



Attachment 1

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TREE PERMIT APPLICATION

Application to Permit the Injury or Destruction Of Trees on Private Property

Town of Aurora
Municipal Drive
Box 1000
Aurora, Ontario L4G 6J1
Phone 905-727-312 ext.3223

The personal information on this form is collected under Bylaw 5850-16 and will be used for the purposes of this application only. Questions should be directed to the Freedom of Information Co-ordinator, Office of the Town Clerk, 1 Municipal Drive Box 1000, Aurora, Ontario L4G 6J1, Tel. 905-727-3123 ext. 3223

THIS IS NOT A PERMIT

Instructions for Completion of Application:

1. Application form to be completed by applicant. Please type or print CLEARLY. Incomplete applications will delay approval.
2. Municipal address: Street name and number must be included for applications to be considered complete.
3. Provide an Arborist Report completed by an Arborist as defined in the by-law, at the direction of the Parks Manager.
4. If replanting, provide 2 copies of the replanting plan or landscape plan.
5. Payment of the required fees: See item 12 on page 2 for fee requirements. Written consent is necessary from an adjacent property owner where the base of a tree straddles a property line.
6. If this application is signed by an applicant other than the owner, or by an agent, the written authorization of the owner is required.
7. File this application and other supporting documentation to the Department of Parks and Recreation 100 John West Way Aurora, Ontario L4G 6J1.
8. Applications submitted after 3:30 p.m. local time will not be processed until the next business day.

I am applying for a permit to remove tree/s on private property (please check one)

- ☐ Three (3) or more trees 20cm (8 inches) in diameter measured at 1.37 m in a 12 month period
- ☐ Two (2) trees have already been removed between 20cm (8 inches) in diameter measured at 1.37 m in a 12 month period and require a permit for the removal of the third (3rd) or more tree/s in the same 12 month period
- ☐ One (1) or more tree/s larger than 70cm (30 inches) in diameter measured at 1.37
- ☐ One (1) or more tree/s in the designated heritage district
- ☐ One (1) or more designated heritage tree/s

APPLICANT INFORMATION

1. Municipal address of subject property: 53 METCALFE ST, AURORA L4G 1E5
2. Name of Applicant/Agent: KEVIN PURCOX + JENNIFER SMITH
3. Mailing Address: AME AS ABOVE
4. Telephone: [REDACTED] E-mail: [REDACTED]
5. Name of Registered Owner (if different from above): SAME
6. Mailing address of Owner (if different from above): SAME
7. Existing Land Use: RESIDENTIAL
9. Are the tree(s) located on or near any neighbouring property line resulting in the joint ownership of the tree(s). ☒ Yes ☒ No
10. If yes, do you have authorization from the neighbouring property owner to act as their representative in this application to injure or remove tree(s). ☒ Yes ☐ No - NEAR PROPERTY LINE. TRUNK IS ON 53 PROPERTY
11. Reason why trees are being injured or removed. Please circle letter:
 - A. trees interfere with proposed construction
 - B. Landscaping on the property
 - ☒ C. all trees are dead, dying or hazardous
 - ☒ D. trees are interfering with utilities/dwelling/foundation
 - E. installing pool
 - F. other (please specify): _____

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12 Fee Requirements:

If all trees are considered dead, dying or hazardous by the Parks Manager, there is no fee but a permit must still be obtained.
Please circle one of the below:

Trees over 20cm in diameter

| | |
|---------------|----------|
| 3 trees | \$214.00 |
| 4 trees | \$320.00 |
| 5 trees | \$427.00 |
| 6 trees | \$534.00 |
| 7 trees | \$640.00 |

8 or more trees \$107.00 per additional tree to a maximum of \$2,552.50

Trees over 70 centimeters in diameter \$534.00 per tree

(Methods of payment major credit cards, interact, cash, or cheque fees are non-refundable and must be remitted at the time of initial permit application)

ADDITIONAL REQUIREMENTS

- ☒ I am the owner of the property or acting on behalf of the owner with written authorization (attached)
- ☒ The property is not a designated Heritage Property under the Town of Aurora designation
- ☐ The property is designated Heritage and the Heritage Advisory Committee has approved the injury or destruction of the tree/s as per the attached Approved Heritage Permit
- ☐ Applicable fees have been submitted

DECLARATION 1

I/we KGWIN PURDOYS & JENNIFER SMITH hereby declare print name
that I have read and understand the required procedures and provisions under the Town of Aurora's Private Tree By-law and the statements and plans made by me upon this application are, to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application. I consent to allowing Town of Aurora employees to enter the property to conduct inspections

Signed at the Town of Aurora this 3 day of SEPTEMBER, 2020

Signature of Applicant: Jennifer Smith

DOES THE TRUNK OF THE TREE/S AT GROUND LEVEL BISECT OR STRADDLE A PROPERTY LINE?
IF YOU ANSWERED YES
PLEASE COMPLETE DECLARATION 2 BELOW

YES ☒ NO

DECLARATION 2

I/we _____ hereby declare print name
That I am the owner of the adjacent property have read and understand the required procedures and provisions under the Town of Aurora's Private Tree By-law and I/we consent to the intentions respecting the proposed work for which this application is being made and that the statements and plans made by me upon this application are, to the best of my belief and knowledge, a true and complete. I consent to allowing Town of Aurora employees to enter the property to conduct inspections.

Signed at the Town of Aurora this _____ day of _____, 20____

Signature of Adjacent property owner _____

Address _____

TREE PERMIT APPLICATION

| PART A | | | | Tree and Site Information | | | | | |
|--------|--------------|------------------------------------|-----------|---------------------------|------|------|----------------------|------|------|
| TREE # | TREE SPECIES | TREE DIA. IN CM. MEASURED AT 1.37M | DRIP LINE | HEALTH | | | STRUCTURAL INTEGRITY | | |
| | | | | POOR | FAIR | GOOD | POOR | FAIR | GOOD |
| 1 | Blk Walnut | 45 cm | | | | X | | | X |
| 2 | | | | | | | | | |
| 3 | | | | | | | | | |
| 4 | | | | | | | | | |
| 5 | | | | | | | | | |

(IF MORE THAN 5 ATTACH ADDITIONAL PAGES)

| PART B | SKETCH OF PROPERTY |
|---|--------------------|
| | |
| <p>Please show all property lines, buildings, driveways and the individual tree/s that are to be removed. Tree/s shall be numbered and cross referenced to match tree # in Part A Tree and Site Information</p> | |

| PART C | ARBORIST CONFIRMATION |
|--|-----------------------|
| <p>I/WE _____ CERTIFY THAT THE INFORMATION IN PARTS A, B & C IS CORRECT (PLEASE PRINT)</p> | |
| <p>SIGNATURE _____ DATE _____ (INCLUDES PROFESSIONAL DESIGNATION WHERE APPLICABLE)</p> | |
| <p>NOTE: COMPLETION OF PARTS A, B & C WILL BE RECOGNIZED AS AN ARBORISTS REPORT</p> | |

From: Jennifer Smith [REDACTED]
Sent: August 19, 2020 5:47 PM
To: Tienkamp, Sara STienkamp@aurora.ca
Cc: Kevin Purcocks [REDACTED] ; Sunshine Matheson-Davies [REDACTED]
Subject: Tree Removal issue - 53 Metcalfe St

Attention: Sara Tienkamp, Parks Manager, Town of Aurora

Per our conversation, below is a statement related to the issue of the Tree Removal cease order on August 19, 2020.

After a great deal of discussion and planning, we, the residents of 53 Metcalfe, Jennifer Smith and Kevin Purcocks, along with the support and encouragement of our neighbours at 51 Metcalfe (Patrick and Sunshine Davies) contacted an arborist to properly prune some large trees for safety and to promote healthy growth, and to safely remove a single tree based on our understanding of what is allowed in a 12 month period on our private property, and which has been causing us tremendous issues and hazards. The Town of Aurora web page states that:

- Number of trees that can be removed from a private property in a 12-month period without obtaining a permit has been reduced to two (2) trees from four (4) trees.
- A permit to be obtained prior to removal of a single heritage tree or a single tree in any heritage district as described by the Bylaw.

Our tree is not a heritage tree, nor do we live in a heritage district according to the map on the same site. I have attached a picture of the website where the information was obtained.

The tree being removed is an immature, approximately 15-20 year old, Black Walnut tree, that was here when we moved in 12 years ago, although it was quite a bit smaller. We preserved the tree throughout the home improvements that both sets of homeowners have done since that time. If I could have moved it to a better location, I would have.

Our recognized love of the trees in our neighbourhood is even known by the town arborist with whom we have been working on an active succession tree planting plan, and is one of many reasons we moved into this vibrant, mature community. Despite our efforts with this particular tree, it's growth and location between the two homes at 53 and 51 Metcalfe, has become quite a nuisance, dangerous and very damaging to our properties. It's location so close to the homes, and over the driveway, pathway and common areas is simply not safe. As an environmentally conscious family (read "treehuggers"), I would absolutely not have even considered removing it otherwise.

Below are some of the issues we have been dealing with as the tree has grown to its current size, and which likely even qualifies it as a "Hazard" tree.

1. The tree has become tightly wedged between the houses and we have had large branches resting on both roofs causing tearing and damage to the shingles, and more major damage to the eavestroughs.
2. Animals have easy access to our roof (as indicated above) and both homes have had repeated issues with animals in our attics (and walls). At 51 Metcalfe, they are currently dealing with a racoon infestation in their cupola and have had electrical wires chewed several times which has tripped the electrical breaker. They have concerns about the wires and the fire hazard that this presents and it was suggested that they remove all "access" to the roof as soon as possible as part of the "pest" removal process.
3. During the fall when the walnuts grow and ripen, they become very large and heavy. As it is still considered a "young" tree, the fruit is not as big as a baseball yet, which is the expected size of a mature tree, but they are often larger than a golf ball. They have dropped and hit our young children who play in the driveway, as well as a guest who was leaving our home. We have reason to believe the squirrels watch and wait for us and use us as target practice (this is meant to be a joke, but we have wondered....)
4. We believe that one of the walnuts cracked the windshield of a car parked in the driveway at 51 Metcalfe last fall.
5. We have overwhelming maintenance of our side door deck, walkway, and the driveway of 51 Metcalfe due to the staining caused by the walnuts when the animals break them open.
6. The children have been injured on the sharp jagged shards of the broken (and chewed) walnut pieces on the ground which require a regular massive cleanup effort.
7. The heavily leafed, smaller branches often plummet to the ground in this high traffic area which is hazardous to the children, residents and guests of both 51 and 53 Metcalfe.
8. As this tree continues to grow and mature, the root system will start to affect the foundation and drainage in our homes which already have water problems.

We were shocked and surprised when Alan Chan from Town of Aurora By-Law Enforcement told our arborist to not only cease the tree removal, but also advised that we were not allowed to even trim or prune any of the other trees on our property! One of our mature trees has a branch that hits the vehicle of our neighbour at 51 Metcalfe EVERY time he pulls into his garage. We later learned that this statement made by by-law was erroneous, and the Town Parks arborist, Ian, came to our property to assess the situation, and to remove a couple of the branches in question from the other tree. We still have to reschedule a new (and very costly) visit with our privately hired arborist to return and complete the work that was not finished due to the cease order and erroneous comment made by By-Law.

Having said that, we were not surprised that "someone" in our neighbourhood called By-law, which is why we made sure to check all of the information on-line at www.aurora.ca, and re-confirmed after what had happened next door at 55 Metcalfe when they were told to cease their tree removal. However, since we are not a heritage home as 55 Metcalfe is, our tree is not a designated Heritage Tree and we are not in Aurora's Northeast Heritage District, we should have full right to the removal of two (2) trees per year -- especially when you consider the very high taxes we pay to live where we do.

The fact that our house is evidently still "listed as heritage interest" (which I thought was no longer a "thing" after the vote a few years ago) should have no bearing on our ability as town taxpayers in this area to remove up to two (2) trees per year. I voted against the designation of our area as Heritage for many reasons and this is one of them. We have done a lot to our home and to our yard to make it livable for a suburban family after it had been separated into apartment units years ago.

We have mature trees that need tending to on a regular basis (at a high cost), and occasionally, we need to remove the ones that are causing issues (also a high cost). I am a proud and active community member, homeowner and property owner in this town and have been for 18 years -- but most active during the last 12 since I have lived at 53 Metcalfe in the beating heart of our town.

That being said, we would like to continue with the plan to remove the remaining piece of the Black Walnut tree in question and would like to officially have my home at 53 Metcalfe Street, de-listed as a property of interest (which I thought had already been done) due to the problems that this seems to be causing with my ability to properly maintain the home in which I am so proud.

I think our town needs to pick the appropriate battles that make sense for our taxpayer dollars.

Sincerely

Jennifer Smith & Kevin Purcocks

Home-owners of 53 Metcalfe Street, Aurora ON L4G 1E5

cell:

cc. Patrick and Sunshine Davies

Homeowners of 51 Metcalfe Street, Aurora ON L4G 1E5

cell:



Tree after pruning – August 19, 2020