

Shelley Fralic: It's my tree and I'll chop it if I want to

Proposed Vancouver bylaw crosses the private property line

BY SHELLEY FRALIC, VANCOUVER SUN COLUMNIST APRIL 14, 2014

true



To some, a backyard paradise; to others, a waste of space. To all, it's still private property.

Photograph by: Bryan Schlosser, Regina Leader-Post

Noticed, late on Friday afternoon: 1) several tree removal trucks near a New Westminster apartment building, the intent clearly that of the annihilation of a copse of mature trees; and 2) a chainsaw-wielding man at a Washington State beach cottage de-limbing a stately birch that was overstepping its boundaries.

And, I thought, this is the way things should be. Trees need to be taught a thing or two, like they can't just grow any which way they want without repercussions.

Not a popular sentiment, by most accounts, especially here in the land of the greens, where dogs and cedars and pop-up protesters trump all when it comes to societal sentiment.

Because, let's face it, who doesn't love a tree?

Trees are pretty, and provide nooks for birds' nests and strong ledges for tree forts. Their 50 shades of green are like no other, hues that only nature could create and in whose shadow man must forever feel the lesser artist.

Trees are the lungs of the earth, prevent erosion and inspire us with their majesty, their stoic survival in the face of war and pestilence and logging companies.

Perhaps we so revere our trees, chaining ourselves to them and defending their honour, hollow and otherwise, because they remind us of life, their roots planted deep in history, their branches reaching out to the world.

Perhaps it is why we preserve sainthood for all that is bark and branch, leaf and needle, whether it's a thousand-year-old primordial cedar lording over a foggy Vancouver Island cove or a garden-centre sapling planted in an urban backyard and coddled into bearing fruit.

Trees. We stand in awe of their beauty and utility, their utter magnificence.

But trees aren't the boss of us. Sometimes, we need to fell them, for firewood or to build a house or because we're in the resource business, or because they're dangerous or diseased or just plain ugly. Sometimes, they stand in the way of progress.

Sometimes, people, we forget that trees are just trees. They grow, they fall down, get chopped up or die of old age, millions of them all around us, and have for thousands of years, a cycle that begins anew with each seed floating on the wind.

So when Vancouver city council announces, as it did last week, that it is considering changing the rules of its current Protection of Tree bylaw that allows the removal of one healthy tree per year on private property, no questions asked, to a no-kill policy, one has to wonder what twig that council is smoking.

The proposed "no-cause tree removal" is designed to stem the tide of urban forest destruction, says Malcolm Bromley, who is the Vancouver park board general manager and who cites the loss of 23,000 healthy trees since 1996 as an unacceptable blow to maintaining the city's tree canopy — which apparently has dropped from 22.5 per cent to 18 per cent. So fretful are city leaders that there are plans to plant 150,000 trees on public property by 2020, which sounds like a good idea.

There will, of course, be permitted exceptions to the new tree-cutting rules for homeowners, like if a tree is interfering with overhead wires or is in danger of falling over or uprooting your drainage tiles. But if you simply don't like the tree in your yard because you hate raking its leaves or because it is blocking your view of the grow-op next door, too bad. Take it down and you'll bear the wrath of City Hall.

Besides the obvious question — who had time to count 23,000 trees? — a few others come to mind. Like, when will the slow inexorable erosion of personal property rights end? And why does the state feel so compelled to always be up in our business, poking around in our kitchens (salt bad, kale good), our workplaces (inappropriate jokes bad, minimum wage good), and our schools (measles okay, hugging bad).

And now our backyards.

Who doesn't love trees, you say? Well, it turns out, lots of people. So what.

Who, exactly, is hurt when one takes out a tree? That's right. Nobody. The squirrels will move on. Since when does collective esthetic preference trump personal preference on one's own land?

In 1965, my family moved into a lovely Tudor house in south Vancouver. It was big and full of character, and sat on an oversized lot with a lane. There was a two-car detached garage and, smack dab in the middle of the backyard, a cherry tree, bursting with blossoms and ripe red cherries, a magnet for lounge chairs, twittering robins and bold raccoons. Over the years, it hosted hundreds of reunions, barbecues and games of horseshoes, becoming a protective and cherished member of the family.

When my mother sold the house, packing her memories and much melancholy, nearly 40 years later, she left behind the tree and a mature garden of lilacs, snowballs and kiwis, roses, sweet peas and hundreds of perennials that had been nurtured and tended like growing children.

A few years after she moved, I drove by the old place. It was gone. The lot had been completely stripped, the house consigned to the dump.

It was shocking to see it, as if decades of our lives had been purged from the neighbourhood hard drive. I could barely bring myself to look in the backyard, because I knew. Along with every plant and bush and flower petal, the cherry tree was gone, as if a tooth had been pulled, as if nothing had ever existed in that spot before, as if no one had ever clambered up its trunk, planted annuals in its shade, raked its leaves or cooked its sweet cherries into a pie.

Some time later, a house went up, a huge box that occupied most of the lot. Out back, the garage had been replaced by a laneway house. There was no green, anywhere.

I get it, though. That homeowner didn't want or like trees. Can't say I agree, because what's better than a yard full of trees, but that's the beauty of a democracy. And surely a democracy dictates that a homeowner shouldn't be required by law to plant trees or keep trees that he or she doesn't want?

Mr. Bromley, what's next? If I want to take out my pain-in-the-arse water-sucking lawn and replace it with artificial turf or river rocks, is that okay with you?

And please tell me why developers, both residential and commercial, seem to clear cut urban trees with what seems like more abandon than governance in our rush to densification?

Oh, and if your title is boss of public parks, why are you trespassing on my private property?

My yard. My trees. Mind your own business.

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