
Strata Living

Headline: Removing Trees

Topics: Landscaping

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Written by: Tony Gioventu

Dear Tony: Our strata has a vine maple that was planted with the original development. Our building is 22 years old, so you can imagine how large the tree has grown. All of the owners adjacent to the tree are requesting that we remove the tree and plant low shrubs so their view and exposure to the sun are not blocked. The council have assessed the tree and consulted an arborist and the tree is in excellent condition, is not planted too close, and poses no threat to our building. Two of the penthouse owners have given council written notice that if the tree is not removed they will go to court. We have polled the owners, and only 6 out of 78 units want the tree removed or altered. We are being harassed with letters from their lawyers and not sure of the next steps.

Sherrie W.

Dear Sherrie: Any significant change to the use or appearance of common property or a common asset of the strata corporation requires a three quarters vote at an annual or special general meeting. The tree has been there for 22 years.

Owners, by 20% signature may petition for a special general meeting to vote on this issue, and the strata corporation will be required to convene the meeting within 4 weeks of the demand being made. This is a decision of the strata corporation, not 6 owners. While the tree may be shading their units, trees also provide significant benefits to our communities and the surrounding environment.

Before any tree is removed contact your local government to determine what tree bylaws apply, if any permits are required, if there are restrictions on tree removal, and under what circumstances your strata would be permitted to remove a tree. In some communities tree removal is no longer permitted unless

the tree poses a credible risk to people or property. Don't under estimate the value trees contribute to your property. They are a significant asset in value and community.