

More information needed on tree protection, say Councillors

By Brock Weir

Another day and another report to come on Aurora's tree protection bylaw.

Council is set to send proposed revisions on tightening up the Town's existing bylaw back to staff for further review, following last week's General Committee level.

The bylaw, which proposed, among other provisions, tougher restrictions on the numbers of trees homeowners can remove from their properties over a twelve month period sparked ? as it tends to do ? heated discussions around Council with some stressing a perceived need for tougher measures and others insisting these measures are addressing a ?problem that doesn't exist.?

?I am not sure why Council is looking for more restrictive bylaws when we refused not that long ago to enforce our own encroachment criteria when we have residents encroaching on Town property,? said Mayor Geoff Dawe. ?We want more restrictive bylaws in one place, but we won't enforce laws that we have in another place. We need to be consistent in how we enforce our own bylaws.?

Mayor Dawe was one of the more vocal critics of the proposed changes last week, citing in particular a proposed change which would have limited homeowners, even on larger lots, to removing two trees per year without a permit. This, he said, didn't make sense for larger property owners who have more trees to contend with.

?I put all the trees in, and there's a lot,? said Mayor Dawe of his own home, which he purchased in 1988 with just one tree on the property. ?What gives this Council the right to tell me I can't take them out? No one has ever explained that to me. I put all the [trees] in and I did a really bad job, by the way. They are too close together and they look like crap. That is why I want to get rid of some trees. I don't need an arborist to tell me it is not in good shape.

?It is a ludicrous discussion. Most people are very responsible and the ones who aren't, like that clown down on Yonge Street who took out how many acres of trees, do you think he came to the Town to ask for a permit? I don't think so. We have spent how much time on this item over the last four years. That is not responsible. I am just trying to bring some sanity to this [discussion] but I don't think I am working.?

His arguments were bolstered by the assertion from Al Downey, Aurora's Director of Parks and Recreation, that his department has issued just 15 tree cutting permits over the last ten years.

?Are we trying to solve a problem that doesn't exist?? Mayor Dawe asked, citing the tree bylaw as being deemed an effective tool in Aurora's recent Urban Forest Study. ?Are we solving a problem we do not have??

Councillor Michael Thompson expressed similar frustrations as Mayor Dawe.

?Has anyone seen that movie Groundhog Day?? he asked. ?This very much reminds me of the circle we did last term. For those that are coming through this for the first time, perhaps you know why it didn't get resolved in the last term. However we finally decide [what the number of trees is], it needs to be applied fairly equally, be it a commercial property or private property, across the board. You have got to figure out what is the right metric and then you have to apply it equally throughout the whole community.?

At the start of the discussions, which dominated the bulk of a nearly three-hour committee meeting, Councillor Gaertner, one of the leading voices around the Council table for tighter restrictions on tree removal, said she had changed her mind on one item since Council last kicked this particular can in the last term. She was on the same page as Mayor Dawe when it came to the number of trees that could be removed on larger lots.

?I may have a small property, someone else might have a large property and we're still restricted to removing the number of trees,? she said. ?It doesn't seem fair. [Determining the number of trees] by lot size seems fair.?

Councillor Jeff Thom said he agreed with this kind of scaling before asking staff how they came to the recommendation of limiting things to two trees across the board. This was a ?made in Aurora? solution that came out of talks with the last Council, said Mr. Downey, noting they previously proposed a metric with a similar sliding scale.

?You mentioned this might be solving a problem that doesn't exist, and that might be true, but right now the current bylaw states that you can remove four trees,? said Councillor Thom. ?If you have a half-acre or a third-acre lot, I suspect most lots of that nature have four trees max. If you wanted to remove all four, fine, it takes two years to remove all the trees and you don't need a permit for that.

?The reason you make it smaller is so if you do have the intent [to clear cut] you'll have to wait longer or you'll have to go to Council to justify why you need to remove the trees. Some might call that restrictive or onerous, some might call that responsible if you want to retain the tree canopy.?