

Tree cutting sentence called victory for environment

Halton Regional Council is pleased with the sentence handed down September 19 in the high profile tree-cutting prosecution brought against George Vastis and 1255723 Ontario Inc. which Council says clearly confirms that Halton's tree by-law is a defensible and effective tool for preserving and protecting Halton's natural environment.

A decision by Justice of the Peace J.S. Woloschuk of the Ontario Court of Justice delivered on September 19, imposes a stiff sentence on Mr. Vastis for disregarding Halton's tree preservation by-law and destroying 23 acres of environmentally sensitive woodlands on his property in April and July of 2003.

Earlier this year, following more than two years of protracted court proceedings, Mr. Vastis was found guilty of 11 counts of destroying trees located in an

environmentally sensitive area contrary to Section 3 of Halton Region's tree by-law and Section 19 of the Forestry Act.

Mr. Vastis had contended during the long trial that he intended to use the lands for agricultural purposes. In his earlier decision rendered in June of this year, the Justice of the Peace found that Mr. Vastis "... directed the cutting of the trees and his testimony was not credible as to the material issues before this court."

In total, nine sites were cleared and the nature of the clearings and their configurations led Justice of the Peace Woloschuk to find that "... these nine long and narrow clearings were for the purpose of creating a golf course."

The property is located on part of Lots 19 and 20 Con. 11 (NDS), 4237 Fourth Line in the Town of Milton bordering Oakville.

In the sentencing report, Justice of the Peace Woloschuk stated "In my view, there is a need to send a strong message to all, that destruction of environmentally sensitive areas will not be tolerated in the province of Ontario. There must, therefore, be specific deterrence to Mr. Vastis and the Corporation as well as general deterrence for the rest of the population."

Regional Council's stated objective in the prosecution has always been to demon-

strate that protection of the environment in Halton is paramount.

Under the terms of sentencing, the Justice of the Peace has imposed a replanting and monitoring order in the neighbourhood of \$122,000 plus a 10% fee for inflation (for a total value of approximately \$134,000) as well as a fine of \$33,000. Mr. Vastis has also been placed on two years probation.

"It appears that this is the largest tree replanting

order ever awarded by the courts in the Province and if not the largest fine, then one of the largest," said Halton Regional Chairman Joyce Savoline. "This tree cutting represents one of the most serious violations of Halton's tree by-law and has caused significant damage to an important environmentally sensitive area in this Region. It is a clear victory for the environment and for the resolve of Regional Council over the course of the past 41 months

in pursuing this matter to its rightful conclusion."

Halton CAO, Brent Marshall says, "We now look forward to the next steps. We will be determining when the replanting order should commence and will be consulting with planning and public works staff in this regard, and in particular with the regional forester. Clearly, our first objective is to begin to restore this environmentally sensitive area as soon as is practically possible."

Turner joins CARP in big push for pension reform

Halton MP Garth Turner has teamed up with CARP (Canadian Assn' Retired People) and other seniors groups across Canada to ease the "tax grab" on single income retired couples paying more tax than those with two incomes coming into the household.

It is "one of the great unfairnesses of our system," Turner says. Today the tax system does not allow two spouses to pool income for tax purposes and, as a result, senior couples with just one pension often find themselves short of money as that pension is taxed at the highest rate in the hands of just one spouse, typically the husband.

This means a couple with one income of \$62,000 is forced to pay \$2,500 more in tax than two seniors making exactly the same income, but with \$11,000 of that earned by one and \$51,000 by the other.

"There is no justification for this," Turner says. "Retired Canadians worked hard to build this country, and often had no choice about how to structure their lives. A generation ago most men worked outside the home and most women raised families, so it's completely unfair that the tax system should penalize them. It's time to change that."

Pension splitting would significantly reduce the income tax for many Canadian seniors and, says Turner, is well within Ottawa's existing budget to finance. It is already allowed for CPP/QPP benefits but not for all other types pension income. Today's taxpayers can take advantage of relatively new rules allowing income-splitting between RRSPs as a way of achieving the same goal, a strategy unavailable to most existing pensioners.

Turner has recruited a growing number of MPs to support a coalition of 16 seniors groups in an effort to get Finance Minister Jim Flaherty to consider improving the system for pensioners. The effort will see a National Conference take place in Ottawa on October 3rd, bringing together the pension groups, politicians and expert speakers who will make the case for pension-splitting.

"Over 9 million Boomers are heading for retirement, many of them in financial stress," Turner says. "Giving all Canadians the ability to split income for tax purposes will ease that stress, add tax fairness, and show this government is listening."

Members of Parliament from all parties who support the move are expected to attend the coming conference.



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