

June 5, 2024

Dear Mayor and Council,

We are seeking the City of Courtenay's support for **the designation of covenant be removed from our properties** which were affected by the unlawful actions in December of 2021 by Above & Beyond Tree Removal Service and SMG Management Ltd. d/b/a/ Japonica Park Trailer Park Management Company.

Below is information for you as to what has occurred and what we have been left to deal with (photos attached):

- December 2021, the guilty parties had **unlawfully removed trees located on the covenant area of our properties** without the proper permits from the City of Courtenay and/or permission of the property owners
- both parties were ticketed and fined by the City of Courtenay
- limbed trees were left standing with ropes still hanging from them along with rusty metal fence wire creating **safety hazards**
- the piles of very dry debris and standing dead trees left behind by the contractor for over two years are extremely close to our homes. They are a potential **wild fire hazard** and are of extreme concern to us, especially with the forecasted dry weather and fire season!

We are asking for your support in removing the covenant on Lambert Drive based on the following:

1. The Fisheries and Oceans Canada (DFO) have closed their investigation and will not be pursuing remedial works on the affected properties (attachment page 2).
2. Some sales of property have lost value because of the covenant.
3. There appears to be no uniformity of covenant use and size along Lambert Drive.

4. The Union of BC Municipalities (UBCM) also provides some insight on the impact of redundant covenants (see attachment pages 4 and 5).

Thank you for your consideration in reviewing this most distressing matter.

Yours very truly,

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