

Condo Smarts

Headline: Don't cut down your trees

Topic: Tree removal

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Springtime brings out the gardener in all of us. Unfortunately it also brings out the chainsaw massacre impulse in some of us. A lovely townhouse community in the Greater Vancouver area called The Willows is not likely to be known as The Willows any longer.

Two owners, after an informal discussion with council about pruning, cut down the mature willow trees at the entrance drive and between the parking lot and neighbouring highway.

As one distraught owner said, "It looks like we've been hit by a hurricane." Of course the strata is now in trouble with the city because it has violated tree removal bylaws, and of course the innocent owners are furious with the devastation. Will the upshot here be chainsaws at 20 paces at dawn?

Strata Law: The strata must comply with the Strata Act but also any other enactments of law up to the Human Rights Code. This most definitely includes municipal tree bylaws adopted by many cities. The City of Vancouver, for example, has a strict tree removal bylaw involving permits and inspections, including a limit on the number of trees that may be removed from a given area and rules about replacing trees with comparable mature trees.

The Strata Property Act also requires a 3/4 vote of the owners for any significant change in use or appearance of the common property. Council at The Willows never authorized the removal, so it is likely that the two owners responsible could face some significant personal financial costs for the losses and penalties.

Tips: Trees are often viewed with resentment because of the associated maintenance costs. But the positive aspects far outweigh those costs. Trees that are well maintained and protected add substantially to the property values and aesthetics. They reduce wind shear and blowing rain, they moderate heat in the summer and cold in the winter and generally contribute to the quality of living in strata communities. Before you remove trees, consult with the strata and be absolutely sure to check the local municipal bylaws.

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