

To City of Burlington

Care of:

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RE: Planned Council Agenda Private Tree Bylaw Review in May 2021

Introduction

My neighbours [REDACTED] are planning to do decks this year. The new city private tree program they have encountered has caused major unnecessary cost, work and frustration to these owners, and still to come the anticipation of multiple orange fences to be installed that will be disruptive to the rest of the community of 36 owners.

The two associations share 4 acre of rear meadowland and frontage [REDACTED] in Burlington and for past 30/35 years have managed, grown and contributed effectively and positively to trees and tree canopy.

Let me explain how silly and bureaucratic the private tree program has become with respect to these 4 owners, future owners and their deck work projects. I will also comment in a more general way on the overall private tree bylaw later but first this current real example of Burlington city bureaucracy at its best.

Nine other decks have been built in the same complex over the past three years without any disruption or impact to trees. One of these was mine in 2018. A 10th deck is underway and because the building permit was issued in 2019 is exempt of the tree bylaw.

Decks [REDACTED]

A building permit is required for the new decks-no arguments. In 2020 the city has now subjected future owners to the new private tree permit regime. Let me describe how unnecessary this is with respect to the work and nature of the work at these properties.

The permitted deck work scope is remove old deck, helical pile 8 piers-about 8 inch diameter (the same size hole as a fence post) and build new slightly larger decks than what currently exists.

- There are no trees in vicinity of the existing and new deck construction. The small freehold portion of property is free of any trees.
- The old deck would be removed by walking out the removed material or via a small garden trailer and utility trailer.
- The new deck material would be walked in.
- The helical pile machine, machinery similar to size and weight of our lawn equipment that visits the rear of our properties weekly and regularly, would drive in once and drive out once.

Tree root and branch disruption Index –Zero

- Owners are also doing new grade patios of about the same size as current patios-This job requires no permit and inspections and no tree protection when done on its own by the city rules of engagement.

The general activity associated with this work for our properties is:

- Treaded Bob cat moves old blocks out:
- Treaded Bob Cat brings in sand and new patio blocks.
- Soils and sod brought in for final finishing.
- Overall 10 or 15 trips from front to back of properties

Tree Root, Branch disruption –About 25 fold higher than the above deck but still very low since all work is at surface/grade level and substantially away from any trees.

Many Burlington property owners replace or install new patios annually under this regime.

And the key point is this job does not require a building permit or tree permit but is actually more disruptive than the deck work these owners are doing and where the tree bylaw subjects them to added significant cost.

- **Another Home owner work Comparison-Fence's**

We are not doing, or have any plans to do any fences but the possibility exists that we need to replace a fence someday such as the one between ourselves and the adjacent property [REDACTED].

A fence is a non-permit job but because trees generally sit on or are close to property lines the disruptive index for fencing to trees is maybe a 2 or 3 index. (10 index being pools and additions with deep subsurface work.)Trees need to be trimmed, post holes augured in tree root area to establish new property fences. The point again is fences do not require permits or inspections. Many owners engage in installing new fences.

- **Other work**

The city of Burlington and Halton region have access right of ways established across our meadowland properties. Activities they have carried out use much larger and heavier equipment than our association maintenance projects do or have ever done. They access the rear of our property and meadowlands via the same path that owner's use for replacing our back yard decks.

Summation of the Above

In summary the above example displays how owners have become burdened with delays and added cost of several thousand dollars to simply replace a deck. The tree bylaw is triggered by the fact they must take out an outdoor building permit-but otherwise it has no contributing value to protecting canopy and trees

My General Position on 2020 Tree Bylaw

I personally strongly object to the private tree bylaw as it achieves limited to no real community value:

- People who have trees on their private property look after trees. Most people want healthy trees on their property where and when they can be grown.
- People who have properties that can grow trees share a disproportionate burden of bureaucracy and cost for this program. Many multifamily complexes, industrial and commercial settings have no or few trees with new density rules ensuring even less trees can be planted in the future on these developments.
- People who want to install a pool or home addition, and as per approved city bylaws may need to remove trees. No trees are saved by having the bylaw. Owners are basically subjected to a tree tax to add to the rest of cost of carrying out their projects.
- The city continues to change bylaws to allow increase density and height for new buildings. Multi story DT high rises and complexes like Station West, 92 Plains in our area are built with concrete and paving lot line to lot line. If trees get planted somewhere they usually never grow or survive. In summary many city deliberations and decisions are inconsistent with saving and growing trees yet they feel they need to pick on property owners who have trees and can grow trees.

In summary the city should keep to the public lands, and establishing appropriate green space in their development regulations to manage trees and canopy, and there is no need or value to reach deeply into people's private yards.

Regards
Bert Donkers

