

Tree protection to get a second look at Council

By Brock Weir

Homeowners in Aurora have restrictions on how many trees they can remove from their respective properties, but golf courses do not have to operate under any such constraints ? this, however, could change in the future as Aurora takes another look at its tree protection bylaw.

Council voted to take another stab at coming up with new legislation last week after the previous Council reached a deadlock on just what should and should not be contained in any new bylaws. The decision to take a second look at what's before them came from Councillor Wendy Gaertner who said ?confusion? was the order of the day when Council last tackled potential changes in 2013.

?It has come to Council many times, it has gone to a public planning meeting, and the last time it was at Council it was quite a confusing report,? she said. ?It presented Council with some options?and everyone was clear in what they felt about that, but when it came to voting there was a lot of confusion and, I think, a lot of frustration on Council's part. Council referred it back to staff, but Council did not give staff any direction.?

The motion to renew the discussions was approved unanimously, but while such a review would look into tree removal in a variety of scenarios across Aurora ? whether on residential or business properties ? restrictions on golf courses dominated talks. This was, in part, spurred by a delegation to Council by David LeClaire of the Highland Gate Ratepayers' Association, who spoke out in favour of a review.

His group, he said, was particularly concerned about the golf course exemption as Highland Gate harbours ?hundreds of mature trees? which could be felled when the Highland property is converted into a residential development and planning applications indicate 80 per cent of them could be on the chopping block.

?A tree bylaw that requires all its citizens, individual and corporate, without exception, to be subject to the permit process to ensure proper oversight and protection of our forests and trees will help strike that balance,? said Mr. LeClaire of weighing the protection of woodlots with ?commercial pressures.?

Over the next few months, little can be done on the Highland property when it comes to trees as it is currently subject to a site plan review, but Councillors agreed it was time to take a look at the policies.

?I am comfortable bringing back the tree bylaw even if it is just to have Council vote on whether the existing one is sufficient or not,? said Councillor Michael Thompson. ?I think through the public planning process there are plenty of opportunities to look at the development and work with residents to develop, make recommendations, or ask for changes with respect to landscape, environment, and so forth, and that is the appropriate place to do it. To look at this as a way to stem that development is just not possible.?

Although Councillor Paul Pirri said he didn't find the initial debates over the tree protection bylaw ?overly complicated? the first time around, he said there was no compromise around the table at the time between those who wanted they bylaw ?less severe?and some people wanted it [as] severe as possible.?

?I hope if we do come forward with another tree bylaw that we're open to compromise and coming forward with a solution that works for everyone because, as we saw the last time, when we weren't willing to compromise on the tree bylaw, we didn't get anywhere,? Councillor Pirri added.

With some new faces around the Council table, however, the balance in the debate might tip in one way or another.

?I am looking forward to taking a stab at this as a new Council,? said Councillor Tom Mrakas. ?I don't believe any existing golf courses should be exempt from a tree protection bylaw. Personally, I think they should be held to the same standards [as any

resident] in Town or any other business, so I am in full support of this motion.?

If Highland Gate was still operational as a golf course, it would still be subject to the exemption restricting tree removal, noted Town Solicitor Warren Mar. Since they closed up shop in anticipation of their redevelopment last November, this exemption no longer applies to them and, in Mr. Mar's opinion, they would be limited to the standard rule of cutting down no more than four trees without a permit.