

## TREES

According to the existing SLOA Covenants and Restrictions (see section 2, section 3 (several sub-sections), section 4 and section 11), there are specific restrictions regarding the planting and removal of trees within our community – particularly in respect of waterfront properties.

In regard to trees and landscaping, the SLOA covenants explicitly require that:

- no...fence (including hedges), erection, or landscaping of any kind shall be erected on [a property] unless the plans, specifications and elevations [are] first...submitted and approved in writing by...its assignee (SLOA);
- prior to the removal of any living tree having a diameter greater than four inches, formal SLOA approval must be sought by the resident and formal, written approval obtained; and
- NO planting in excess of 1 metre in height shall be permitted within 23 metres of the waterfront propertyline without the express written approval of the...Sunset Lakes Owners Association (SLOA).

However, simply because the SLOA covenants may be partially or substantially silent on a topic, such as tree planting and landscaping, doesn't mean that a resident has 'free reign' when it comes to these issues.

The bottom line is that, because the SLOA covenants ARE inherently restrictive, residents should always prepare and submit a reasonably detailed design review request to SLOA, prior to starting ANY major landscaping project – including the planting or removal of trees. The SLOA design review committee will review and evaluate the project, with the result being one of:

- a full, written approval, with no further action;
- a non-approval with a request for additional information, clarification or proposed project changes; and
- a formal denial of the request as the project either:
  - violates the SLOA covenants and by-laws; or
  - does not meet the established, community standards of the community.

Please note that outright denial of any project is exceedingly rare and this stems from the fact that a significant role of the SLOA design review committee is to work collaboratively with residents in reaching a common goal, where both the resident and the community, as a whole, win.

In summary, if you have a significant tree-related or landscaping project in mind, please submit a formal design review request to SLOA before beginning any work.