

# Farmers are stumped by tree cutting by-law

By BERNADETTE WARD

The Region's draft tree by-law has produced what might yet become an uneasy alliance between Halton's rural and urban interests, created during a public information session held in Milton on April 28.

The session, designed to provide information about the new by-law, was heavily loaded with those from rural areas, interested in how the by-law will affect their properties and their livelihoods.

"Unfortunately, at this point we are not able to support it," said Jamie Fisher of the Halton Agricultural Advisory Committee (HAAC). "We oppose any by-law that restricts our own use."

**"90 PERCENT OF TREE COVERAGE IS IN THE HANDS OF PRIVATE OWNERS,"**

Fisher said that his group agreed to give up rights to make the by-law effective and were expecting to be thanked for their sacrifice, not saddled with additional restrictions.

The few in attendance from urban areas had interests that appeared to be at odds with the urban group, since they are pushing for a by-law that is, in fact, more restrictive and it remains to be seen if their combined efforts will bear fruit.

The focus of both contingents was a duo of presentations given by the Region. The first, given by Paul Attack, outlined the revised draft on environmental impact assessment (EIA) guidelines.

According to Attack, these guidelines are intended to identify natural features and assess potential impacts to the environment. They are currently up for review, having been unchanged since 1979.

"An EIA is not something that the average resident would be involved in," said Attack, clarifying that they would be used mostly by consultants working with developers and would be needed as an example, for proposals under the Development Act.

The second presentation was given by Manager of Long Range Planning for the Region, Ho Wong, who pointed out that the Region considers forest to be an important resource.

"Most of the people say Halton is pretty and that's partly because of the trees," he said.

Forest covers about 23 percent of Halton's land area with 41 percent about the Niagara Escarpment and 12 percent below,

making Halton a unique environment. Ho also acknowledged an issue at the heart of the matter for rural residents.

"90 percent of tree coverage is in the hands of private owners," he said.

The Region's role however, is to strike a balance between a number of interests including meeting the environment objectives of the official plan, forests as a renewable resource and the property rights of landowners to use and enjoy their property.

The new by-law is intended primarily to prevent clear-cutting which is often done as a prelude to development. It is also intended to promote good forestry practices and to protect trees as a part of the natural heritage system.

This by-law will apply to areas designated Greenland or woodlands/woodlots .5 hectares or larger. An area is designated a woodlot or woodland based on the number and size of the trees. For instance, if there are more than 500 trees in a hectare and they are larger than 12 cm in diameter, the area would receive this designation.

**"IT'S ABOMINABLE THAT THESE PERPETRATORS ARE EXEMPT BUT FARMERS ARE NOT,"**

Residents will need a permit to cut trees only when operating outside what has been deemed as Own Use, Normal Farm Practice or Harvesting under a Forestry Management Plan.

Permits, for the most part will be restricted to those harvesting and there will be no charge for this permit. There will be a \$500 application fee for a Special Council Permit for those seeking to remove trees outside the provided designations. Council will approve or deny these applications and the decisions can be appealed through the Ontario Municipal Board (OMB).

Some members of the community weren't buying the plan though and became incensed at what they saw as a double standard as the Region itself will not have to adhere to the by-law and there were claims that groups such as Conservation Halton would also be exempt.

"It's abominable that these perpetrators are exempt but farmers are not," said an agitated Lievent Gaevart.

Ho disagreed and pointed out that according to the Region's legal team Conservation Halton would not be exempt but agreed to revisit the

issue.


Al Pilutti, a Glen Williams resident was concerned about the by-law and he felt it should exclude certain tree species such as Poplar, Manitoba Maple, Ironwood and Willow as they are typically considered nuisance species.

"If they need a by-law, they must use some common sense," he said.

The next public hearing will be on May 28 at 9 am in the auditorium at the Regional Centre. Written comments are welcomed and will be received up to June 3. The by-law will go before the Public Planning and Works Committee on June 15 and then before Regional Council on June 22.

For more information about the draft by-law or to obtain a copy of the draft, contact the Region at 1-866-442-5866 or try the website at [www.region.halton.on.ca](http://www.region.halton.on.ca).

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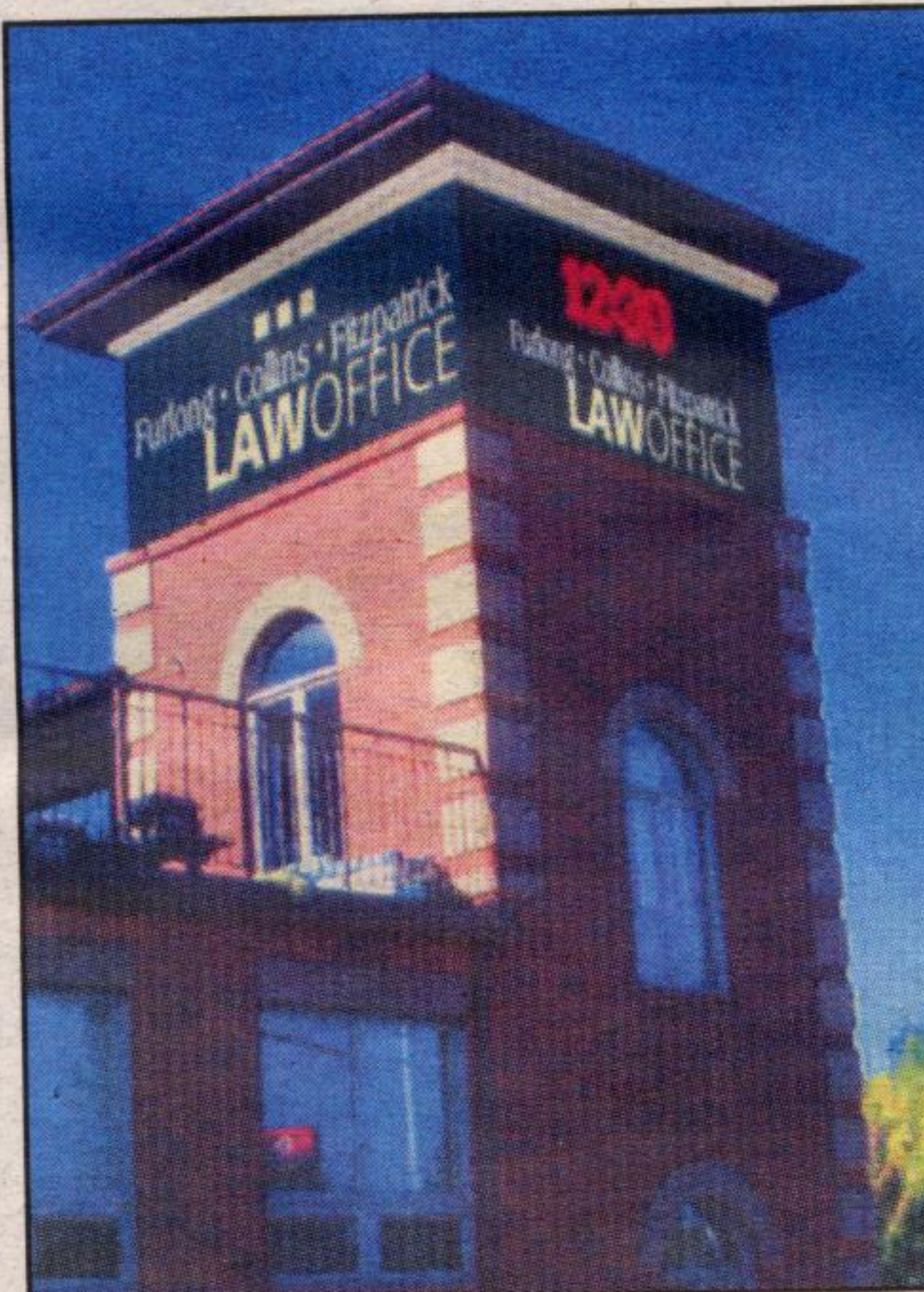
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