

**Subject:** Tree Bylaw Revisited

**From:** Brian Platts <bplatts@shaw.ca>

**Date:** Sun, 23 Sep 2007 23:03:29 -0700

**To:** "Richard Walton, Mayor" <mayorwalton@dnv.org>, Alan Nixon <anixon@dnv.org>, Janice Harris <jharris@dnv.org>, Lisa Muri <lmuri@dnv.org>, Mike Little <mlittle@dnv.org>, Robin Hicks <rhicks@dnv.org>, Doug MacKay-Dunn <macdunn@uniserve.com>, NVD Council <dnvcouncil@dnv.org>

**CC:** newsroom@nsnews.com, FONVCA <fonvca@fonvca.org>

**"It's déjà vu all over again."**

Mayor & Council:

The proposal to tighten the 'protected tree' standard from 75cm to 40cm in diameter is nothing but a replay of a Staff recommendation from exactly ten years ago. While it was almost passed by Council initially in Nov '97, word got out and the public reaction was strongly opposed and the bylaw was defeated. In my statement to Council at the time, I made the following comment:

*"It is a simple fact that over time trees grow. What were once small trees on a residential lot, often become large unmanageable trees.... This proposed bylaw's massive reduction in the size of a protected tree on private property is an unreasonable and unnecessary infringement on the rights of private property owners."*

Before you consider this tree cutting restriction any further, I hope you are fully aware that with **the current bylaw, trees on 82% of all District land, including environmentally sensitive private land, are already fully protected by a 10cm diameter standard.** This proposal would target trees on the remaining 18%, the non-environmentally sensitive private property.

I think what annoys me most about this proposal is that it uses an environmental cloak to promote an agenda of government over-regulation. If Council truly believes that large trees on private property have a "community value," then the District should take-over all responsibility for those trees. Why should the poor homeowner who has trees 40cm in diameter on his property be forced -- for the community's benefit -- to keep those trees and continually pay the cost of maintenance and yard clean-up? Council has already moved to limit the number of bags of yard trimmings to a maximum of 6 on collection day. Well, filling 6 bags of yard trimmings is quite easy without having large trees on your property!

If, however, the above doesn't make you think twice about supporting this blatant over-regulation of private property rights, consider that for every action there is an opposite and equal reaction. You can be certain that if you tighten the regulation to 40cm, homeowners across the District will most assuredly begin to cut down trees before they grow big enough to be captured by the bylaw and fall under the control of the District arborist. So be careful of unintended consequences!

In closing, large trees on private property offer many challenges and maintenance costs to homeowners. Even large trees deemed "safe" by an arborist can become a hazard to people and property during high winds. For these reasons, homeowners should not have their hands tied by overly stringent bylaws that regulate not only removal, but trimming of trees, thereby preventing citizens from making decisions on what is best for their properties.

Sincerely,

Brian Platts  
604-988-5594