

CORPORATION OF THE CITY OF PORT COQUITLAM

PARKS & RECREATION COMMITTEE

A meeting of the Parks & Recreation Committee was held in the Parks & Recreation Office on July 6, 1992.

In attendance were Alderman Mike Thompson and Alderman Michael Wright.

Also in attendance was Janna Taylor, Parks & Recreation Director, Pat Greer Recording Secretary and Colin Beardmore of the PoCo Tennis Club for item number one only.

Item No. 1 PoCo Tennis Club

Colin Beardmore, of the PoCo Tennis Club, was in attendance. He went over the Club's priority list at this time for Reeve Street Park tennis courts. Their first priority is washrooms, second lights and third is a clubhouse. He advised that the club is a social club and all members of the public are welcome to join.

It was pointed out to Colin that, at this point, the lights for Reeve Street Tennis courts were in Phase III. Colin requested that consideration be given to moving the lights at the tennis courts to a higher priority.

Recommendation:

That the Parks & Recreation Director investigate the cost of having working drawings done for the installation of lights, as well as getting a cost for lighting the tennis courts. A report will be brought back to the Parks & Recreation Committee for discussion.

Carried

Item No. 2 Protection of Trees

The Committee discussed the information attached from the Ministry of Municipal Affairs, Recreation and Housing regarding the protection of trees

Recommendation:

To invite the Director of Planning to a Parks & Recreation Committee meeting to obtain further information on the protection of trees.

Carried

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Item No. 3

PoCo Rec Centre Damage

The Parks & Recreation Director gave a report on the damage that has occurred, this lacrosse season, at the PoCo Rec Centre.

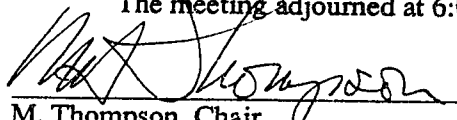
Recommendation:

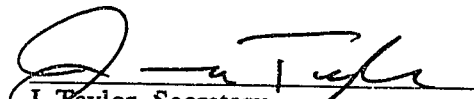
To send an information memo, for the Council agenda, on the damage caused and our change in policy of keeping the Rec Centre doors closed until the lacrosse player's coach has arrived.

Carried

ADJOURNMENT:

The meeting adjourned at 6:00 p.m.


M. Thompson, Chair


J. Taylor, Secretary

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THE CORPORATION OF THE
CITY OF PORT COQUITLAM

MEMORANDUM

TO: Mayor and Aldermen

DATE: June 22, 1992

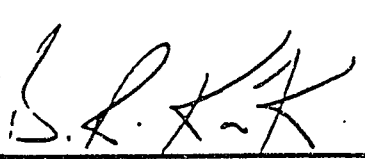
COPY: I. Zahynacz, P.Eng.
~~K.J. Taylor~~
C. Felip
S. Rauh
A. de Boer
R. Criggie

FROM: Bryan R. Kirk
City Administrator


RE: Protection of Trees

Attached is an Information Bulletin from the Ministry of Municipal Affairs, Recreation and Housing concerning the introduction of Bill 77 which would provide municipalities with the authority to protect trees from cutting, removal and damage by various means.

Further information on this issue will be supplied to you as it becomes available.


B.R. Kirk
City Administrator

/dp
Att.

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MINISTRY OF MUNICIPAL AFFAIRS, RECREATION AND HOUSING

*** INFORMATION BULLETIN ***

PROTECTION OF TREES

Bill 77 has now been introduced in the Legislature. This Information Bulletin gives an overview of the Bill's "Protection of Trees" amendment.

The Amendment

The amendment will give to municipalities and the City of Vancouver general bylaw making authority to protect trees from cutting, removal and damage, by various means.

The Bill adds Division (4.1) to Part 28 of the Municipal Act, entitled "Protection of Trees". The Division is incorporated by reference in the Vancouver Charter.

Purpose

Various municipalities and members of the public have requested some local authority to address the impact of tree cutting and removal in their communities.

The amendment is intended to give to those municipalities which choose to use the authority, some ability to control individual or small-scale tree cutting on private land (i.e. in relation to new urban development, or in relation to landmark trees). As different communities have different needs and resources, the new authority is flexible; it allows each municipality to choose a level and type of control that best meets its needs.

This is an "urban tree cutting" amendment; the authority is not intended to be used to regulate forestry practises or "private land logging". As such, the new authority does not apply to land which is classified as "managed forest land" under the Assessment Act or which is located within a licence area under the Forest Act.

Scope

The new Division will grant a general regulatory authority; it is not an authority limited to development permits under Part 29. While the authority may be required to protect trees in areas of new development, it is not intended to prohibit all development.

A municipality will be authorized to make one or more bylaws which apply in all or part of the municipality. A bylaw may be different in relation to different areas; species of trees; classes of trees; sizes of trees and types of "significant" trees. In other words, a municipality could choose to regulate all trees over a certain diameter, or it could regulate only one species of tree, and do either in only one area, or in all areas, of the municipality.

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General Bylaws

A municipality will have authority, by bylaw, to regulate and prohibit the cutting and removal of trees; prohibit the damaging of trees; and regulate activities that may damage trees;

The bylaw may further require the replacement of trees unlawfully cut, damaged or removed; require maintenance of those replacement trees; and require cash or other security to ensure the replacement of trees and maintenance.

The bylaw may also specify circumstances for assessments and inspections, and establish exemptions from the application of a bylaw.

Permits

Permits are the means for regulating the cutting and removal of trees, and the bylaw may establish terms and conditions for such permits including requirements for replacement of trees and requiring plans from permit applicants.

While the bylaw may set a fee for such permits, that fee must not include charges for tree or site assessments or inspections required under the bylaw or permit. Where a municipality directs such an assessment or inspection, it is conducted by the municipality, at its cost.

Significant Trees

In addition to general tree protection authority, municipalities will have authority in relation to "significant trees". Significant trees are those trees which council by bylaw identifies as significant because they are important to the community (i.e. because they have heritage, landmark, or wildlife habitat importance). The bylaw may also require the maintenance of significant trees. Such trees may, with the owner's permission, be marked (i.e. with a plaque).

Hazardous Trees

In addition to protecting trees, municipalities will continue to have authority to require owners or occupiers to trim, remove, or cut trees, as well as hedges, bushes, or shrubs, where those plants are a hazard to people's safety; a serious inconvenience to the public; or likely to damage public property.

Limits on Authority

A bylaw under the new Division will not apply to land if it would have the effect of negating all use and density permitted under the zoning of that land; in other words, the bylaw cannot be used to prevent all uses or development of land.

The exception to that limit is if the municipality provides compensation to the land owner, or provides alternative means for the land to be used for its permitted use or developed to its permitted density. In other words, the community must be prepared to back up its commitment to protecting trees in those extreme cases where that protection severely impinges on a land owner's rights.

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Other than that exception, municipalities will not be required to compensate land owners for a reduction in the value of their property resulting from a tree protection bylaw or permit.

Enforcement

It is intended that municipalities will be able to enforce bylaws under the new Division as "ticketing offenses" under Municipal Act s. 934.1. This will require a regulation of the Lieutenant Governor in Council.

Where a person does not comply with a requirement to replace trees, or to trim, remove or cut hazardous trees and shrubs, councils may serve notice that the person must comply within a specified time, and if they do not, the municipality may take the action at the expense of the person given notice. This authority is virtually identical to the current s. 935, but has now been extended also to replacement of trees.

Existing Authority

As noted, municipalities' existing authority under s. 935 has been incorporated, with slight modifications, in the new Division.

As the authority under s. 978 was limited (i.e. to protecting trees in hazard areas), it has been subsumed in the more general authority of the new Division. For those municipalities which currently have bylaws under s. 978, their bylaws will be treated as if they were made under the new Division.

Regional districts will retain the existing authority of s. 978.

Other authority which municipalities currently have in relation to trees (i.e. "nuisance" trees and shrubs) remains unchanged.

The existing authority of municipal Boards of Variance will be extended to hear "appeals" from bylaws under the new Division, on the basis of "undue hardship".

For further information, contact:

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