

Douglas Louth
4140 Dallyn Rd
September 10, 2007

SCHEDULE A TO THE MINUTES OF
THE REGULAR (OPEN) COUNCIL
MEETING HELD ON MONDAY,
SEPTEMBER 10, 2007.

Mr. Mayor and members of council.

Re: Tree protection amendment bylaw 8263

We now had a full year to assess the new tree bylaw and its impact. Since its inception, you received two interim reports with several amendments to improve and strengthen the bylaw. Since the start of the tree protection bylaw, we heard many controversial comments leading up to the final draft by all concerned citizens, politicians and that includes me. I am almost certain you have heard from some homeowners or developers about the restriction it is placing on them. If I am correct, it cannot be many, since it did not come up at the GPC meeting last week.

Initiating any new bylaw has to have advertising and marketing which will eventually get the public behind the regulation to support it. It takes time to persuade people to get on side. Lets not fool our selves; there will always be people who will try to ignore the law. However, this tree protection bylaw is the only way to have homeowners and developers protect trees on private property. While it is not perfect by any means, it is a start.

I have a few concerns about the amendments but I am not suggesting you delay this report by referring it back to staff. It is just house cleaning.

On page two, I think it is a bit misleading to indicate the number of replacement trees of **451** in the **2955** final total. Staff has indicated it is voluntary, and since no one can verify those trees exist, I think the correct figure of **2504**

should be the actual number of trees planted and confirmed by city staff. God knows, I think the figure should be **2955**, but only if staff can confirm those trees exist.

In addition to table 4, page 3; staff should include a more detail account of who is breaking the law. What I mean, is it a single homeowner or a developer. In addition to whether it is a homeowner or developer, they should include a short brief on the negotiations and court decisions. I am not suggesting we put names to this report or future ones.

On page 4, under offences and penalties, we need to increase the fines. This may come over time, but I understand you are limited under the community charter section 263 (1) to go beyond the \$10, 000.00. If this is the case, you should present a report to the provincial government to increase the fines. Since this government is now presenting its self as a climate change government along with the California governor, it makes sense to lobby them with amendments to the charter.

My final concern is that we are too easy on developers when it comes to issuing a demolition permit. Like me, several members on council were concern and tried to address the issue. If left untouched, it could turn into a crisis. We need to be tougher by making sure they are not going to destroy big trees before issuing a permit. Issuing small fines and replanting payments is only part of the answer. They will continue to pay those fines and replanting payments and then pass those expenses on to the new owners. It is a bottom line issue.

The Richmond Review article "Bylaw isn't stopping chainsaw" claims a 94% success rate by property owners who applied for tree removal. That may be so, but you have

to look at the big picture. Under exemptions 3.2.1, there are eight reasons for a permit that is not required and 3.2.2 A permit is required, but no permit fee, to cut one tree per parcel during a twelve month period. We all remember how many trees were massacred before the tree protection bylaw was introduced into law. In some cases, this may be still occurring. On the positive side, we have in place replanting payments, court fines and on site planting, which we never had before. One year is certainly not enough time to pass judgment on this bylaw. As I mentioned earlier, it is only a start, please do your self a favour, and give this bylaw and the people who administer it a chance to prove its worthiness.

The Richmond Review reporter quotes Councillor Evelina Halsey-Brandt as the city being reasonable, and she is right. Remember how necessary it was to compromise to draft this bylaw. Like all new laws, compromising is just part of the politics.

Overall, I am pleased you made the decision to bring in this bylaw and just at the right time. Ultimately, staff will continue to bring forward further amendments based on situations that occur and as they see necessary to strengthen the bylaw.

As the world debates climate changes, you can be proud that you are now in step with most if not all other cities in BC. Someone once told me, you have made inroads into protecting trees and the beginning of influencing homeowners and developers to make them aware that they have to protect trees. I know you will continue to educate the citizens of Richmond and developers, the need for this bylaw.

Let me take a moment and share with you how two companies that planted many new trees on their sites in East Richmond. I counted approximately 194 trees planted between Auto West BMW at Cambie and Shell (Appr.64 trees) and the Sandman hotel on Shellbridge (App.130 trees). Did our staff have a hand in persuading the owners and construction companies to take this unusual step? If so, kudos to them all.

Mr Mayor, as the city representative, and on behalf of council, it would be nice for you to take a minute from your busy schedule and send some kind of merit award or letter to both companies for planting so many trees on their property. Maybe even a photo of you and the owners for the local newspapers. It would certainly go a long way in encouraging others to do the same.

In closing, as I always do. I want to thank this council for allowing me the opportunity to present my thoughts before you.

Thank you