



General Purposes Committee

Date: Monday, April 3rd, 2006
Place: Anderson Room
Richmond City Hall
Present: Mayor Malcolm D. Brodie, Chair
Councillor Linda Barnes
Councillor Cynthia Chen
Councillor Derek Dang (4:18 p.m.)
Councillor Evelina Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Rob Howard
Councillor Bill McNulty
Councillor Harold Steves (5:06 p.m.)
Call to Order: The Chair called the meeting to order at 4:00 p.m.

It was moved and seconded

That the following matters be added to the agenda as additional items:

- (1) *Oval Advisory Committees; and*
- (2) *Youth Gambling.*

CARRIED

MINUTES

1. It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on Monday, March 20th, 2006, be adopted as circulated.

CARRIED

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DELEGATION

2. *Allen Domaas, PPM, President and CEO, Fraser River Port Authority, to provide a briefing on the Authority's activities and vision for the future.*

(File No.: 0140-20-FRHA1) (REDMS No. 1748616)

Ms. Helen Sparkes, municipal representative to the Fraser River Port Authority, spoke briefly about issues currently being addressed by the Authority, including short sea shipping and dredging. She then introduced Capt. Allen Domaas, President and CEO.

Capt. Domaas then gave a PowerPoint presentation on how the Port Authority managed the Fraser River with regard to capital and maintenance dredging. A copy of the presentation is on file in the City Clerk's Office.

At the conclusion of the presentation, reference was made briefly to the upcoming tour of the Fraser River on May 16th, 2006.

(Cllr. Dang entered the meeting – 4:18 p.m.)

Discussion then took place among Committee members and the delegation on:

- dredging and when this issue might be resolved; the recognition of the Federal Government to the concerns of the Port Authority about the need for dredging of the Fraser River
- flood protection and managing the Fraser River shipping channel, and the need to involve private sector river operators and insurance companies
- the BC Port Competitiveness Program and whether this program was available
- how the capacity of the Port would be increased
- the status of the 'debris trap' issue, and the availability of funding for this program
- the amount of funding being provided to the Canadian east coast for ice breaking in comparison to the amount of funds spent on West Coast ports
- whether the Port Authority could be impacted negatively as a result of increased residential development along local waterfronts; the GVRD Liveable Region Strategy and the fact that this document did not deal with the transportation of goods on the water

(Cllr. Chen left the meeting at 4:28 p.m., and returned at 4:29 p.m., during the above discussion.)

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During the discussion, the importance of having municipalities keep their waterfront properties available for future industry and shipping uses. The comment was made that if these places were not available, then road systems would have to be relied upon to provide access. A comment was also made that one of the challenges faced by the Port Authority was road access, and a question was raised about whether the proposed extension of Blundell Road to Highway 99 and improvements to the Steveston Highway/Highway 99 Interchange and the George Massey Tunnel would be critical to the Port Authority and the movement of goods.

In concluding the discussion, the Chair thanked the delegation for their presentation, and they then left the table.

It was moved and seconded

That the order of the agenda be varied to deal with Item No. 4 – Richmond Fire-Rescue – Code of Conduct, at this time.

CARRIED

CORPORATE SERVICES DEPARTMENT

4. **RICHMOND FIRE RESCUE – CODE OF CONDUCT**

(Oral Report) (File No.: 5140-00)

The General Manager, Corporate Services, Mike Kirk, accompanied by Fire Chief Jim Hancock, advised that interviews had commenced with eight proponents regarding the undertaking of an independent review of the Fire-Rescue Department. He stated that a report would be submitted to Council on this matter by the end of May, 2006.

Chief Hancock then reviewed the action plan which had been put into place, advising that a copy of the Code of Conduct would be mailed to every employee of the Fire-Rescue Department. As well, he stated that a bulletin had been issued (with a copy of the Code of Conduct attached) to every fire hall and remote station; that copies of the Code of Conduct had been provided to the Union executive, and that shift meetings would soon be held to review the Code of Conduct and to provide information on the types of behaviour which would be acceptable or unacceptable. Chief Hancock further advised that he and the Deputy Chiefs would be visiting each of the fire halls to reinforce the importance of the document and to make it clear that any breach of the Code would not be tolerated and that the consequences would be discipline and possible suspension and/or dismissal.

Discussion then took place among Committee members and staff on the Code of Conduct, during which, in response to questions, the following information was provided:

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- the Union would most likely review any discipline handed out in the event that a breach of the Code of Conduct occurred, however, the Union executive had voiced its support for the Code
- the Code of Conduct prepared for the Fire-Rescue Department employees did not apply to other City employees; the Code had been prepared in response to the issues which had arisen; City employees were guided by the customer service principles which had been adopted by the City a number of years ago, as well as a mission statement
- although the Code did not contain specific reference to harassment, the City's Harassment Policy would deal with any issues which arose which dealt with harassment; the Code of Conduct was an addition to the Harassment Policy
- the Union was not involved in the preparation of the Code of Conduct; the City had a positive relationship with the Firefighters Union and would not jeopardize that relationship; it was within management's rights to determine what would be addressed in the Code of Conduct
- the websites of a number of other fire departments which had implemented Codes of Conduct were reviewed, as well as contacting different departments directly and obtaining copies of various Codes, including the Canadian Association of Fire Chiefs and the Canadian Association of Firefighters; because not all organizations had codes, staff also reviewed codes prepared in the private sector and extracted certain wording; the Richmond Fire-Rescue Code now being reviewed was created from all of the documents reviewed by management
- with reference to implementation and enforcement, if a breach of the Code should occur, the Fire-Rescue Department was committed to disciplining the person who breached the Code; management had the right to discipline and the Union had the option to grieve the action of the Department; if the Code was breached, discipline would be the result; the Department has insisted that every member of the Department would abide by the Code
- the pending external review of the Fire-Rescue Department existing policies and practices would be given the opportunity to comment on the Code of Conduct as part of the review
- the initial introduction of the Code of Conduct to Fire-Rescue Department employees could be formal, however, the follow-up visits to the individual fire halls would be more informal with conversational discussions on how issues might be dealt with; the value of the document and its importance would be stressed as much as possible during these meetings
- an update on the effectiveness of the Code and a number of other fire hall initiatives would be provided to Council in the future

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- City Council did not have a Code of Conduct in place.

(Cllr. Steves entered the meeting at 5:06 p.m., during the above discussion.)

During the discussion, concern was expressed that the Code was not sufficiently explicit about what was to be expected of the Fire-Rescue Department employees. Also addressed was whether the Code of Conduct would fit within the Department's firefighter community. Comments were also made during the discussion that the strength of the Code was in its simplicity and a brief discussion ensued on whether there were statements missing from the Code. Advice was given that staff had endeavoured to make the Code simple but powerful, and that when the informal discussions took place at each of fire halls, the Chief and Deputy Chiefs would be providing specific examples of acceptable and unacceptable behaviour in relation to each principle contained the Code.

It was moved and seconded

- (1) *That the Code of Conduct (as outlined in the proposal dated April 3, 2006), be approved for implementation; and*
- (2) *That current and future members of the Richmond Fire-Rescue Department be expected to agree to the terms of the Code of Conduct.*

CARRIED

It was moved and seconded

That staff prepare a formal Code of Conduct , to be inclusive of City Council and all employees of the City, and further, that staff prepare a discussion paper to address existing policies on harassment.

The question on the motion was not called, discussion took place about whether one code of conduct should be written for all employees of the City rather than having two different codes. Also discussed was the City's harassment policy and whether the City should have a policy against hazing and demoralizing pranks.

The question on the motion was then called, and it was **CARRIED**.

It was moved and seconded

That staff prepare a discussion document on a Conflict of Interest policy relating to City employees and how it would apply to City employees.

CARRIED

The Chair then called for delegations on other agenda items, and the following individuals came forward to speak to Item No. 7 – Tree Protection Bylaw.

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Mr. Joe Oeser, 12004 No. 2 Road, circulated a revised submission to Committee, and a copy of his presentation is attached as Schedule A and forms part of these minutes. In concluding his presentation, Mr. Oeser questioned how many tree removal permits had been refused by City staff since the adoption of the interim bylaw. Information was provided in response that three applications had been denied, and that for every application received, at least ten inquiries had been received, and that the applicants of permits which would most likely be refused by City staff would be advised not to apply. Also addressed was the requirement for a title search for each application,

Sherry McBryan, of 11620 No. 2 Road, addressed the Committee regarding the Tree Protection Bylaw. A copy of her submission is attached as Schedule B and forms part of these minutes. Ms. McBryan also read aloud an email which she had forwarded to Cllr. McNulty about developers being made responsible for tree protection. A brief discussion then ensued on the minimum size of tree which could be cut down.

Charlotte Morrow, of 6400 Riverdale Drive, expressed concern about those homeowners who had planted rows of trees as hedging and which had grown to such heights that these hedges blocked the sun for adjacent property owners. She stated that her property, along with others in the neighbourhood, were one-quarter acre in size, and that the owners of these properties wanted the proposed bylaw to address the maximum height to which hedge trees would be permitted to grow.

Ms. Morrow also voiced concern about the fact that some homes were being demolished and replaced with new homes with the entire surface of the property being covered in concrete. She stated that new homes should be required to provide room for trees to grow and that the owners should be required to plant trees.

Discussion then ensued on the City's requirements on the maximum amount of permeable surface to be provided on a property, and at what stage of the inspection process, if any, would the amount of permeable/impervious ratio be reviewed. Advice was given during the discussion that typically at the time of final inspection the landscaping would not have been completed and such amenities as outdoor patios not yet installed. In response, a suggestion was made that the new City arborist, when hired, could be made responsible to investigate situations such as this, and that this should be addressed in the tree protection bylaw.

Ron McBryan, 11620 No. 2 Road, addressed Committee regarding the proposed Tree Protection Bylaw, and a copy of his submission is attached as Schedule C and forms part of these minutes.

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In response to Mr. McBryan's concerns about the cost of completing the documentation required as part of the tree removal permit application process, discussion ensued with staff on the documentation which would be required for homeowners with one tree to remove or several. During the discussion, Mr. McBryan voiced concern that the bylaw did not indicate whether a homeowner would be exempt from certain actions and that City staff were required to make that determination.

(Cllr. Barnes left the meeting at 6:05 p.m., during the above discussion.)

Discussion continued on the issue of documentation which was required, during which advice was given that for the 70 permits issued to date for tree removal, additional documentation had not been required.

(Cllr. Barnes returned to the meeting – 6:10 p.m.)

John Massot, 16160 Westminster Highway, spoke to Committee about dead trees and the need to exclude these trees from the bylaw. A copy of his submission is attached as Schedule D and forms part of these minutes.

Discussion then ensued with staff on the issue of whether the tree protection bylaw specifically dealt with dead trees within the definition of trees; and whether a property owner would be allowed to remove such trees. Also addressed was the issue of whether senior citizens would be exempted from paying the required fees.

(Cllr. Sue Halsey-Brandt left the meeting – 6:24 p.m.)

Discussion continued briefly on the question of whether a definition for a dead tree was necessary.

Mr. Stan Gray, 5740 Lancing Road, commented on whether hedges should be exempted from the tree protection bylaw. A copy of his submission is attached as Schedule E and forms part of these minutes.

(Cllr. Sue Halsey-Brandt returned to the meeting – 6:29 p.m.)

Discussion ensued on the issue of hedges, what constituted a 'significant' tree in a hedge, and whether Mr. Gray would be permitted to remove the tree he had referred to in his submission.

(Cllr. Barnes left the meeting at 6:30 p.m., during the above discussion, and did not return.)

(Cllr. McNulty left the meeting at 6:33 p.m., and returned at 6:35 p.m.)

Discussion continued, with staff providing information on how a hedge could be trimmed without the property owner having to obtain a permit. Information was given that the trees in a hedge could be trimmed to maintain their present shape; however, any pruning which impacted the height of the hedge would require a permit.

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In response to further comments, advice was given that if both the owner of the hedge and Mr. Gray agreed that the tree in question was detracting from Mr. Gray's enjoyment of his backyard, City staff would determine if that was a valid reason to remove the tree, as well as considering other options to increase the amount of sunshine into Mr. Gray's property.

Lorne Wise, 5180 Cranbrook Avenue, questioned whether the City had a 'green plan' in place, and he voiced concern that in spite of the tree bylaw, trees still seemed to be disappearing. He also questioned whether, if a property was considered to be part of a development permit application, that property would be excluded from the bylaw.

Discussion ensued on this issue, with advice being given that development permit and rezoning applications were exempt if as part of the process, a landscape and replacement tree plan was in place.

In response, concern was voiced by Mr. Wise that the replacement trees were not the same height as the trees which had been removed, and he suggested that to remove every tree from redevelopment properties was a total lack of foresight. He also expressed the opinion that the penalty for the illegal removal of a tree was not sufficient and should be higher, especially if the same developer continued to ignore the bylaw.

Mr. Wise, in answer to questions, advised that he had a problem with properties being clear cut and the fact that the replacement trees specified in the bylaw were not as tall as the trees which had been removed. He added that the bylaw appeared to target the homeowner who had lived in his home for many years.

Discussion ensued with staff regarding homes being constructed with expanded building envelopes which required the removal of trees and how this could be resolved.

Mr. Doug Louth, 4140 Dallyn Road, expressed his opinions about the proposed bylaw, and a copy of his submission is attached as Schedule F and forms part of these minutes. He also provided members of the Committee with copies of brochures prepared by the City of Vancouver regarding that City's Street Tree Management Program and its Tree Bylaw Summary. Copies of these documents are on file in the City Clerk's Office.

(Cllr. Howard left the meeting - 7:00 p.m.)

Discussion took place among Committee members and Mr. Louth on whether the interim tree protection bylaw currently in place or the proposed bylaw now being considered had the most strength. Also discussed was the question of whether the tree protection bylaw should be abandoned.

(Cllr. Howard returned to the meeting - 7:03 p.m.)

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Further discussion ensued with staff on whether a homeowner was required to plant a replacement tree after removing a tree from their property; and under which circumstances would a homeowner be permitted to remove a tree.

Evelyn Feller, a Richmond resident, spoke in support of the time and money which had been spent by the City to hold public meetings regarding the implementation of a tree bylaw, and indicated that she did not want to start over if the bylaw was abandoned. She added that efforts should be made to save significant trees.

Ms. Feller addressed the hedge height issue, expressing the belief that the bylaw had the ability to protect certain species of trees and stating that the hedge situation should be monitored to ensure that specific trees were not being removed more frequently than other types of trees. She also referred to fruit trees, voicing concern that these trees, some of which could be heritage trees and which had an aesthetic and cultural value, had no protection.

Ms. Feller urged the Committee to proceed with the new bylaw and then to monitor the bylaw over the next year in order to provide statistics on its performance.

Michael Wolfe talked about his vision for the City – a vision with the City covered in trees on private and public lands, and stated that the City could learn from the mistakes and problems of other municipalities. He voiced support for the bylaw, but expressed concern about Section 3.2.1 of the bylaw, and in particular, clauses (a), (c) and (d). He then spoke about these requirements in more detail, noting that dead trees had even more value than when they were alive.

(Cllr. Evelina Halsey-Brandt left the meeting – 7:17 p.m.)

Mr. Wolfe voiced concern about the number of standing dead trees which had been cut down by the City unnecessarily, and stated that the City should review its policy, with more focus being given to protecting coastal trees. He also expressed concern for the removal of trees for the installation of roads and other municipal services, suggesting that this could accelerate global warming.

(Cllr. E. Halsey-Brandt returned to the meeting, and Cllr. Chen left – 7:20 p.m.)

Mr. Wolfe further suggested that any reference to development permits should be deleted from the proposed bylaw, and he provided examples of developments now underway where trees had been totally removed from the properties being redeveloped. He added that if the bylaw was adopted by Council, that different development restrictions should be put into place for the West Cambie area to protect the heritage and significant trees in that area. He stated that the public needed to be educated about trees, and asked that the bylaw be applied to public and private properties.

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(Cllr. Chen re-entered the meeting – 7:22 p.m.)

Discussion then took place among Committee members and staff on:

- the intent of the phrase ‘poses an imminent danger’
- with regard to the West Cambie area, how trees would be protected in that area, especially those significant trees which were located within proposed new roads; and the steps taken by staff to retain as many trees as practical; advice was given that adoption of the proposed bylaw would block a loop hole so that trees could not be removed from a property prior to redevelopment
- the removal of significant trees and whether large trees were being replaced with similar sized trees

Mr. Wolfe then spoke about the removal of dead trees in Environmentally Sensitive Areas (ESA) where there were no power lines close by, and stated that the removal of dead trees from these areas should not be allowed. He suggested that more damage could be done to the characteristic of an ESA by removing a tree as it was difficult to maintain an ESA when trees were cut down and material removed.

Alex Bovey, 10011 Rosedene Crescent expressed his opinions about the proposed bylaw, and a copy of his submission is attached as Schedule G and forms part of these minutes.

It was moved and seconded

That the Order of the Agenda be varied to deal with Item No. 7 at this time.

CARRIED

7. TREE PROTECTION BYLAW

(Report: Mar. 27/06, File No.: 12-8060-20-8057) (REDMS No. 1791944, 1794164, 1781683, 1774114, 1775441, 1783074, 1783122)

It was moved and seconded

(1) That Tree Protection Bylaw No. 8057 be introduced and given first, second and third readings; and

(2) That staff report to Council through Committee six months after implementation on the status of the bylaw.

The question on the motion was not called, as Committee members voiced their support or opposition to the proposed bylaw. Concern was voiced that while adoption of the bylaw would help ensure that the urban forest biodiversity had been maintained, the bylaw did not protect significant trees which comprised part of a hedge.

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However, support was given to the bylaw because the bylaw would (i) allow a homeowner to remove one tree a year without paying a permit fee, (ii) allow neighbouring residents to sit in sunshine; (iii) ensure that the liveability of Richmond was maintained; (iv) not discriminate between homeowners and developers; (v) prevent homeowners from clear cutting their development properties and prevent developers from clear cutting properties which had been consolidated for development.

During the discussion, agreement was expressed to a suggestion made that the bylaw be monitored to ensure that there was a wide representation of trees throughout the City. Also addressed was the question of how the public would be educated about the need for trees. As well, the suggestion was made during discussion that the bylaw should include requirements that utility companies have a tree inspector examine trees before they were removed. Staff were also asked to examine the feasibility of allowing an exemption for seniors as the opinion was expressed that the \$50 permit fee could be a hardship.

Concern was expressed about the need to protect landmark and significant trees, and as a result, the following **amendment** was introduced:

It was moved and seconded

That Tree Protection Bylaw No. 8057 be amended by increasing the minimum diameter breast height (dbh) from 20 centimetres to 50 centimetres.

DEFEATED

OPPOSED: Mayor Brodie
Cllr. Chen
E. Halsey-Brandt
S. Halsey-Brandt
Steves

A motion was introduced to delete section 3.2.1(a) from Bylaw 8057, however there was no seconder.

The question on the main motion was then called, and it was **CARRIED** with Cllr. Howard opposed.

(Cllr. Sue Halsey-Brandt left the meeting – 8:09 p.m.)

COUNCILLOR ROB HOWARD

3. **“GREAT PLACES”**

(Motion: Mar. 30/06, File No.: 7400-01)

Cllr. Howard reviewed his proposal with the Committee.

(Cllr. Sue Halsey-Brandt returned to the meeting – 8:10 p.m.)

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It was moved and seconded

(1) WHEREAS

- (a) Richmond has several major initiatives underway, including the Canada Line, Garden City Lands, and the Oval and its waterfront park and the surrounding neighbourhood;*
- (b) Our Town Centre is experiencing rapid change as a result of these initiatives and a strong provincial economy, which is fueling construction projects; and*
- (c) This provides us with an unprecedented opportunity to shape our streetscapes.*

(2) THEREFORE BE IT RESOLVED

That staff bring forward a discussion paper for a "GREAT PLACES" contest to be held annually in the City.

The question on the motion was not called, as discussion ensued on such issues as (i) whether the proposal was premature; (ii) whether the contest would be an annual event; and (iii) the wording of the proposed resolution.

(Cllr. Dang left the meeting at 8:15 p.m., during the above discussion.)

With reference to the proposed wording, the suggestion was made that clause (a) of Part 1 should be deleted in its entirety, and that in clause (b), the word "Town" should be replaced with the word "City".

(Cllr. Dang returned at 8:19 p.m.)

The question on the motion, amended to (i) delete clause (a) of Part 1 in its entirety, and (ii) in clause (b), substitute the word "Town" with the word "City", was then called, and it was **CARRIED**.

CORPORATE SERVICES DEPARTMENT

4. RICHMOND FIRE RESCUE – CODE OF CONDUCT

(Oral Report) (File No.: 5140-00)

See Page 3 of these minutes for action taken on this matter.

5. APPOINTMENT OF FINANCIAL OFFICER, ACTING FINANCIAL OFFICER AND CHANGE TO THE CITY BANKING RESOLUTION

(Report: Mar. 29/06, File No.: 03-0960-01/2006-Vol 01) (REDMS No. 1795131)

It was moved and seconded

- (1) That Part (1) of resolution (R05/13-15), relating to the appointment of Acting Financial Officers, be rescinded.**

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- (2) *That:*
- (a) *Mr. Andrew Nazareth, General Manager, Finance, be appointed Financial Officer for the purposes of carrying out the statutory duties prescribed in section 149 of the Community Charter;*
 - (b) *Mr. Jerry Chong, Manager, Budgets and Accounting, be appointed as Acting Financial Officer in the absence of Andrew Nazareth; and*
 - (c) *Mr. Jeff Day, General Manager, Engineering and Public Works, be appointed as Acting Financial Officer in the absence of both Andrew Nazareth and Jerry Chong.*
- (3) *That effective April 12, 2005, the banking resolution (R05/12-33), adopted by Council on June 27, 2005, be rescinded, and replaced with the following:*
- 1. *That Mr. Andrew Nazareth (General Manager, Finance), or in his absence, Mr. Jerry Chong (Manager, Budgets and Accounting), or in the absence of both, Ms. Sandra Chai (Supervisor, Treasury Services), or in the absence of all three, Ms. Ivy Wong (Revenue Manager), are authorized on behalf of the City of Richmond ("the City") in all dealings with Scotiabank:*
 - (a) *to negotiate with, deposit with, or transfer to the City's account, all or any cheques and other orders for the payment of money to the City, and to endorse such cheques and orders for the payment of money to the City, either in writing or by rubber stamp;*
 - (b) *to receive a statement of the account of the City, together with all relative vouchers and all unpaid bills to be collected by the City, and all items returned unpaid and charged to the account of the City, and to sign and deliver the form of verification, settlement of balance and release;*
 - (c) *to obtain delivery, under the signed authorization of any two individuals named above, of all or any stocks, bonds and other securities held in safekeeping or otherwise for the account of the City; and*
 - (d) *to give instructions to Scotiabank and its subsidiaries in assisting with the management of the City's investments, as authorized by any one individual named above.*

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2. *That all cheques be signed on behalf of the City by: (i) Mayor Malcolm Brodie, or in his absence the Acting Mayor as determined by Council resolution, and (ii) counter-signed Mr. Andrew Nazareth (General Manager, Finance), or in his absence, Mr. Jerry Chong (Manager, Budgets and Accounting), or in the absence of both, Ms. Sandra Chai (Supervisor, Treasury Services), or in the absence of all three, Ms. Ivy Wong (Revenue Manager), and (iii) instead of signing such cheques manually, use of a mechanical or other device for the purpose of affixing a facsimile of their signatures to such cheques is permitted.*
3. *Scotiabank is authorized to honour, pay and charge to the account of the City, all City cheques bearing a facsimile or facsimiles of the signature of the above-noted persons on the understanding that each cheque will be binding on the City to the same extent as though they had been manually signed; and*
4. *That this resolution:*
 - (a) *remain in force and effect until written notice to the contrary has been given in writing to, and acknowledged in writing by, the Manager of the No. 3 Road Branch of Scotiabank in Richmond; and*
 - (b) *be certified by the Corporate Officer and provided to the Scotiabank, together with specimens of facsimiles of the signatures having authority to sign cheques on behalf of the City.*

CARRIED

PLANNING & DEVELOPMENT DEPARTMENT

6. **USE OF PUBLIC STREETS AND OTHER CITY PROPERTY BYLAW – PERMITTING OF NEWSPAPER DISTRIBUTION BOXES**
(Report: Jan. 16/06, File No.: 12-8060-20-7954) (REDMS No. 1636403, 1621350)
It was moved and seconded
 - (1) *That the Council Policy of 1985 concerning newspaper vending boxes be rescinded, and;*
 - (2) *That “Use of Public Streets and Other City Property Bylaw No. 7954”, be given first, second and third reading.*

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The question on the motion was not called, as discussion ensued among Committee members about allowing the newspaper advertising boxes, and whether a requirement could be made to advise the owners of these boxes that if they were not in compliance by July 1st, that the newspaper boxes belonging to that individual would be removed. The suggestion was also made that the proposed location fee should be \$100 per box.

Questions were raised about the cost of cleaning No. 3 Road, and the comment was made that the location fee should be high enough to cover the deal with the litter problem. A suggestion was made that the fee should be \$500 to \$1,000 per box.

Copies of a recycling bin were circulated to Committee members and the suggestion was made that the installation of recycling bins adjacent to the newspaper advertising boxes to help maintain clean sidewalks.

Discussion continued on the issue of increasing the location fee for newspaper boxes, with staff indicating that the City was not permitted to charge a fee which was too high to justify the City's recovery for administration costs. Further advice was given that the fee must be related to the service being provided; however, the comment was made that it would be possible to factor in the cost of the recycling bins, as well as administrative costs, staffing, etc.

Discussion also took place on the amount charged by other municipalities and organizations (i.e. TransLink), and whether, because the newspaper boxes provided the opportunity for advertising, consideration should be given to charging for third party advertising. Also addressed was the litter on No. 3 Road resulting from discarded newspapers, especially around bus shelters, cleanup costs, and whether the City was collecting sufficient revenue to ensure cleanup.

As a result of the discussion, the following **referral** motion was introduced:

It was moved and seconded

That the report (dated January 16th, 2006, from the Manager, Community Bylaws), regarding Use Of Public Streets And Other City Property Bylaw – Permitting Of Newspaper Distribution Boxes, be referred to staff to:

- *undertake a comparative analysis of the fees to be charged;*
- *examine the possibility of recycling bins and other amenities which could be provided by newspaper advertising box distributors*

Prior to the question on the motion being called, staff were also requested to:

- provide a pro-rated charge for what it is now and what it would be if a recycling bin was installed, and
- report on issues surrounding debris removal, including the frequency of removal.

The question on the motion was then called, and it was **CARRIED**.

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7. **TREE PROTECTION BYLAW**

(Report: Mar. 27/06, File No.: 12-8060-20-8057) (REDMS No. 1791944, 1794164, 1781683, 1774114, 1775441, 1783074, 1783122)

See Page 10 of these minutes for action taken on this matter.

8. **ROLE AND RESPONSIBILITIES OF THE COUNCIL LIAISON TO THE THREE OVAL ADVISORY COMMITTEES**

Councillor Chen referred to the three Oval Advisory Committees, and questioned her responsibilities as the Council Liaison to these committees. Discussion ensued among Committee members on this matter, during which advice was given that a policy was already in place which dictated when Council Liaisons would attend committee meetings.

It was moved and seconded

That staff be requested to bring forward a report which would define the role and responsibilities of the Council Liaison to the three Oval Advisory Committees.

DEFEATED

OPPOSED: Mayor Brodie
Cllr. Dang
E. Halsey-Brandt
S. Halsey-Brandt
Howard
McNulty
Steves

9. **YOUTH GAMBLING**

Councillor McNulty referred to a press release from Richmond Addiction Services (RAS) about an increase in youth gambling and whether the Great Canadian Casino was a reason for the increase, and commented on the number of poker programs which were now aired on television. He asked that staff provide guidance about the preparation of a letter to the Attorney General and to the CRTC about the gambling-related programs which were currently being aired on television and available to youth. A brief discussion ensued, as a result of which, staff were requested to circulate to the Committee, copies of the press release issued by RAS.

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ADJOURNMENT

It was moved and seconded

That the meeting adjourn (8:46 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, April 3rd, 2006.

Mayor Malcolm D. Brodie
Chair

Fran J. Ashton
Executive Assistant, City Clerk's Office

Tree Protection Bylaw for Dummies

(A Practical Guide for Homeowners, Politicians and Professional Engineers)

Based on Bylaw No. 8057 Presented to GPC meeting, April 3rd. 2006.

What to do if you want to remove a tree or two.

You must apply for a permit in writing.

Application must include:

- \$50.00 unless exempted
- Purpose for removal
- Replacement plan
- Address and legal description
- Consent forms from owners and neighbours
- Complete list of removal methods including noise and dust control.

Application may require reports from:

- Professional engineer
- Professional biologist
- Certified arborist
- Geotechnical engineer
- Hydrologist
- Tree manager
- B.C. land surveyor
- Certified tree risk assessor
- Any other report or information the Manager deems necessary.

Take out loan to pay for reports.

Manager may issue permit - he doesn't have to.

So now you have a permit - you think you can cut down your tree.

Stop; put down the chain saw.

- Is your wood disposal system ready?
- Flag or paint the tree to be removed.
- Build protection barriers around all other trees on site
- Check your watch - no cutting between 6:00 pm to 8:00 am
- Cover all ditches and drains
- Fence off the entire area of operations - remember wood chippers can throw bits of wood a long way
- Check permit again to see if it includes the entire fenced area
- Get amendment to permit.

Start chain saw, remove tree and all wood

Report all coincidental damage to the manager and show repairs made.

Take out second mortgage - if you don't already need it yet; you'll need it for the next step.

You are not quite done yet; now it gets really expensive - I think the rest applies only if you remove more than one tree per year but I'm not sure since you submitted a replacement plan with your application.

Go to Schedule "A" to determine size of replacement tree

Find nursery that sells 20 foot tall conifer or 4.5 inch dbh deciduous tree

Dig really big hole in back yard

Hire massive crane to lift tree over house into back yard hole

Back fill hole and figure out what to cable your tree to in order to keep it from blowing over in the next wind storm - don't use other trees - you might damage them

Don't cut the tree back - you may be fined.

Maintain new tree forever, I think, I'm no longer sure.

Or repeat entire above process with new tree whenever you feel inclined to remove a tree.

Declare bankruptcy!

Your tree is now someone else's problem.

Coming soon.... CSI Trees.... brought to you by The City of Richmond

In the updated package I'm giving you today I have included an email to me from Doug Louth in which he accuses me of calling him a dummy. This was not my intent and so I would like to take this opportunity to apologize to him for any misunderstanding. In sending him a copy of my first draft entitled Tree Protection Bylaw for Dummies, the same one I sent to you, I thought he might gain an insight as to why I believe the bylaw is flawed. I guess I was wrong.

I wrote and revised this work several times in response to the confusion at the last General Purposes Committee meeting where people were unclear about what the bylaw actually said. I thought the plain English version, written in point form, from the homeowner's point of view, with a little added humor, would help to make responsibilities clear to all.

Today I would like to point out some of the more ludicrous aspects of the bylaw being brought to you by staff for your approval. Most of them can also be found in the bylaw currently in effect.

Technically every time I drive my truck down my driveway I am subject to a \$10,000.00 fine because my driveway runs between two large trees and I am driving over their roots within the drip line. [section

3.1.3(b)]

Currently my driveway is dirt and gravel and I have no right to pave or concrete it because of section 3.1.3(c).

I can't even carve my initials in my own tree; section 3.1.3(d).

If I want to cut branches from a tree overhanging my yard I first need a letter of consent from my neighbour [section 4.2.1(b)(v)] which I may not be able to obtain and then I need a permit which I may or may not get depending on the manager's mood.

If a car hits my tree and damages it I am liable for the \$10,000.00 fine because it is my tree that has been damaged and the city's recourse is to put my unpaid fine on my taxes. I would then need to sue ICBC, the driver of the car and the car's owner to try to recoup my losses.

In the minutes for the last meeting in response to one of my questions it was stated that the bylaw applies to city lands but not city works crews. Is this so that tolls in lieu of fines could be set up in areas where roads pass close to city owned trees and drivers are actually driving over the tree roots within the drip line?

It is my understanding that on November 14th. 2005 Council allocated a total of \$40,000.00 to develop the interim tree bylaw. On December 12th. another \$96,000.00 was provided for implementation and administration for 6 months. With all the consultants fees and staff time spent on this pilot project hasn't the funding run out yet? Subsequently I have learned that another \$250,000.00 was allocated in the 2006 budget for the year ending Dec. 31st. 2006. This brings the total expenditure on the tree bylaw to \$386,000.00 in a little over one year as I understand it. Under due diligence and best practices, I hope the consulting services contracts for this bylaw included a successful completion clause (adoption by Council of a permanent tree bylaw before payment) without any up front or progress payments since it is becoming increasingly apparent that what was provided was **not what Council asked for**, rather someone else's vision of what a tree bylaw should be.

If a court case ever arose, a judge will look at the intent of a law but the only reference he or she has is the bylaw itself. Judges do not have the benefit of asking City Council what their intent was so you must be clear in the bylaw you approve. If you don't want it to apply to homeowners that must be stated in the bylaw but remember developers and builders are homeowners too. **You cannot have it both ways - at least not with this bylaw.** In insisting that you protect my rights as a homeowner; builders and developers will also have the same rights. Just remember there are many more homeowners than builders and developers.

The current and proposed bylaws rely far too heavily on "professionals" of all sorts. Most trees in the city are not planted by or cared for by professionals but rather ordinary homeowners. As such we also deserve the right to manage our trees as we see fit. If the bylaw is defeated I would like some sort of assurance from council that we will not be facing the same type of punitive bylaw anytime in the near future.

Hi Joe,

As you are well aware, I was the only one speaking in favour at the GPC for a strong tree bylaw for our city.

I disagree with your e-mail and take exception to you calling people like me as dummies for believing in a tree protection bylaw.

Saving our trees within our neighbourhoods with a bylaw is no different from council adopting a "Heritage Designated Tree Bylaw" some time ago.

A precedent-setting bylaw would assure that permits for developing property including those where demolition of existing structures is required, would deal with retaining existing trees. This bylaw would also stop individual property owners from massacring all their trees over a few years.

With an adopted bylaw, the provincial provides the legal authority, under the local government act 708-715, in conjunction with the community charter to levy penalties for unauthorized tree removal. Staff has already confirmed in a report to council that they have the legal authority to draft a tree bylaw.

Do you really know why we should adopt a tree bylaw? Even children can tell you, trees produce oxygen and absorb carbon dioxide. Trees provide vital food and shelter for birds and animals. Trees provide shade from the sun's burning rays. Trees can reduce run off by intercepting, therefore reducing erosion. Remember the North Shore. Trees beautify our homes and parks and improve our quality of life. Trees provide fruits, nuts and flowers for our enjoyment. Even some drugs come from trees. Studies have shown large willows breathe tonnes of water vapours into the air on the hot summer days.

How many times have you driven through our magnificent country and commented on how beautiful the scenery looks, and your camera working overtime. When our province is advertising for the almighty tourist dollars on television and magazines worldwide, they do not show the east side of Vancouver, but a panorama view of our trees and mountains.

Therefore, to protect trees on residential and commercial properties we need a bylaw that will save us from the chainsaws. Council try education and it did not work. When the mayor asked another delegate what he would suggest because education did not work, he replied that is what we pay you to do. To come to a meeting not prepared with any solutions tells me that the mayor and councils is on the right track in adopting a tree bylaw.

In closing, I recognized we are on different side of this issue and I do respect your viewpoints. Is development and the preservation of a natural balance in our environment mutually exclusive? **Is there a way to strike a balance? Is there a reason to strike a balance? Of course, there is a reason to strike a balance and I have provided some of those reasons above, but I object to been called a dummy, because I believe in a tree bylaw.** .

Let's debate the issue like adults.

Doug Louth

My name is Sherry McBryan and I spoke as the last meeting.

We have now counted our trees. We have 192 trees that we have planted and cared for, and most are over 20 cm dbh. We have contributed far more than our share of trees in Richmond.

THE HOPE

To save all the trees in Richmond. To do this we must stop all development. No tree can be damaged or cut down. NO MATTER WHAT!

REALITY

The majority of people want development and Richmond has run out of land to develop. The only undeveloped land is the ALR. The people want to save the ALR so the only other option is to densify therefore large houses on smaller lots, condos etc.

THE LOSERS ARE THE TREES IN OUR NEIGHBOURHOODS

Council wants to solve this by spending 250,000 dollars of our tax money per year, on enforcing a tree protection bylaw. The bylaw only applies to trees with a DBH of 20cm. Most trees in neighbourhoods are under 20cm at DBH, therefore can be cut down before they reach 20cm DBH so the owners don't have to plant a replacement tree on their land or on city land, or they may be stuck with the tree for ever if the City manager refuses a permit. Replacement trees do not have to be planted in **our** neighbourhood.

THE RESULT LESS TREES IN RICHMOND AND FEWER BIG TREES!

To keep Richmond treed using the bylaw; we must rely on developers and homeowners with trees over 20cm DBH using the replacement plan:

Builders: replace 2 trees for every 1 tree they remove or less if the City manager agrees.

Homeowner: replace 1 tree for every 1 tree they remove or less if the City manger agrees.

NOTE THAT REPLACEMENT TREES DO NOT HAVE TO BE PLANTED IN THE SAME NEIGHBOURHOOD.

The \$250,000 has been spent on tree police and administration.

THE OTHER SOLUTION (No consulting fees. Free from the residents of Richmond)

If this bylaw is defeated the \$250,000 will go back to general revenue. NO MONEY FOR TREES. As suggested by many Richmond residents use the \$250,000 per year to plant trees, not tree police and administrators. Maybe have developers pay a percent of the development permit towards a tree fund. As they already must plant one more replacement tree than the homeowner. The City could use the \$250,000 to buy, plant and care for trees in our neighbourhoods on boulevards, in local parks, school yards etc. Some money could be used to subsidize homeowners to plant trees on private land.

Maybe a \$10, \$20 coupon off the price of a tree bought in Richmond. The city already subsidizes a trip to the landfill for homeowners once a year. With no bylaw homeowners and multi family complexes would not cut down trees before they reach 20cm DBH. We would have more large trees.

As of Dec.31, 2006 the city will have allotted \$386,000 creating and enforcing the Tree Protection Bylaw. In 2007 there will be another \$250,000 or more and so on.

Tree Bylaws have not been that successful in other Cities e.g.:Surrey keeps wasting more money revising their bylaw because trees keep coming down.

BE SMARTER THAN ANY OTHER CITY, THE END RESULT WILL BE MORE TREES IN RICHMOND, INCLUDING LARGE ONES.

IF THIS BYLAW IS PASSED WE WILL HAVE TO CUT DOWN OUR TREES BEFORE THEY REACH 20CM DBH IN ORDER TO HAVE TOTAL CONTROLL OVER OUR TREES

My name is Ron McBryan and I live at 11620 No.2 Road. I recently wrote to the Mayor and Council with concerns about the number of expensive professional reports and services that an individual could be asked to produce along with their \$50 application fee. I also had a question about potential diminished property values for land affected by this bylaw. I would like to thank the Mayor for his prompt response saying that John Irving would reply addressing my concerns. John Irving did also reply quickly, but he only said that all the professional reports and services which could cost several thousands of dollars to produce would only be required in a development situation. The bylaw does not say that a homeowner who was not developing their land was exempt from producing these costly reports. John Irving did not make any comment about reduced property values. A lot which has a significant tree or in my case 192 potentially significant trees on it, would be worth substantially less than an identical lot that had no trees on it.

Does the city intend to compensate anyone that this bylaw puts in this position? I could not change the use of my land to put in a vegetable garden or horse riding ring if the city refused to grant me a permit. Shouldn't I be compensated for restricted use and enjoyment of any land, when my neighbour with no trees has unrestricted use and enjoyment of their land?

I have noticed a large sequoia on a single family lot on Williams Rd, east of Shell Rd. This area has many lots redeveloped into smaller lot sizes. Considering that a building lot in this area is worth several hundred thousands of dollars I doubt a developer would think twice about ignoring the bylaw if the City refused a permit, and pay the \$10,000 fine as part of the cost of doing business.

This bylaw will likely have little, if any effect on developers and we must have redevelopment of residential land if the City hopes to meet the demand for new building lots without removing land from the ALR. Because of this the only people adversely affected by this bylaw are homeowners who are not redeveloping their land and just want to manage their trees without bureaucratic interference.

This bylaw will not save trees!

But it will incur hardship for landowners with trees and could cost the city many dollars in legal costs and court awards.

Vote against this bylaw!

JOHN MASSOT
16160 Westminster Hwy
Richmond, B.C. Canada V6V 1A8
Phone: (604) 273-5012

April 3, 2006

SCHEDULE D TO THE MINUTES OF
THE GENERAL PURPOSES
COMMITTEE MEETING OF MONDAY,
APRIL 3, 2006.

Your Worship and members of the Richmond City Council

Re: RICHMOND TREE PROTECTION BYLAW

Included herewith is the copy of a document which I gave to the Manager, Building Approvals, Mr. John IRVING, on March 22, 2006.

Your proposed Tree Protection Bylaw No8057 is an improvement over the Tree Protection Bylaw No8014 and, on that basis, I welcome it. However, you have to go to page 7 of the bylaw under PART 4.2. b) (x) C to find out that the tree bylaw is also referring to a "dead tree".

A dead tree should not be part of this bylaw.

With a good definition of a dead tree, there is no need for a tree bylaw to apply to a dead tree. This is an area where the City of Richmond could save many thousand of dollars to both, trees owners and taxpayers.

I therefore proposed that the following be added under section "PART ONE: APPLICATION":

"1.3 This bylaw does not apply to a dead tree. A dead tree is defined as follow:

a) Deciduous tree


A tree which has failed to produce any new leaves during its previous growing season and where twigs have become brittle and completely desicated.

b) Evergreen tree:

A tree which has failed to produce new growth during its previous growing season and where needles or foliage have fallen off and where twigs have become brittle and completely desicated.

I wish that responsible home owners who take good care of their trees could be left out of this restrictive and somewhat punishing bylaw.

Respectfully submitted,


John Massot

One enclosure

March 22, 2006

Re: RICHMOND TREE PROTECTION BYLAW

GOALS & OBJECTIVES:

- To protect existing significant mature trees
- To work toward the creation of an "URBAN FOREST"
- Promote the planting of more trees on public and private properties

PROBLEMS AND FINDINGS OF FACTS:

- Home builders and developers removing mature healthy trees unnecessarily prior to development
- Increasing numbers of mega houses with paved front yards (and sometimes side yards as well) serving as parking lots and no tree(s).
- Private single-family home owners have never been guilty in 99.09% of cases of removing a healthy tree for no serious reason. A costly tree protection bylaw to deal with the 0.01% of potential guilty offenders is unreasonable and unnecessary.
- The irony of the situation in Richmond, bordering on hypocrisy, is that the present developments taking place on the south-east corner of Garden City & Westminster Highway have already removed more mature healthy trees, in a matter of months, than the total of all private home owners would ever remove in 50 years. In a larger scale this will be repeated again -with tree cutting permits- in the presently proposed development of the West Cambie area.

SOLUTIONS TO THE PROBLEMS:

- Implement a tree protection bylaw directed toward:
 - 1) Home builders, developers and public property (Take the Burnaby tree bylaw as an exemple)
 - 2) The protection of the City of Richmond's approved landscape plan(s) of all commercial, industrial and residential developments.
 - 3) Find ways to stop the proliferation of mega houses with no trees and fully paved front yard serving as parking lot.
 - 4) Promote and encourage the planting of more trees.
 - 5) Leave the private home owner out of the costly constraint of a tree bylaw, except in the case of heritage trees.

WHAT OTHER MUNICIPALITIES ARE DOING IN RELATION TO PRIVATE HOME OWNER PROPERTIES:

- New-Westminster - The City of North Vancouver and West Vancouver have no tree bylaw directed at private home owner properties.

(over)

Alan Gray
5740 Lansing Rd.

Response to Tree Bylaw
April 3, 2006

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SCHEDULE E TO THE MINUTES OF
THE GENERAL PURPOSES
COMMITTEE MEETING OF MONDAY,
APRIL 3, 2006.

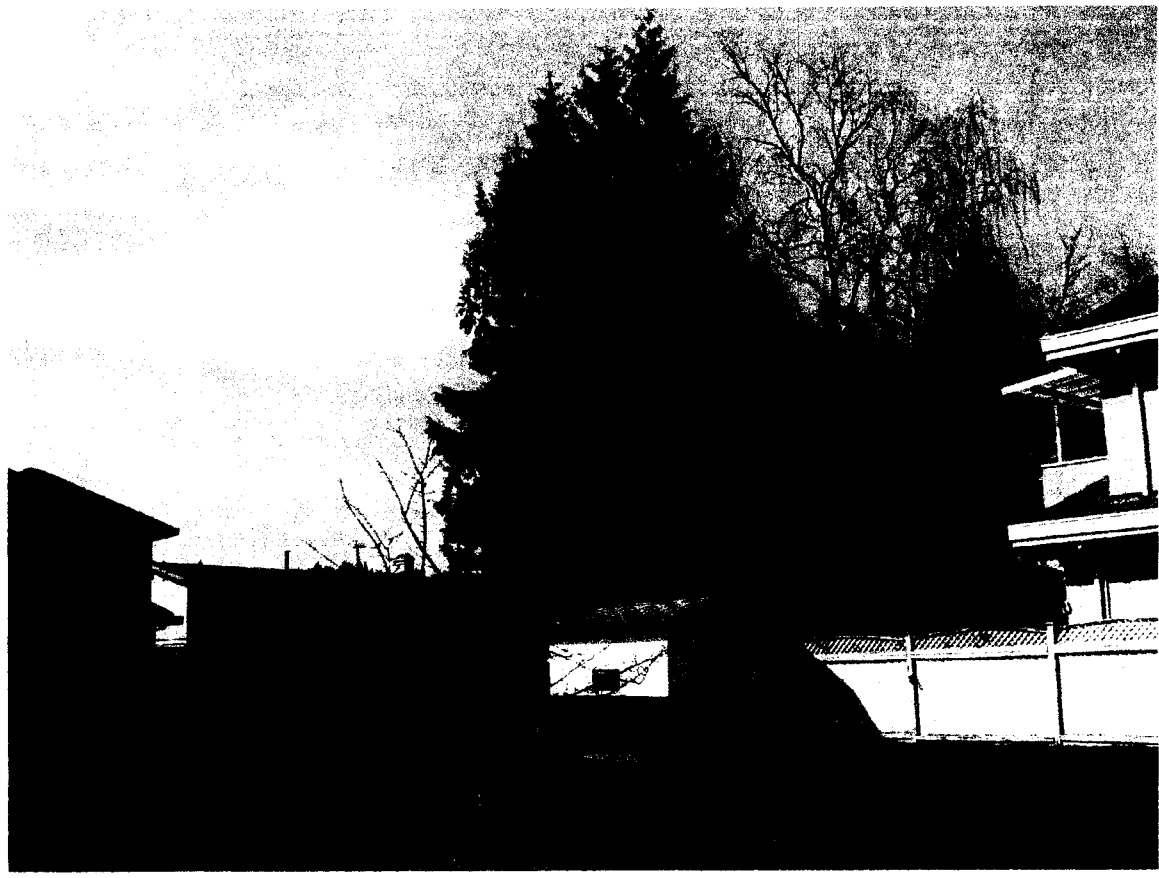
Tree bylaw comments:

Hedges

Staff recommendation that hedges not be exempted from this bylaw makes it more likely that problem hedges will remain as problems for neighbours. That is, the significant trees that make a hedge a problem will be more difficult to eliminate because the hedge owner will have to go through a permit application to remove the significant tree. Even if the owner wants to remove the tree to help out his/her neighbour, the hassle of the permit application will be one more reason not to remove or top the tree, and the problem will continue.

If the vast majority of hedge trees are smaller than 20cm dbh, then why is the city concerned if a few hedges with large trees are topped or cut.

An example of such a hedge is pictured below:



The shadow cast by this hedge shows how it can be a problem for our garden:



If my neighbour considers topping his/her hedge the permit application will be one big reason to dissuade him/her from doing so, and the problem for our yard will remain. This is one example of how irresponsible planting of large trees affects neighbours.

For the above reasons, I disagree with the recommendation that hedges not be exempt.

Fruit and Ornamental Trees

The following apple tree grows in our back yard:



The existing and proposed bylaws prevent me from removing this tree without a permit. Moreover, if I wanted to replace it with another apple tree I would not be able to purchase one 2.5" in diameter dbh, at a local garden shop. Fruit trees have a cycle, and after awhile should be replaced. Why does the city want to burden itself with what is done with this fruit tree?

Similarly, there is a Magnolia tree/bush growing in our front yard, as shown below.



If I wanted to remove this plant to change the appearance of our front yard, I would need to apply for a permit. Again, why does the city want to burden itself with what we may do with our front yard?

I think the city's involvement in what is done with the above two trees to be a colossal waste of city staff time and expense, and disagree that fruit and ornamental trees should not be exempt from the proposed bylaw.

Your worship and committee members. As you are well aware, the last three years I have been striving to seek commitments from the majority on council to adopt a strong tree bylaw.

Today will probably be my very last time on this issue.

During the last election, the majority of sitting members either gave a verbal or written pledge in their campaign speeches or their brochures to have a strong new tree bylaw. I was pleased to see this new council adopt a new intern bylaw with Doberman teeth. But, after the last GPC meeting, I left with my tail between my legs yapping like a chihuahua. So why did the majority of council members send the intern bylaw back to staff with instructions to water it down?

The only reason were a few residents who objected to you interfering on their personal properties and said so at the last meeting. You obviously did not take into any consideration the many Richmond residents who expressed their view points in our local newspapers on the massacring of large trees. In addition, you did not place any weight on the many telephone conversation and written letters you also received on this issue during the past several years. Making tough decisions is not always a popular one.

However, you were elected not only carry out your fiduciary responsibilities, but also enact laws that will keep our city picturesque, and that includes our environment.

I pointed out at the same meeting a few areas where the city already interferes in individual properties rights and charges us. However, I forgot to mention the most important one, personal property taxes. This council increased our tax by 2.9% this year and I would suggest to you, most residents were not happy. Having said that, you had to make a TOUGH decision to increase our taxes in order to operate and manage the affairs of our city. I received an e-mail from a person who spoke at the last GPC meeting, and the only way I could have received his e-mail was from the sign in sheet at your open house. I certainly did not authorized my e-mail to be given to anyone outside of city hall.

In his e-mail he refers to anyone who agrees with the tree protection bylaw 8014 is a dummy. I replied back assuring him that people like me who believe in the protection of trees and our environment were no dummies. I also told him I respect his point of view and asked him if development and the preservation of a natural balance in our environment is mutually exclusive. I also wrote, is there a way to strike a balance? Is there a reason to strike a balance? Of course, there is a reason to strike a balance and I have provided you with those reasons over the years. Mr. Mayor, when you asked the question of a resident, as to why education does not work, and do you have

any solutions, he replied that is your job. If they do not have any solutions, then I believe this council is on the right track in adopting bylaw 8014 and not 8057. Your staff and I have informed this council in the past that you have the legal right under the provincial government act in conjunction with the community charter to bring in such a bylaw. If you accept the new water down proposal before you tonight, then I believe you have let down the majority of citizens in our community.

Eliminating what I considered some of the most important sections, such as, 3.2.2. waiving the \$50.00 permit fee, so a resident can cut one tree

per year without a permit and 4.3.2 and 4.3.3. requiring tree replacement under section 3.2.2 and a \$500.00 maintenance fee is a draconian step backward. Changing the dbh from 10cm to 20cm is striking a balance between those who oppose a bylaw and those who are in favour of one. We all recognized that significant means different things to different people and in the spirit of trying to strike a balance, I think most residents would consider this section to be a compromise. I have gone on long enough, and in closing Mr Mayor, I want to take this time to thank you and the members of council for allowing me the opportunity to present you with many written submissions over the past few

years. My main goal was to try to help you make a decision to adopt a strong tree bylaw for our city. You certainly gave me the opportunity and have earned your respect on such a divisive issue. I apologized for being such a pain, in you know where. My recommendation to this body is not to adopt this bylaw before you today. I recognized a lot of staff time has gone into preparing this bylaw, however, it has no teeth. Having such a bylaw is a waste of your employee's time to administer. Residents will still be able to cut all their trees down under and over 20cm on their properties over a few years. Even if you change the rezoning for homes with

smaller square footage and less asphalt, you have no power to stop the massacre of large trees. They need to go hand in hand. I personally will not be offended if any member votes to kill this bylaw. I have told you in the past, I have a lot of respect for putting yourself on the front line and for making difficult choices. In your position, as administrators of our city, you cannot please everybody all the time and certainly, you will not win many friends. I know some of you can attest to this over the years. So as this dummy signs off with his tail between his legs, I just want to say bow-wow.

Ashton, Fran

From: Alex. Bovey [Alex@Boveys.info]
Sent: Sunday, 2 April 2006 10:39 PM
To: MayorandCouncillors
Subject: Tree Protection Bylaw

Reference:

http://www.richmond.ca/___shared/assets/040306_item713297.pdf

After listening to the comments of the Mayor and Councillors at the March 20th General Purposes Committee meeting, I realized you appear to have only 3 main concerns.

You want to somehow protect "significant" trees.
You have to let go the fact that ALL trees are important.
You might consider that a 75 cm tree MAY be significant.

Secondly, you want to prevent clear cutting for development.
You need to require trees in developments, and then there will be no need to get rid of them. You already require so many other things from developers, so why not trees too? That's where you can get into landscaping and follow up, if need be! Perhaps you can give credits of some sort for the maintenance of mature trees.

Thirdly, you don't want to inconvenience the homeowner.

May I respectfully suggest you scrap the bylaw as it is being proposed and address the problems directly without using a blanket solution?

We all have concerns about the preservation of trees in our city but surely this should not require you to assault the privacy of our property as is proposed. In developing a strategy it seems you need the answers to a few questions, which do not yet appear to have been adequately addressed.

How many trees are we losing?
How many trees are being planted?
How many trees of various sizes are there in Richmond?
Why do people cut down trees that may seem important to others?
Why is it so many homes do not have or want trees?
Why do homes with trees need to be controlled?
What will be the out of pocket costs to the homeowner?
Can we reward stewardship rather than tax and penalize it?

We live in a wet temperate climate where trees grow like weeds. Trees, cedars in particular, are subject to root rot with our high water table and therefore can have a limited life span. Our many flowering trees approach 20-25 cm DBH at the end of their short lives. More reasons to accept that this is the way things are in Richmond without creating more administration.

There are more trees in Richmond now than at any time in its history despite your concerns. This is partly thanks to the city's own efforts as well as that of developers and numerous homeowners but also because it is not all farmland or flooding delta any more. One need only notice this while flying in or out of YVR or look at the aerial photographs - past vs. present.

A concern I have is that if the bylaw is adopted as presently proposed, those of us who like to plant and have trees

will have to consider their removal as they approach permit size in order to maintain control of our landscaping. This in time could defeat a purpose of the bylaw.

Another concern is that the statistics re permits are only for the winter months and do not yet reflect the normal outdoor season.

What statistics you do have would indicate that the vast majority of permits were for large trees even though the DBH threshold was set very low.

The planting of replacement trees is punitive especially if they are to be planted on public property. The city already has a significant planting policy and a nursery to support it for which we are paying taxes.

I realize you said you didn't mean to include hedges, but some may not consider a line of trees to be a hedge. As I pointed out, I have 32 trees along the edge of my property that are greater than 20 cm in diameter at breast height and they are 7-10 meters high. They grow up about 50-70 cm a year. My small lot is only about 470 square meters (about 5,000 sq.ft.) excluding the house but including the driveway. At least 2 of 4 adjacent property owners would have me remove my trees. Despite your concern, the proposed bylaw does not exempt my hedge. My neighbours want more sunlight.

I want more sunlight. One year my neighbours paid to have my trees lowered by almost 3 meters. I want to keep my trees and trim them and yes, from time to time change the canopy effect, remove or replace them. Because my trees are so high I only do major topping every few years.

With this proposed bylaw, I and other working families like mine will be inconvenienced by bureaucracy, subjective interpretation and penalized with permits and professional fees or fines not to mention the increased cost (taxes) of administration.

While we know that Richmond may be considered an affluent community, your actions, contrary to your responsibility to serve us all, are aiding and abetting this at the expense of many Richmond homeowners who may now be property rich but are not so well off cash wise, let alone able to afford to buy their property today.

If after due consideration, you still feel that we must have a Tree Protection bylaw with all the costs that the homeowner must endure, at least set the DBH threshold higher so that it protects larger more significant trees such as 50 cm or more, preferably 75 cm.

Respectfully submitted,

Alex. Bovey
10011 Rosedene Cres.