to have extra time for consideration.

*R14. Bylaw 1831 be amended to permit the utilization of tree replacement security and deposit revenues for a range of activities to enhance and protect the City's tree canopy, including: the planting of trees on City lands, care and maintenance of trees on City lands, programs to encourage and support the planting of additional trees on private lands, and public education on the importance of enhancing and protecting trees and the tree canopy.*

- Concerns were noted on how these funds would be monitored, if they are achieving the goals set out and if they are being used effectively. It was suggested that the monitoring of this fund could be addressed through another recommendation.

**2020-EAC-040:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee recommends that Bylaw 1831 be amended to permit the utilization of tree replacement security and deposit

revenues for a range of activities to enhance and protect the City's tree canopy, including: the planting of trees on City lands, care and maintenance of trees on City lands, programs to encourage and support the planting of additional trees on private lands, and public education on the importance of enhancing and protecting trees and the tree canopy.

**Motion CARRIED**

*R15. The EAC recommends that Council direct staff to review and improve, ~~in consultation with the EAC,~~ the methods by which citizens and property owners are informed of the importance of tree preservation and the requirements of Policy 611 and Bylaw 1831, including the use of new tools for dissemination and for residents to notify the City when they believe that Bylaw 1831 or Policy 611 are being contravened.*

- A few suggestions were made to the wording for this proposal.

**2020-EAC-041: It was MOVED and SECONDED**

THAT the Environmental Advisory Committee recommends that Council direct staff to review and improve the methods by which citizens and property owners are informed of the importance of tree preservation and the requirements of Policy 611 and Bylaw 1831, including the use of new tools for dissemination and for residents to notify the City when they believe that Bylaw 1831 or Policy 611 are being contravened.

**Motion CARRIED**

*R16. The EAC recommends that:*

*(a) The Policy 510 provisions regarding notice to adjacent property owners (para. 3) and applicant appeals (para. 6) be spelled out in Bylaw 1831 and extended to Type 3 (as well as Type 2) applications.*

*(b) The annual Tree Canopy Report to Council (see R2c) include statistics regarding tree permit applications (of all Types) received and approved or refused plus analysis of the consequent trends and implications for the effectiveness of the City's tree protection and canvas preservation and enhancement efforts.*

- The Committee discussed if notification should be broadened to note all types of tree permit applications for removal of trees on private lands.

- Staff noted that they would be able to work with the recommendation as written, and could identify the best vehicle to have this in how it is administrated.

**2020-EAC-042:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee recommends that:

- (a) The Policy 510 provisions regarding notice to adjacent property owners (para. 3) and applicant appeals (para. 6) be spelled out in Bylaw 1831 and extended to Type 3 (as well as Type 2) applications.
- (b) The annual Tree Canopy Report to Council (see R2c) include statistics regarding tree permit applications (of all types) received and approved or refused plus analysis of the consequent trends and implications for the effectiveness of the City's tree protection and canvas preservation and enhancement efforts.

**Motion CARRIED**

*R16b. The EAC recommends that Policy 611, Bylaw 1831 and the Planning Procedures Bylaw be reviewed and revised as necessary to ensure that notice of, and an opportunity to comment on, any application or proposal to remove a City tree for any reason is provided to property owners within 100 metres of the affected tree at least 14 days in advance of a decision.*

- A suggestion was made on the wording of this proposal.

**2020-EAC-043:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee recommends that:

- (a) City requirements for a business license as an arborist and the definition of arborist in Bylaw 1831 be amended to provide that International Society of Arboriculture (ISA) certification is the sole and exclusive credential required for receipt of a licence.
- (b) Procedures in Bylaw 1831 and Policy 611 be amended to require that City Arborists visit and inspect all sites under consideration before a tree permit is approved. The above narrative and R17 (a and b) have been fine-tuned to reflect EAC discussion and agreement at its October meeting.
- (c) Bylaw 1831 be revised to only allow City staff or agents to remove or plant trees on City lands.

**Motion CARRIED**

*R17. The EAC recommends that*

*(a) City requirements for a business license as an arborist and the definition of arborist in Bylaw 1831 be amended to provide that International Society of Arboriculture (ISA) certification is the sole and exclusive credential for receipt of a licence.*

*(b) Procedures in Bylaw 1831 and Policy 611 be amended to require that City Arborists visit and inspect all sites under consideration before a tree permit is approved. The above narrative and R17 (a and b) have been fine-tuned to reflect EAC discussion and agreement at its October meeting.*

*(c) Bylaw 1831 and Policy 611 be revised to only allow City staff or agents to plant trees on City lands.*

- It was debated if item (c) is required. Staff clarified that this is an important part of the recommendation and it should be included. It was suggested that Policy 611 already has wording in to this effect so it may be clearer to only note Bylaw 1831.
- A wording amendment was suggested to clarify that credentials be "required" for receipt of a license.

**2020-EAC-044:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee recommends that:

(a) City requirements for a business license as an arborist and the definition of arborist in Bylaw 1831 be amended to provide that International Society of Arboriculture (ISA) certification is the sole and exclusive credential required for receipt of a licence.

(b) Procedures in Bylaw 1831 and Policy 611 be amended to require that City Arborists visit and inspect all sites under consideration before a tree permit is approved. The above narrative and R17(a and b) have been fine-tuned to reflect EAC discussion and agreement at its October meeting.

(c) Bylaw 1831 be revised to only allow City staff or agents to remove or plant trees on City lands.

**Motion CARRIED**

*R18. The EAC recommends that:*

*(a) Bylaw 1831 be amended to establish:*

*(i) explicit criteria for approval of Type 2 and Type 3 tree management permits taking into account the provisions of Policy 510 and best practices in other jurisdictions including City of Vancouver.*

*(ii) appropriate criteria to govern decisions by City officials regarding the management of trees on City land.*

*(b) Existing City policies, including 510 and 611, be revised to bring them into line with any bylaw amendments introduced pursuant to R18 (a) ~~and (b) above~~.*

- No Changes.

**2020-EAC-045:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee recommends that:

*(a) Bylaw 1831 be amended to establish:*

*(i) explicit criteria for approval of Type 2 and Type 3 tree management permits taking into account the provisions of Policy 510 and best practices in other jurisdictions including City of Vancouver.*

*(ii) appropriate criteria to govern decisions by City officials regarding the management of trees on City land.*

*(b) Existing City policies, including 510 and 611, be revised to bring them into line with any bylaw amendments introduced pursuant to R18 (a).*

**Motion CARRIED**

*R19. The EAC recommends that*

*(a) The provisions Policy 510 and Planning Procedures Bylaw 2234 provisions establishing a right of appeal against negative decisions on private tree permit applications also be incorporated into Bylaw 1831.*

*(b) Planning Procedures Bylaw 2234 be amended to require that all reports and recommendations placed before Council regarding planning and development on private lands include a written statement of implications for tree protection and canopy enhancement. This requirement should apply whether or not a given matter is accompanied by a Type 3 tree permit application.*

*(c) Policy 611 be revised to prescribe that:*

*(i) All reports and recommendations presented to Council regarding works to be conducted on City lands include a section describing any implications for tree protection and canopy enhancement.*

*(ii) Council be informed at least 14 days in advance of the proposed removal of any tree located on city lands that is 6 cm. in diameter or larger.*

*(iii) Any member of Council objecting to measures arising under subparagraphs (i) and (ii) may request a Council discussion and decision on the matter.*

*(d) Council conduct, on at least an annual basis, a public discussion of a Tree Canopy Report prepared by staff and including: statistics regarding tree permit applications (of all Types) received and approved or refused; actions taken by City officials in the management of trees on City lands; and analysis of the consequent trends and implications for the effectiveness of the City's tree protection and canopy preservation and enhancement efforts.*

- It was clarified that public discussion as noted in item (b) would refer to discussion through an open (regular) Council meeting. The intention would be that a section within each Corporate Report addresses potential effects on trees.
- For item c (ii) the Committee debated if the removal of any tree should require Council approval. While oversight is important, it was also suggested this could make decisions political.
- City trees are the property of the City and therefore the residents. It was suggested that Council should have a responsibility in the decision-making process.
- Staff noted that the way the recommendation is currently written provides Council with the opportunity to raise concerns and provide feedback as necessary. It was further suggested that Council's role is in the governance of policies and Bylaws, whereas these requests may be viewed more as operational.
- Staff is currently working on language to be included in planning reports which would exclusively discuss trees/ impact on trees/ removal etc. This would help Council identify potential impacts.
- Within this recommendation it was suggested that the Committee could address the monitoring of the tree funds and securities (as noted in R14).



- Wording amendments were suggested - rather than staff report the recommendation should reference the term "Corporate Report".

**Action Item:** The Committee suggested that they need to re-work this proposal (R19) and to come back and discuss it further at the next scheduled meeting.

P. Byer, Committee member, put forward a proposal to be discussed at the next meeting:

*THAT Council directs staff to investigate and report to Council on means, legal and otherwise, to prevent the removal of or interference with trees, and to facilitate the planting of trees, by the City and Burlington Northern Santa Fe (BNSF) on BNSF lands.*

It was noted that this proposal could be added to recommendation R2 as an additional item (item d).

## **5. OTHER BUSINESS**

No items.

## **6. INFORMATION**

The following item was received for information:

### **6.1 COMMITTEE ACTION TRACKING**

## **7. 2021 MEETING SCHEDULE**

The following meeting schedule was approved by the Committee at the November 19, 2020 meeting and is provided for information:

- January 7;
- January 21;
- February 4;
- February 18;
- March 4; and
- March 18.

8. **CONCLUSION OF THE DECEMBER 17, 2020 ENVIRONMENTAL ADVISORY  
COMMITTEE MEETING**

The meeting was concluded at 5:57 p.m.

A handwritten signature in black ink, appearing to read "Debbie Johnstone". The signature is written in a cursive, flowing style.

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Ross Hynes, Chairperson

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Debbie Johnstone, Committee  
Clerk