

From: Jack
Sent: Monday, November 16, 2020 10:07 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Tree Preservation By-law Revision November 2020

To: the City of London Planning and Environment Committee

Due to health concerns, I will not be attending the PEC Public Participation meeting today. Instead, I am submitting my comments concerning the revision of the existing London Tree Provision By-law. There was not much time allowed to respond, so I am missing the suggested deadline for submission.

Before retiring, I was a private-land tree and forest manager for many years, in London and across Ontario. I was also a member of the first EEPAC and I have served on the TFAC. And, I have also been an opponent to the existing Tree Preservation By-law as it was unnecessary and disrespectful to our citizens. As an owner and operator of a tree service and tree consulting company for many years, I saw that people really did not want to remove their larger urban trees. Many people actually apologized to me when it came time to remove a tree, but they had come to either fear their tree for safety reasons or the tree had outgrown its location.

Even though I am retired, I still hear about this By-law. I would not be surprised if the existing Tree Preservation By-law is the most intimidating, and most unnecessary, By-law in the City. It certainly has angered many people. The proposed revisions will probably reduce complaints, but the underlying problems will still exist:

Do not forget that removing a tree can be expensive, so the decision to remove a tree is not made lightly. Having to pay an outsider - who does not live with the problem tree - to prepare a report only adds unnecessary costs to an already expensive undertaking. Having to be at the mercy of City staff who enforce a By-law that puts trees before people is intimidating and unconscionable. A tree keeps growing every year and it will drop more and more dead branches (without warning) as it gets older. Even the right tree in the right place can become dangerous and a nuisance as it outgrows its location. The persons living under or beside such a tree should not have to seek permission from outsiders to remove their problem tree.

Most so-called "Distinctive Trees" become dangerous with age. Instead of ignoring the fact that Distinctive Trees can be dangerous, "Hazard Tree" should be defined in the By-law as "A tree that a tree owner feels is a physical threat to life or property". The same By-law accepts the subjective definition of Good Forestry Practices. This Hazard Tree definition is no more subjective. Hazard Trees should be exempt from the By-law.

Staff is reporting to the PEC that, during the 11 month period from November 2019 and September 2020, there were 916 tree By-law inquiries. Only about 3 percent of the inquiries resulted in denied permits. In a City full of trees, is it really worth the cost of staffing and the angst to property owners across the City to deny the removal of so few trees?

For those complainers who want to get their neighbours in trouble, and for those who have coerced City staff into preparing these tree By-laws, they should be told to worry about their own properties.

Trust and respect our citizens to manage their own landscapes. The City of London was not denuded prior to urban private-tree By-laws.

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Jack Winkler
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