

MayorandCouncillors

From: Evelyn Feller [efeller@interchange.ubc.ca]
Sent: Wednesday, 29 March 2006 10:03 PM
To: MayorandCouncillors
Subject: Tree bylaw

Attachments: March Tree Letter.doc; ATT90946.txt



March Tree Letter.doc (32 KB) ATT90946.txt (64 B)

Dear Malcolm and councillors:

I attended that general purposes meeting and chose not to speak on that occasion because I wanted to get a sense of how other members of the community were feeling. I have given my views on the topic on many occasions. Attached is a copy of the letter I have written to you in response to what transpired at that meeting. Clearly I still feel strongly that passing a strong tree bylaw that applies to all stakeholders in Richmond is critical.

Evelyn Feller

To Mayor Brodie and members of Richmond Council:

Once again I would like to commend council for your efforts in trying to develop a tree bylaw. I have been impressed by the calibre of the staff and consultants that have been working on the issue and felt that a good process of the stakeholders meeting and public consultation was followed. Council members were patient and respectful at the general purposes committee meeting and listened to concerns about the details about the bylaw that bothered the community.

However I believe now is the time to look at the big picture and not get bogged down with details in trying to get the perfect bylaw. Some of you may have difficulties with sections of the bylaw while others may feel the bylaw is too weak. There is always the option of amending sections that have become unreasonable or onerous at a later date. I understand that recently Surrey council was revisiting their bylaw so that it could be strengthened in the face of ongoing tree destruction.

The purpose of this bylaw was to punish blatant offenders and as part of a permitting process property owners might reconsider the decision to remove a tree or replace trees so that there is no net loss of trees. By not exempting private property, council is sending the message that all stakeholders in Richmond, developers, private property owners and the city have a responsibility to protect trees.

The intention of this bylaw was never to be punitive especially to seniors or to enthusiastic homeowners with diseased fruit or ornamental trees. I was dismayed that so many presenters seemed to think the bylaw was so unreasonable and were unable to see the bigger community picture. I believe the bylaw as written allows for judicious and reasonable application of the law through the staff implementing it and that some of these problems can be addressed in the way the law is administered. I can understand seniors who are concerned that they no longer have the agility to prune their trees. But is their only option to clearcut and then spending their time washing concrete or mowing lawns?

Although I think some of the revisions of the bylaw such as allowing individuals to cut down one tree a year, the increase in tree dbh and the elimination of the

replacement requirement seriously weaken the bylaw, I am pragmatic enough to believe that if these make people who have a diseased fruit tree that needs cutting and replacement more accepting of the bylaw, then these amendments are reasonable. However sometimes it is these very diseased trees that have the most glorious blossoms in the spring and still continue producing good crops. The reality is our climate may not be suitable for many stone fruits and we may have to tolerate some level of disease.

It would be interesting to know what happened in Burnaby or Surrey in the years following implementation of their tree bylaw. Was there also an initial uproar about similar issues and did the uproar diminish once the community saw the bylaws were being reasonably applied?

There were some issues raised by council members such as the need for more flexibility in replacement tree requirements and the special issue of hedges. Once again the purpose of the replacement tree type requirement is to maintain a diversity of deciduous and evergreen trees. If this goal is being realised in most cases there may be some room for variance for the individual who 'absolutely hates deciduous trees.' With respect to hedges, some of the trees in older hedges do exceed the 20cm dbh size and there needs to be some mechanism in the bylaw to allow for pruning or replacement with other more appropriate replacement trees should the property owner want to do this particularly if the hedge is damaged or in poor condition.

At a number of the meetings on the tree bylaw council members have reiterated how much they value the trees they have nurtured on their own properties. Now is the time for council to demonstrate to the community that they truly believe the urban forest is valued and should be protected by passing a strong bylaw that clearly establishes the responsibilities of all sectors of the community with respect to trees.