

Homeowner asks for logic rather than emotion?

By Brock Weir

Logic must outweigh emotion, according to a local homeowner whose house construction is being held up over uncertainty at Council.

Chris Katsopolous, owner of 33 Longthorpe Court, has been in the midst of a battle brewing between Councillors, himself, and his neighbours about what he feels is the necessity to remove three trees protected by the area's subdivision agreement, in order to provide adequate grading for his new home.

Appearing before Councillors last week, he said he was seeking Council's help in resolving the matter.

The subdivision agreement that all homeowners received stated purchasers were advised the lot was designated a tree protection lot and that existing trees shall not be removed without prior approval of the director of leisure, he told Councillors, noting the prior approval of Town Staff towards the tree removal request, as well as his plan to replace the trees with large new maples. This represents a win-win for all concerned.

My family never wanted to create any animosity with our new neighbours. We were not aware, as was the builder, that these trees would pose such issues. The new subdivision consists of 75 homes with approximately 70 presently occupied. There are about five more to be built or under construction. Our home is right in the centre of the subdivision. It cannot be complete or occupied until the drainage issue is resolved.

His priority in appearing at Council last week was to get Council to approve the original recommendation presented to them earlier in September approving the removal and replanting to make way for grading. Building a swale to keep run-off and ground water away from the home would result in damaged roots for the three trees already in place, according to an arborist's report.

Water can't flow upwards, he said. It can't get to the catch basins that exist today. In order to correct that situation, logic must outweigh emotion. Many neighbours are landscaping and installing swimming pools in the area. Taking [the trees] out later may pose huge issues.

Mr. Katsopolous was joined at Council last week by Vince Peticca of Fernbrook Homes, along with lawyer Stephen Turk. They helped bolster the case to Council on why the trees should be removed. Mr. Peticca, for instance, said it was Fernbrook that applied for the removal of the heritage home on the lot in question, a home whose heritage designation also included surrounding trees. They were granted permission to move the house, but the trees are still in question.

The intent was to build a new house and work around the trees, he said. We did prepare and got approved a site plan that seemed to work. The trees were located by a land surveyor and also given grades by a land surveyor. We worked with those grades but now we have a problem. In implementing the grading plan that has been approved, there will be substantial damage to the tree closest to the house.

For Mr. Turk, time is of the essence in getting things moving along, and not just because the homeowner would like to fully occupy the new building.

Now is the time for action, which is effectively to adopt the original staff recommendation and enter into an agreement whereby the trees would be replaced, he said. The builder is agreeable to a tree replacement plan and that would be worked out with staff. There will be new trees to the satisfaction of Town Staff. We need to move forward with this and for that very reason.