

2. TREE BY-LAW REVIEW PROJECT

PROJET D'EXAMEN DES RÈGLEMENTS SUR LES ARBRES

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve the proposed Tree Protection By-law, in the form attached as Documents 1 and 2, and as described in this report;**
- 2. Approve the proposed Application Fees, attached in Document 2 as Schedule "D" of the proposed Tree Protection By-law, and summarized in Document 5 – Fee Schedule;**
- 3. Approve the phased approach to the implementation of the Tree By-law Review, as described in this report;**
- 4. Direct staff to report back with Phase 2 amendments to the Tree Protection By-law, as described in this report in Q3 2020;**
- 5. Approve the establishment of two new permanent full-time Forestry Inspector positions in Public Works and Environmental Services in 2020 for the implementation of Phase 1 of the Tree Protection By-law, the cost of which will be offset by increased revenues from the new fees for a net zero impact on the 2020 budget; and**
- 6. Delegate the authority to the General Manager, Planning, Infrastructure and Economic Development and the City Solicitor to finalize and make any necessary adjustments to the proposed Tree Protection By-law to give effect to the intent of Council.**

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

1. approuve le *Règlement sur la protection des arbres* proposé, reproduit dans les documents 1 et 2 ci-joints et décrit dans le présent rapport;
2. approuve les frais de demande proposés, énoncés à l'annexe D du document 2 du *Règlement sur la protection des arbres* proposé;
3. approuve l'approche progressive décrite dans le présent rapport quant à la mise en œuvre de l'examen des règlements sur les arbres;
4. demande au personnel de rendre compte des modifications apportées au *Règlement sur la protection des arbres* à la phase 2, comme il est prévu dans le présent rapport, au T3 2020;
5. approuve la création en 2020 de deux nouveaux postes permanents, à plein temps, d'inspecteur forestier, au sein de la Direction générale des travaux publics et de l'environnement, pour la mise en œuvre de la phase 1 du *Règlement sur la protection des arbres*, et que les coûts engendrés par la création de ces deux postes seront compensés par les revenus générés par les nouveaux tarifs et n'auront aucune incidence sur le budget de 2020;
6. délègue au directeur général de la Planification, de l'Infrastructure et du Développement économique et à l'avocat général de la Ville le pouvoir de parachever le *Règlement sur la protection des arbres* proposé et d'y apporter les modifications nécessaires pour donner suite à la volonté du Conseil.

DIRECTION TO STAFF:

That staff determine, and report back to Committee in the Phase 2 Report, on how best to consider canopy cover targets, at the neighbourhood level, as a part of the tree permitting process under the new Tree Protection By-law, once the targets have been identified and included in the City's new Official Plan.

DIRECTIVES AU PERSONNEL :

Que le personnel détermine la meilleure façon de tenir compte, à l'échelle des quartiers, lorsque des permis d'enlèvement d'arbre seront délivrés sous le régime du nouveau Règlement sur la protection des arbres, des cibles relatives au couvert forestier qui seront établies et incorporées au nouveau Plan officiel de la Ville, et présente au Comité ses conclusions à cet égard dans son rapport sur la phase 2.

DOCUMENTATION

1. Directors' Report, Economic Development and Long Range Planning, and Parks, Forestry and Stormwater Services, dated 4 December 2019 (ACS2019-PIE-EDP-0052).

Rapports des Directeurs, Développement économique et Planification à long terme, et Services parc, forestiers et eaux pluviales, daté le 4 décembre 2019 (ACS2019-PIE-EDP-0052).

2. Extract of Draft Minute, 17 December 2019.

Étrait de l'ébauche du procès-verbal, le 17 décembre 2019.

**STANDING COMMITTEE ON
ENVIRONMENTAL PROTECTION,
WATER AND WASTE MANAGEMENT**

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**COMITÉ PERMANENT DE LA
PROTECTION DE
L'ENVIRONNEMENT, DE L'EAU ET
DE LA GESTION DES DÉCHETS
RAPPORT 8
LE 29 JANVIER 2020**

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**Report to
Rapport au:**

**Standing Committee on Environmental Protection, Water and Waste Management
Comité permanent de la protection de l'environnement, de l'eau et de la gestion
des déchets**

17 December 2019 / 17 décembre 2019

**and Council
et au Conseil**

29 January 2020 / 29 janvier 2020

**Submitted on December 4, 2019
Soumis le 4 décembre 2019**

**Submitted by
Soumis par:**

Don Herweyer, Director/Directeur

**Economic Development and Long Range Planning / Développement économique
et planification à long terme, Planning, Infrastructure and Economic Development
/ Direction général de la planification, de l'infrastructure et du développement
économique**

and / et

**Submitted by
Soumis par:**

Luc Gagné, Director / Directeur

**Parks, Forestry and Stormwater Services / Services parc, forestiers et eaux
pluviales, Public Works and Environmental Services / Travaux publics et services
environnementaux**

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Contact Person

Personne ressource:

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2019-PIE-EDP-0052

SUBJECT: Tree By-law Review Project

OBJET: Projet d'examen des règlements sur les arbres

REPORT RECOMMENDATIONS

That the Standing Committee on Environmental Protection, Water and Waste Management recommend that Council:

- 1. Approve the proposed Tree Protection By-law, in the form attached as Documents 1 and 2, and as described in this report;**
- 2. Approve the proposed Application Fees, attached in Document 2 as Schedule "D" of the proposed Tree Protection By-law, and summarized in Document 5 – Fee Schedule;**
- 3. Approve the phased approach to the implementation of the Tree By-law Review, as described in this report;**
- 4. Direct staff to report back with Phase 2 amendments to the Tree Protection By-law, as described in this report in Q3 2020;**
- 5. Approve the establishment of two new permanent full-time Forestry Inspector positions in Public Works and Environmental Services in 2020 for the implementation of Phase 1 of the Tree Protection By-law, the cost of which will be offset by increased revenues from the new fees for a net zero impact on the 2020 budget; and**

6. Delegate the authority to the General Manager, Planning, Infrastructure and Economic Development and the City Solicitor to finalize and make any necessary adjustments to the proposed Tree Protection By-law to give effect to the intent of Council.

RECOMMANDATIONS DU RAPPORT

Que le Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets recommande que le Conseil :

1. approuve le *Règlement sur la protection des arbres* proposé, reproduit dans les documents 1 et 2 ci-joints et décrit dans le présent rapport;
2. approuve les frais de demande proposés, énoncés à l'annexe D du document 2 du *Règlement sur la protection des arbres* proposé;
3. approuve l'approche progressive décrite dans le présent rapport quant à la mise en œuvre de l'examen des règlements sur les arbres;
4. demande au personnel de rendre compte des modifications apportées au *Règlement sur la protection des arbres* à la phase 2, comme il est prévu dans le présent rapport, au T3 2020;
5. approuve la création en 2020 de deux nouveaux postes permanents, à plein temps, d'inspecteur forestier, au sein de la Direction générale des travaux publics et de l'environnement, pour la mise en œuvre de la phase 1 du *Règlement sur la protection des arbres*, et que les coûts engendrés par la création de ces deux postes seront compensés par les revenus générés par les nouveaux tarifs et n'auront aucune incidence sur le budget de 2020;
6. délègue au directeur général de la Planification, de l'Infrastructure et du Développement économique et à l'avocat général de la Ville le pouvoir de parachever le *Règlement sur la protection des arbres* proposé et d'y apporter les modifications nécessaires pour donner suite à la volonté du Conseil.

EXECUTIVE SUMMARY

Assumptions and Analysis

The Tree By-law Review is a key recommendation of the City's Urban Forest Management Plan (UFMP). A strong and effective tree by-law will help to ensure that the City continues to meet the goals identified in the UFMP. The actions proposed through this review will address concerns raised by communities and members of Council in more urban parts of the City, where increased growth and other stressors have continued to put pressure on the urban forest. The by-laws in question are over a decade old and, as a result, require updating to address the challenges facing the urban forest today. The project will be divided into two distinct phases to address the resources required to support the proposed changes, to ensure a fiscally responsible approach to implementation. The strategies proposed in this report largely affect the urban area.

Staff propose to harmonize the Urban Tree Conservation By-law 2009-200 and the Municipal Trees and Natural Areas Protection By-law 2006-279 into a single Tree Protection By-law for Ottawa.

In Phase 1, the changes proposed in the new Tree Protection By-law will improve tree protection requirements and formalize compensation requirements for the removal of public and privately-owned trees. Phase 1 will also improve the requirements for the submission of tree information to obtain distinctive tree permits, introduce higher application fees to offset the cost of implementation, and include a new special fine designed to eliminate or reduce any economic or financial gain from contravening the by-law. In addition, Phase 1 includes process improvements to support better implementation of the tree by-law, resulting in more transparent decision-making.

For Phase 2, staff will report back in Q3 2020 with the last of the proposed changes to the Tree Protection By-law, including; decreasing the diameter limit for distinctive trees from 50 cm to 30 cm for the inner urban area (urban lands within the greenbelt) and creating a permit to work around trees to ensure better protection on development sites.

In several urban areas, the cumulative impact of tree loss over time has become apparent. Sustained tree loss and lack of replacement are not consistent with Official Plan objectives or the vision and principles of the Urban Forest Management Plan (UFMP).

The new Tree Protection By-law and the associated process changes will help to better retain and protect trees in urban areas, particularly in infill development scenarios as the City continues to grow. The changes proposed will also bring Ottawa in line with many other municipalities in Ontario in terms of how trees are valued and protected in urban settings.

Throughout this review, many stakeholders have indicated that trees are important and improving the protection of the urban tree canopy, as expressed in the UFMP, continues to be a high priority. Maintaining and increasing Ottawa's tree canopy is a core means of building climate resiliency and to ensure Ottawa is adapting to future climate conditions. Trees are a vital part of Ottawa's green infrastructure and they provide numerous benefits and services to residents.

Public Consultation

This project included extensive consultations with internal and external stakeholders.

The first phase of consultations involved confirming the issues with the City's existing tree by-laws and the associated implementation processes with internal and external working groups.

Staff used the feedback received and research from other municipalities to develop proposed directions. A discussion paper was prepared, which was used as the basis for a second phase of stakeholder consultations. Over 100 responses were received during the two-month public consultation period.

The majority of the submissions express strong support for improvements to the Urban Tree Conservation By-law, and its implementation. Stakeholders encourage the City to consider other mechanisms to retain and renew the decreasing urban tree canopy. Given the many benefits trees provide, stakeholders agree that the tree by-laws need to be improved to better retain and protect trees in urban Ottawa.

Hypothèses et analyse

L'examen des règlements sur les arbres constitue l'une des recommandations principales du Plan de gestion de la forêt urbaine (PGFU) de la Ville. Une réglementation forte et efficace aidera la Ville à continuer de satisfaire aux objectifs formulés dans le PGFU. Les mesures proposées répondront aux problèmes soulevés par les résidents et les membres du Conseil des secteurs urbains de la Ville, où la forte croissance et d'autres agents stressants continuent de menacer la forêt urbaine. Comme les règlements en question ont été adoptés il y a plus de 10 ans, une mise à jour s'impose afin qu'on puisse répondre à tous les enjeux qui touchent la forêt urbaine. Vu les ressources nécessaires à la mise en place des modifications proposées et le besoin d'adopter une approche financière responsable, le projet sera divisé en deux phases distinctes. Les stratégies proposées dans le présent rapport influenceront grandement sur la zone urbaine.

Le personnel propose de consolider le *Règlement municipal sur la conservation des arbres urbains* (n°2009-200) et le *Règlement sur la protection des arbres et des espaces naturels municipaux* (n° 2006-279) en un seul *Règlement sur la protection des arbres*.

À la phase 1, les modifications proposées au nouveau Règlement renforceront les exigences en matière de protection des arbres et officialiseront les exigences de compensation pour les arbres abattus sur les terrains publics et privés. De plus, les exigences quant aux renseignements sur les arbres demandés pour obtenir un permis d'enlèvement d'arbre distinctif seront renforcées, les frais de demande seront augmentés pour compenser le coût de mise en œuvre, et une nouvelle amende spéciale sera mise en place pour éliminer ou réduire les avantages financiers dont pourraient bénéficier les contrevenants. On améliorera aussi les processus pour favoriser l'application du Règlement, et donc améliorer la transparence derrière les prises de décisions.

À la phase 2, le personnel fera état, au T4 2020, des dernières propositions de modification au *Règlement sur la protection des arbres*, notamment quant à la diminution de la limite de diamètre (de 50 cm à 30 cm) des arbres distinctifs dans le secteur urbain intérieur (terrains urbains à l'intérieur de la Ceinture de verdure) et à

l'instauration de permis pour effectuer des travaux près des arbres, ce qui renforcera leur protection sur les sites aménagés.

Dans plusieurs secteurs urbains, la perte d'arbres subie au fil du temps a des effets bien visibles. Cette perte constante sans remplacement ne respecte pas les objectifs du Plan officiel ni la vision et les principes du Plan de gestion de la forêt urbaine (PGFU).

Le nouveau *Règlement sur la protection des arbres* et les changements de processus associés contribueront à mieux conserver et protéger les arbres dans les secteurs urbains, particulièrement si les aménagements intercalaires se multiplient dans notre Ville en croissance. Avec les modifications proposées, la Ville suivra les traces de beaucoup d'autres municipalités de la province qui valorisent et protègent les arbres en milieu urbain.

Au cours de l'examen, beaucoup d'acteurs ont souligné que les arbres étaient importants, et que la recommandation du PGFU d'améliorer la protection du couvert forestier urbain demeure une grande priorité. Il faut dire que la résilience climatique et l'adaptation de la Ville aux changements climatiques à venir passeront surtout par la préservation et l'accroissement du couvert forestier. Les arbres font partie intégrante de l'infrastructure verte d'Ottawa, et ils procurent de nombreux avantages et services aux résidents. D'ailleurs, la mise en œuvre du PGFU fait partie des priorités pour le mandat du Conseil approuvés par celui-ci en novembre 2019.

Consultation publique

Le projet a donné lieu à de vastes consultations auprès d'acteurs internes et externes.

La première étape des consultations consistait à s'entendre avec les groupes de travail internes et externes sur les problèmes concernant la réglementation sur les arbres et les processus d'application associés.

À partir des commentaires reçus et des recherches effectuées par d'autres municipalités, le personnel a élaboré des propositions d'orientations. C'est ainsi qu'on a préparé un document de travail devant servir d'assise à la deuxième étape des consultations. Au terme des deux mois qu'ont duré les consultations, c'est plus d'une centaine de réponses qui ont été reçues.

La plupart des intervenants se sont dit fortement en faveur des améliorations au *Règlement municipal sur la conservation des arbres urbains* et à sa mise en œuvre. Ils ont invité la Ville à envisager d'autres mécanismes pour conserver et renouveler le couvert forestier urbain qui s'amenuise. Les arbres apportant de nombreux bienfaits, les acteurs sont d'accord pour dire que la réglementation sur les arbres doit être améliorée pour mieux conserver et protéger les arbres dans les secteurs urbains de la Ville.

BACKGROUND

The Ontario Municipal Act, 2001 gives municipalities the ability to enact by-laws to prohibit or regulate the destruction or injuring of trees. The City of Ottawa currently has two tree by-laws: the Municipal Trees and Natural Areas Protection By-law, 2006-279 (MTNAPB) and the Urban Tree Conservation By-law, 2009-200 (UTCB).

The MTNAPB protects all city-owned trees. This includes trees within parks, road rights-of-way, and natural areas. Permission from the Forestry group is required prior to removing a City-owned tree.

The UTCB applies to privately owned trees within the urban area, as defined by [Schedule "B", Urban Policy Plan](#), of the Official Plan. The regulations vary depending on the property size. For properties greater than one hectare in size, a tree permit is required to remove any tree 10 cm in diameter at breast height (DBH)¹ or greater. For properties one hectare or less in size, a tree permit is required to remove any distinctive tree, which are trees 50 cm DBH or greater.

Neither of the by-laws have had a comprehensive review since their inception. The UTCB was specifically to address specific issues at the time of its inception. With the increased growth in Ottawa, there are now new tree issues to address. Although some aspects of the by-laws are working well, the recommended review presents an opportunity for City staff to make the improvements identified by stakeholders, Councillors, and the public, and to address the challenges the urban forest is facing today.

¹ Diameter at breast height or DBH means the measurement of the trunk of a tree at a height of 1.2 metres above ground level. Find guidance on how to measure a tree [here](#).

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The Urban Forest Management Plan (UFMP) provides the strategic and technical guidance required to achieve urban forest sustainability in Ottawa over the coming decades. The Plan was approved in 2017 and outlines 26 recommendations for growing Ottawa's urban forest and making it healthier, more diverse and resilient. One of the key recommendations included a review of the City's tree by-laws and several other recommendations are related to improving the implementation of the tree by-laws.

Specifically, the UFMP recommends to:

1. Improve the effectiveness of the UTCB (Recommendation #8);
2. Review and implement opportunities to strengthen the MTNAPB (Recommendation #8);
3. Investigate the need for a heritage tree by-law, program, or registry in Ottawa (Recommendation #8);
4. Develop city-wide tree compensation guidelines (Recommendation #14); and
5. Identify and formalize incentives for encouraging tree conservation and establishment (Recommendation #24).

In addition to the UFMP recommendations listed above, the Tree By-law Review project also includes a redesign of City processes and procedures to support its implementation.

On February 27, 2018, during the consideration of the Site Alteration By-law, 2018-164, the Planning Committee directed staff to include options to protect peri-urban woodlands (i.e., rural woodlands adjacent to the urban boundary) as a part of this project.

In 2018, City staff conducted a study, in partnership with Carleton University, to measure tree loss between 2008 (the year before the UTCB came into effect) and 2017 in five urban neighbourhoods. In each neighbourhood, 500 randomly selected points were sampled. Over the nine-year period, between 30 per cent and 58 per cent of the trees sampled in 2008 were lost and not replaced. Independent resampling of Wellington Village and Westboro showed declines in urban canopy cover from 50 per

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cent to 29 per cent and 51 per cent to 30 per cent respectively (95 per cent confidence interval of +/- 4 per cent for all estimates). Based on visible land use changes, it appeared that new construction accounted for between 22 per cent and 46 per cent of tree removals across the study neighbourhoods. The causes of the remaining losses could not be identified, but would include natural mortality, wind damage, and emerald ash borer. These results indicate a high rate of tree loss despite the enactment of the UTCB.

The cumulative impact of tree loss over time has become apparent. Sustained tree loss and lack of replacement are not consistent with Official Plan objectives or the vision and principles of the City's UFMP. Through Ottawa's UFMP, Council has recognized the central role the urban forest plays in public health, urban design, climate adaptation, and resiliency. Resiliency is one of the 'Five Big Moves' of the new Official Plan. The retention and protection of existing trees is a core means of building climate resiliency to ensure that Ottawa is adapting to future climate conditions. In the context of a Climate Emergency, trees play a vital role in Ottawa, specifically in the urban area, by mitigating urban heat island effects and managing stormwater runoff. Today, the value of urban trees is well understood. As such, the loss of trees in the inner urban area is one of the key issues to be resolved through this project.

Many members of Council have indicated that trees are important and that improving the protection of the urban tree canopy is a high priority. The draft Term of Council Priorities, which were tabled on November 6th and will be rising to Council on December 11th, includes the implementation of the UFMP.

DISCUSSION

The Tree By-law Review project is a joint initiative between the Natural Systems and Rural Affairs group of Planning, Infrastructure and Economic Development (PIED) and the Forest Management group of Public Works and Environmental Services (PWES). The proposed directions outlined in this report will be jointly implemented by staff in both groups as well as operational Forestry staff and staff who review applications and issue permits related to building and development. The success of this project is highly dependent on the commitments and actions of others. As a result, ongoing internal education is required, and staff resources will be assigned to this task.

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The City's tree by-laws are the key regulatory tools that enable the City to protect trees. Staff believe that a more integrated approach to considering trees, specifically in the building permit and development review process, as well as raising awareness around the City's goals with respect to the urban forest will help to realize the vision of the UFMP; to achieve a sustainable and resilient urban forest. Similar to Ottawa, Toronto continues to experience strong growth, which places pressure on their urban forest assets and they have responded by implementing a similar approach proposed in this report.

Project Objective:

To develop an integrated approach to protect Ottawa's urban tree canopy while maintaining and increasing the diversity of the urban forest over time. This will be accomplished by improving the City's tree by-laws and associated processes, as well as developing transparent tree permitting and compensation requirements.

The project is centered around three goals; to retain, replace, and renew Ottawa's urban forest. The first goal is to retain trees on a site. Trees that cannot be retained will be replaced to ensure that the tree canopy will be reinstated over time, while actively planting new trees to renew the urban tree canopy.

Project Consultation Summary:

Early feedback was obtained from internal and external stakeholder groups, which helped to identify key challenges with the by-laws.

A consultant was hired to research and report on tree by-law structure and implementation for 10 municipalities across Canada. The research helped to identify best management practices for municipalities across Ontario and Canada. This information was used to inform recommendations and processes for Ottawa. A summary of this research is included in Document 3.

The research and information gathered during initial stakeholder consultations was used to frame the key challenges and develop a suite of proposed directions to address the challenges. These were presented in a discussion paper and online presentation, which was put out for additional consultation in the summer of 2019. The detailed discussion

paper was shared with key stakeholders, while the online presentation was used to consult the public at large. The consultation period was from July to mid-September.

The path forward established by staff was well-received by the public and many of the recommendations are reflected in this project.

Key Challenges:

Below is a summary of the key challenges identified through consultations:

1. Tree Loss in Inner Urban Neighbourhoods

As indicated above, a loss of tree cover has been observed in Ottawa's inner urban neighbourhoods since the UTCB came into effect. It has proven difficult to protect very large trees (50+ cm DBH) adequately during infill development because of their large critical root zones, small property sizes, and large zones of excavation. In addition, staff have observed, anecdotally, that the average age of the tree canopy in several downtown neighbourhoods is old. As a result, many trees in these residential neighbourhoods may be nearing the end of their lifecycle.

2. Education is Needed

Stakeholders believe that education is necessary to raise public awareness about the environmental, social and economic benefits of trees in urban areas. Builders, developers and trades people must also be educated about tree retention and protection, to ensure that trees are treated as valuable City assets. Staff reviewing planning applications must be educated about the importance of trees; they must also feel empowered to influence applicants to retain, replace and renew the urban forest. To maintain our current canopy cover and grow it into the future, decisions will have to be made to retain and adequately protect both private and City-owned trees and the issuance of tree permits will have to be carefully considered.

3. Implementation Processes

It has become apparent that trees are being considered too late in the planning and building processes or in some cases, not at all. This makes it difficult to retain existing trees, or where this is not possible, ensure adequate room for replanting.

These shortcomings also make it difficult to ensure that trees are protected adequately during construction.

City-owned trees are being removed to support private developments and for City infrastructure projects; often they are not considered in the initial stages of the design process, before project plans are finalized. Privately owned trees are faced with the same challenges due to infill development.

Staff and stakeholders have identified opportunities to improve the intake process for tree permits, administered through building permits and planning applications. There is recognition that trees are being considered too late in the processes, after building plans have been finalized, making it difficult for staff to influence decisions about trees.

Trees are not currently considered by applicants submitting proposals to sever lands or vary the zoning by-law through the Committee of Adjustment. Given the significant increase in infill and renovation projects since the UTCB came into effect, staff believe there is an opportunity to support and enhance the urban forest through these planning processes.

Another challenge is that trees are not typically considered during the review of a building permit because tree by-laws are not considered applicable law under the *Ontario Building Code Act*. As a result, the building permit is issued under one set of regulations and the tree permit under another. Once a building permit is issued, it is difficult for City Forestry staff to deny a tree permit.

4. Inadequate Tree Protection

City staff and stakeholders have noticed for many years now that, in development scenarios and for infrastructure projects, adequate tree protection measures are often not being used. Both City Tree By-laws and the City's website include details about how to protect a tree. However, protection measures are often not adequately applied throughout the construction process. The result is that trees that should be retained are getting damaged. Too often, these trees die from the damage they sustain during construction, or they become dangerous and must be removed.

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The standard tree protection requirement is to erect a fence around the critical root zone (CRZ) of the tree. The CRZ is within 10 cm of the trunk of a tree for every 1 cm of trunk diameter. In certain situations, it is possible to infringe on the CRZ without harming the tree. Historically, the City has not provided guidance on how to safely work close to, or within, the CRZ of trees to be retained.

Trees at particular risk of damage as a result of inadequate tree protection measures include trees that are jointly owned by two or more neighbours, or trees that are on properties adjacent to a property where construction is occurring. These situations can become civil disputes between neighbours. Clarity around the considerations and requirements for jointly owned trees and adjacently owned trees would be helpful.

Proposed Approach

A shift in thinking is required to support the actions identified in this report and has already begun across the City thanks to the approval of the UFMP, a high level of community engagement on the issue, and to early efforts by staff in PIED and PWES. The City's goals around trees, including their value as a city asset must be communicated to staff, the building industry, residents, business owners and many more. This shift in thinking will be key to ensuring the recommendations and proposed directions in this report are realized.

To address the issues identified, changes are required to the City's tree by-laws and to the processes used to implement the tree by-laws. There are resource implications associated with making the required changes resulting in the need for a phased approach to implementation, which represents a fiscally-responsible path to achieving the goals outlined in this report.

Given the resource requirements, staff recommend a phased approach to resolving the key issues in order to ensure that the required resources are in place to implement the proposed improvements. The implementation of Phase 1 will require three full-time positions. It is recommended that two of these positions (Forestry Inspectors in PWES) be established as permanent FTE's in 2020, the cost of which will be offset by increased revenues from new application fees for a net zero impact to the 2020 budget,

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with the third position being created on a temporary basis and funded from an existing vacancy.

If approved by Council, Phase 2 of the project would be implemented in 2021 and the preliminary assessment indicates that it may require up to five additional new FTEs, in addition to the three FTEs from Phase 1, for a total of up to eight permanent FTEs. Staff will report back in Q3 2020 with an amended by-law reflecting the full suite of proposed changes, including the resource requirement to implement Phase 2. The resource requirements will be included as a budget pressure for 2021 by PIED (subject to funding) and PWES.

Most of the changes proposed in this report target tree loss due to infill development because it continues to be cited by communities and Councillors as a primary concern. Developments subject to a *Planning Act* application (e.g. Site Plan, Plan of Subdivision) will be much less impacted by the proposed changes.

Below is a summary of the items to be covered through each phase of the project.

Phase 1

Phase 1 of the implementation of the new Tree Protection By-law includes several changes to the By-law as outlined below. However, how the new by-law applies has not changed from how the UTCB and MTNAPB applied. The new Tree Protection By-law will still require approval to injure or destroy any City-owned tree, and in the urban area, a tree permit will be required to remove trees on private property based on the same property size and tree size rules that are currently in effect under the UTCB.

Staff recommend that the Tree Protection By-law and improved processes come into effect on May 1, 2020. Staff will work to solidify all required processes for Phase 1 through the winter and prepare and execute an internal and external education campaign on the new by-law and process changes in the early spring.

By-law Changes in Phase 1

- **Harmonized Tree By-law** - The UTCB and MTNAPB have been combined into one harmonized tree by-law, a new “Tree Protection By-law”, which can be found in Documents 1 and 2. A single, harmonized tree by-law streamlines and consolidates the requirements, enforcement, and processes to make Ottawa’s tree regulations clearer to residents and staff.
- **Tree Protection** - Improve tree protection by making the requirements clearer and more overt within the by-law. New provisions relating to tree protection have been added to the new Tree Protection By-law (see Part VI in Document 1) and these apply to all protected trees² in Ottawa. Previously tree protection was outlined in general terms in the MTNAPB and in the UTCB and was only included in the Schedule for the Tree Conservation Report Guidelines.
- **Tree Compensation** - Tree compensation requirements have been included in the new Tree Protection By-law for the removal of City-owned trees and for the removal of Distinctive Trees. Please see Schedule “B” in Document 2 for how these

² A “protected tree” means any tree indicated as requiring an approval, a tree permit or a distinctive tree permit for its injury or destruction, as per the Tree Protection By-law, and includes a retained tree.

requirements apply. For City-owned trees, the new compensation requirements solidify the tree compensation process that has been implemented by the City's Forestry group for the last 15 years. For Distinctive Trees, tree compensation is a new requirement. It is a tree replacement ratio approach and depends on the proposed development. For infill development scenarios, each distinctive tree removed will require the planting of three new trees. If the required trees cannot be accommodated on the site, the cash value (\$400/tree) of the trees not planted must be paid to the City. When the cash value is collected, it will be added to the City's tree planting account. If the compensation tree(s) cannot be planted on the same private property where the distinctive tree was removed, then it can be planted on another private property in close proximity, subject to the affected owner's approval. For the removal of a Distinctive Tree not associated with infill development, each distinctive tree removed requires the planting of one tree in its place. These transparent tree compensation requirements will help all stakeholders understand what is required when trees are removed. This approach for tree compensation is similar to what several other Ontario municipalities have in place, including; Toronto, Kingston, Oakville, Hamilton, and Markham. Tree compensation may also act as a disincentive to removing trees.

- **Revised Tree Information Report Guidelines** – In the UTCB, the removal of Distinctive Trees required the submission of an arborist report, or, if the removal was due to infill development, a tree disclosure report was required. Staff found that adequate information was not being submitted in support of an application for the removal of Distinctive Trees, and that it could be confusing for applicants to determine which type of report to submit. The new Tree Protection By-law includes the requirement for the submission of only one type of report to remove Distinctive Trees, a Tree Information Report. Schedule "C" in the new by-law contains guidelines for the new Tree Information Report based on the complexity of the tree removal. For simple, non-infill development related tree removals, the requirements are similar to the previous arborist report requirements but have been clarified. Requirements for tree removals for infill development or bigger construction scenarios are similar to those in the tree disclosure report, but again have been

clarified in an effort to obtain sufficient information for decision making on tree permit issuance.

- **Application Fees** – The UTCB had an application fee of \$100 for a Distinctive Tree permit and the MTNAPB did not have any application fees. Given the resource requirements to implement the City's Tree By-laws more effectively, the creation of new application fees, including increasing the Distinctive Tree application fee, is required to help offset the cost of implementing the new Tree Protection By-law. Schedule "D", Document 2 specifies the new application fees to remove protected trees. The changes are summarized as follows:
 - For the removal of protected trees (municipal or private) required in conjunction with a *Planning Act* application (Site Plan, Plan of Subdivision), the application fee will be included in development application fees. Staff will work to incorporate the review of tree information for *Planning Act* applications into the development application fees.
 - For the removal of protected trees (municipal or Distinctive) required in an infill development scenario, the new application fee is \$500/tree.
 - For the removal of protected trees (municipal or private) not associated with development, but that may be associated with smaller scale construction projects (pools, decks and minor additions), the new application fee is \$150/tree to a maximum of \$750.
 - There is no application fee to remove a dead tree, a tree that is an immediate threat to public health and safety, or an ash tree.

This is a similar structure for fees charged for tree removal in several other municipalities in Ontario, including Toronto, Oakville, London and Kingston. The increase in application fees may also act as a disincentive for removing trees.

- **Special Fines** – In the Mayor's 2019 State of the City address, the Mayor indicated as a goal the increase of the current penalties under the by-law to ensure that they are directed at those who may experience financial gain from contravening the by-law. Under the provisions that allow municipalities to enact Tree By-laws, the

Municipal Act enables the creation of “special fines” in addition to the regular fine for by-laws. Special fines are not limited to \$100,000, as regular fines are, and they are designed to eliminate or reduce any economic advantage or gain from contravening the by-law. The new Tree Protection By-law includes the addition of special fines. In the new Tree Protection By-law, the new special fine is unlimited and can be charged in addition to any regular fine (see Part VIII, Section 95 in the new Tree Protection By-law). Increased fines will also act as a deterrent to contravening the by-law.

- **Administrative changes, clarifications** – The new Tree Protection By-law also includes several minor administrative changes and clarifications. Formatting and language were updated to reflect more current by-law language. Definitions were edited to reflect currently accepted definitions. A change was made to better reflect the City’s existing tree review processes for *Planning Act* applications and to provide clarity to applicants; for all sites subject to a *Planning Act* application, the provisions of Part IV of the Tree Protection By-law will apply. This is how it has been implemented for 10 years, however it was noted that the UTCB did not capture the process adequately.

Process Changes in Phase 1

- **Earlier Consideration of Trees in the Development Process** – It is clear that trees must be considered earlier in infill development scenarios to create opportunities for tree retention and protection. The integration of tree protection requirements with site design, grading, servicing, and engineering plans is fundamental to successful tree retention. Staff will work to do the following to ensure that trees are better considered in infill development scenarios:
 - Ensure that trees are considered in pre-consultation meetings, where applicable, to discuss and determine tree retention opportunities and requirements early on.
 - Streamline and improve the existing processes for collecting and reviewing Tree Information Reports submitted with building permit applications.

- Create clear direction for tree information and requirements on the City's building permit website, in brochures, and for building permit counter staff on:
 - how the Tree By-law applies and the tree-related submission requirements;
 - to consider trees early in the design process, before applicants invest time and money on building and site plans;
 - highlighting to applicants that tree permits are required in addition to building permits and that the issuance of a building permit does not guarantee tree permit issuance; and
 - the suggestion for applicants to consult with City forestry staff on tree retention opportunities and tree protection requirements prior to submitting a building permit application.
- Create a new process to require tree information reports to be submitted with Committee of Adjustment applications and to be considered in the Committee's decision process. Create tools, such as standard conditions, web information, brochures, etc. to streamline this.
- Where necessary, use the City's powers under the *Planning Act* to require a Site Plan process where it could benefit trees by giving staff more authority to consider tree retention, replacement, and renewal, and allow for a more integrated design approach.
- **Develop Clear Rules around Tree Permitting** – Clear requirements for the submission of tree information and clear rules for when tree permits will generally be issued will help all parties (residents, developers, and City staff) understand how the process works. Clarity and transparency around the rules and requirements will help to educate everyone on tree retention opportunities and manage expectations around tree removals. Staff will create the following elements:
 - A diagram that shows scenarios of where tree permits will generally be issued. For example; City owned trees must be retained, whereas trees within

- the as-of-right building envelope would be granted permits for removal, and trees in rear yards would generally require retention depending on their size, condition, species. This diagram would be made available on the City's website, at the Building Permit counter, and at Client Service Centres.
- Specific rules for intensification versus infill developments that are not creating more units. Intensification is an important objective of the City, and as such, there could be more flexibility on tree removals for developments that are creating more units. However, tree planting and tree compensation requirements would still be required. Conversely, new developments that result in a larger detached house being built in place of an existing detached house would have to take a 'design with trees' approach to their development and show minimal impact to the existing tree canopy through their design. This is to be implemented, as applicable, through the review of tree information associated with infill development applications.
 - Flow charts for tree retention and tree permit decision making. Flow charts will be created for both City-owned trees and private trees. Various development scenarios will be considered. These flow charts would be publicly available on the City's website, at the Building Permit counter, and at Client Service Centres.
 - More clarity on requirements for removal of / damage to jointly owned trees and trees that are on properties adjacent to a development property. Information to be put on the City's website, at the Building Permit counter, and at Client Service Centres.
- **Improve Tree Protection Information** – Tree protection requirements and appropriate methods to work around trees must be more readily available. This past year, staff created a tree protection specification that is currently being used as an education tool by City Forestry Inspectors out in the field. The specification was also added to the City's website in several locations where tree protection is discussed or should be contemplated. Now a tree protection page will be added to the City's website with all relevant information. It will be linked to from various other parts of the City's website where people should be considering tree protection. The tree

protection specification created this year is included within Document 4. Forestry staff have increased the monitoring of tree protection, particularly within the inner urban area of the City. This monitoring will continue, and enforcement actions will be taken where tree protection is not adequate.

- **Strengthen Official Plan Policies** – Although the City's current Official Plan (OP) has good policies to support trees, through the OP review, staff are working to strengthen policies to better reflect the value of the urban forest and to support the principles and objectives of Ottawa's UFMP. Recommended changes include:
 - Clear language around the intersection of trees and intensification. For example, the urban forest will not be compromised by growth and intensification.
 - Direction for early consideration of trees in development and infrastructure projects and guidance on tree issues for City staff and the Committee of Adjustment;
 - Clear canopy cover goals that inform related policies throughout the OP.
 - Recognition of the urban forest as green infrastructure and a valued asset that is to be considered as such in planning and development processes and decisions.
- **Education and Training** – A key component of the implementation of the new Tree Protection By-law and the associated processes for Phase 1 will be education and training. This will involve specific training and a plan for ongoing education for City staff. It will be catered specifically to each of the many groups across the corporation who are involved in work that could impact trees. A broad education campaign will be rolled out in the early spring before the new by-law comes into effect. This will be done using the City's web site, social media, Councillor newsletters, and staff attendance at community group meetings. It will also be imperative to do directed sessions with various groups external to the City who will be key to the implementation of any changes, for example: the development community, the construction community, arborists, foresters, landscape architects, planners,

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engineers, tree companies, etc. The implementation of the new Tree Protection By-law will not be successful without a fulsome and well-planned education and training program.

- **Monitoring and Reporting** – The City does not have a robust monitoring system for either of the Tree By-laws. Staff is currently working on monitoring measures for the new Tree Protection By-law. Staff will work towards having a new monitoring process in place when the new by-law comes into effect. This will help City staff assess the efficacy of the new Tree By-law over time. Linked to the new monitoring system will be a transparent reporting framework on the implementation of the City's new Tree Protection By-law.

Resources in Phase 1

In order to implement the new Tree Protection By-law and all the associated process changes outlined above Phase 1, three additional FTEs are required, as follows:

- A new forester in PIED will be the point of contact in Planning for tree issues in infill development. The new Forester will review building permit applications for infill development and Committee of Adjustment applications (as described above). They will work with applicants, as well as City planners, engineers, and forestry inspectors to ensure that trees are better protected through infill development.
- Two new Forestry Inspectors in PWES will be responsible for on the ground implementation and enforcement of the new Tree By-law for infill development scenarios and for monitoring tree protection. They will work closely with the new PIED Forester.

One of these positions will be funded through a temporary internal vacancy and will be filled in early 2020. The expectation is that this position will be permanently established through the 2021 Budget, pending approval of funding. It is proposed that the other two positions be permanently established in 2020 and funded by the increased revenues from new application fees.

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Phase 2

Phase 2 changes will require an amendment to the new Tree Protection By-law, as described below. Staff will report back in Q3 2020 with proposed by-law amendments and associated implementation details.

By-law Changes in Phase 2

- **Lower the Distinctive Tree Size** – Staff recommend that the distinctive tree size be lowered from 50 cm DBH to 30 cm DBH. It has proven difficult to protect very large trees in infill development scenarios. Although staff are committed to protect large trees in Phase 1, a smaller tree has a smaller critical root zone, which makes it easier to protect. Smaller trees are younger and more tolerant of some disruption to their root zone than larger, older trees. Urban tree retention and protection should be focused on a wider variety of tree sizes rather than just very large trees. A sustainable and resilient urban forest must be diverse in terms of its tree species and tree size (age-class structure). Ottawa's 50 cm DBH size for trees requiring permits on small urban properties is considered large compared to other municipalities, and a decrease in DBH for privately owned trees requiring a permit would bring Ottawa in line with many other municipalities in Ontario; see Document 3. This proposed decrease in diameter means that there will be more trees covered by the Tree Protection By-law, and following that, potentially more requests for tree permits. Staff recommend that this change be applied only for the inner urban area (urban lands within the greenbelt) and that the existing diameter limit for distinctive trees continue to be applied to the urban lands outside the greenbelt. This recommendation, although key to the objective of the Tree By-law review project, is recommended to be implemented in 2021 so that adequate resources can be secured through the 2021 budget.
- **Permit to work around trees** – This comes back to ensuring adequate tree protection in development scenarios, and other construction scenarios. In situations where no trees are being removed on a development site, there is no requirement for the applicant to obtain a tree permit. This means that there is no way for the City to have any input on the tree protection measures to be used for the trees that are being retained. Even though the Tree Protection By-law requires that the trees are

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protected adequately, in practice, if there is no tree permit requirement, there is no assurance that the trees will be considered. Staff are proposing to amend the Tree Protection By-law to add a new requirement for a permit to work around trees. This would apply only to the inner urban area (the urban lands inside the Greenbelt). It would help to ensure that there is a clear set of site-specific tree protection requirements that would be enforceable under the Tree Protection By-law. The submission requirements for this new type of permit would be similar to what is already required for an infill development. The required Tree Information Report would include the arborist's recommendations for site-specific tree protection. Staff recommend that this concept be piloted in the inner urban area (urban lands inside the Greenbelt) and assessed before being implemented City-wide.

Process Changes in Phase 2

In addition to the by-law changes listed above, staff will have to make changes to the implementation processes to reflect the Phase 2 by-law changes. Given the changes include a new diameter limit and a new type of tree permit, a key component of the processes will be education and training on the amendments, both internally with City staff and externally with all stakeholders.

Resources in Phase 2

In order to implement the Phase 2 amendments to the Tree Protection By-law, new resources will be required. A decrease in the diameter limit means that more trees in urban Ottawa will require a tree permit. The diameter-limit decrease and the addition of a permit to work around trees will result in an increase in calls and applications received by City forestry staff. Staff have determined that up to five new FTEs are required to implement the Phase 2 recommendations including, one FTE in PIED to support the review of infill development applications and up to four FTEs in PWES to cover the increase in tree permit requests and for enforcement given the expanded scope of the by-law.

Staff will not be able to implement the Phase 2 recommendations within existing resources. Staff will be working with Finance Services to determine cost recovery options to help offset the need for increased resources to implement Phase 2 and

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beyond. The required resources will be submitted as budget pressures for 2021 by PIED (subject to funding) and PWES.

Still to come:

There are two other components of the Tree By-law Review that have not yet been completed; heritage trees and peri-urban woodlands. Given the breadth of the challenges identified with the existing by-law, staff have focused on making improvements to the existing by-laws and associated implementation processes and not on adding brand new elements. This can be seen in the phased approach to the implementation of the new Tree Protection By-law. However, staff recognize the value in creating a heritage tree approach for Ottawa and in ensuring the protection of peri-urban woodlands as the City navigates through the development of the new Official Plan.

Phase 2 will include a review of the need for a heritage tree by-law or registry for Ottawa and a strategy for the protection of peri-urban woodlands. At that time, staff will also identify any additional resources that may be required for these two elements.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

This project was based on an extensive consultation program with an internal and external stakeholder group and with the public.

During the UFMP consultations, many issues were raised regarding the functionality of the UTCB. The majority of the detailed discussions on changes required to the City's urban forest management were on the topic of how to improve the UTCB. Given this extensive feedback, the key recommendation coming out of the UFMP was to do a review of the City's tree by-laws. The project was conceived based on the feedback received from the public and stakeholders through the UFMP process.

The first phase of consultations involved confirming the issues with the City's Tree By-laws and the associated implementation processes with internal and external

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stakeholder working groups. A facilitated issues session was held with the internal stakeholder group. Written feedback was received from many external stakeholders including; the Greater Ottawa Home Builders' Association (GOHBA), the Ottawa Stewardship Council, Tree Canada, Hidden Harvest, Tree Fest Ottawa, and the group Community Associations for Environmental Sustainability (CAFES). CAFES submitted a feedback document that was supported by 22 community associations across the City and seven other citizen's groups.

A consultant was hired to research and report on Tree By-law structure and implementation for 10 municipalities across Canada. Based on the issues that were identified in Ottawa, the consultant was able to focus specifically on reporting on approaches other municipalities are taking that could work well in Ottawa.

With the feedback received in the early consultations and the research from other municipalities, staff developed a set of proposed directions designed to address the issues identified. A discussion paper was prepared, and that paper was used as the basis for a second phase of consultations with the internal and external stakeholder working groups. Facilitated sessions were held with both stakeholder groups. Several more directed sessions were held with the infill group of GOHBA and representatives from CAFES.

Stakeholders indicated that the discussion paper accurately represented the issues and challenges observed with the Tree By-laws. As well, there was an overall general agreement that the proposed directions would address the identified issues.

The public consultation component was done online. A summary of the discussion paper was put on the City's website with a summary of the project and consultation questions. Over 100 responses were received during the two-month public consultation period.

The majority of the submissions express strong support for improvements to the Urban Tree Conservation By-law, and its associated implementation processes, and encourage the City to consider other mechanisms to retain and renew the decreasing Urban Tree Canopy. Residents expressed that the by-laws should be better implemented and enforced. Compensation should be used to replace and renew the

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tree canopy in the same neighbourhood that tree removal is taking place. A better monitoring program should be considered. A significant number of residents suggested that the diameter for Distinctive Trees be lowered from the current diameter which is 50 cm. A more transparent tree permitting process is preferred. Concerns regarding penalties were also raised, and the consensus is that stiff penalties should apply to unauthorized tree removal. Issues were identified concerning the loss of urban tree canopy. Infill development is one of the most commonly raised concerns. Lack of consideration of trees in the infill development process, particularly lot design and increasing footprint, is perceived as one of the main causes for rapid decrease of the urban forest canopy in the City's mature neighbourhoods. Concerns around construction practices were also raised by the residents. Careless construction practices often pose a threat to trees, especially when the construction activities are conducted near the critical root zone of a tree. The majority of respondents had a personal story regarding the loss of a tree on or adjacent to their property or in their neighbourhood.

Following the second phase of consultations, the CAFES group presented the Mayor, Councillors, and staff with a "Petition for Ottawa's Trees" asking that the proposed directions described in the Tree By-law Review discussion paper be adopted. The petition was signed by 577 residents as of the writing of this report and the petition can be found [here](#). Overall, the by-law and process changes outlined in the petition document have been addressed in this report. Through the implementation of both Phase 1 and 2 of the staff recommendations, the items listed in the petition will be completed.

The overall outcome of the consultations for this project is that there is widespread agreement that the Tree By-laws need to be improved to better retain and protect trees in urban Ottawa, given the numerous benefits trees provide.

COMMENTS BY THE WARD COUNCILLORS

This is a city-wide report – not applicable.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report. Paragraph 5 of Subsection 10(2) of the *Municipal Act*, 2001 (the “*Municipal Act*”) authorizes a municipality to pass by-laws respecting the economic, social and environmental well-being of the municipality, including respecting climate change. In addition, Subsection 135(1) of the *Municipal Act* specifically authorizes a municipality to prohibit or regulate the destruction or injuring of trees. Subsection 135(7) provides that a municipality may, in a by-law passed under Section 135, require that a permit be obtained to injure or destroy trees, and impose conditions to said permit, including conditions relating to the manner in which destruction occurs and the qualifications of persons authorized to injure or destroy trees. Note that Subsection 135(12) of the *Municipal Act* sets out specific activities that are exempt from a by-law passed under Section 135. Those exemptions have been specifically enunciated in the “Statutory Exemptions” provisions of the proposed By-law attached to this Report. With respect to the proposed provisions in Part III of the draft By-law relating to “Protection of Municipal Natural Areas”, Council’s authority derives from the Municipal Act provisions cited above, as well as the broad authority delegated under Subsection 10(2), Paragraph 8 to pass by-laws in relation to protection of persons and property.

RISK MANAGEMENT IMPLICATIONS

The risk implications have been identified and explained in the report and are being managed by the appropriate City staff.

Not approving the phased approach recommended or the resource requirements to implement the new Tree Protection By-law will directly impact staff’s ability to effectively manage and implement the new Tree Protection By-law as described in this report.

ASSET MANAGEMENT IMPLICATIONS

The information documented in this report is consistent with the [City’s Comprehensive Asset Management \(CAM\) Program](#) objectives. The Tree By-law Review outlines key actions to improve the management of the City’s urban forest resource, resulting in timely decisions that can minimize life cycle costs and ensure the long-term affordability

of forest assets and the benefits they provide. The changes proposed to the new Tree Protection By-law will improve tree protection requirements and formalize compensation requirements for the removal of public and privately-owned trees. The recommendations of the Tree By-law Review take a holistic and systematic approach to protecting and fostering growth of the City's urban forest.

FINANCIAL IMPLICATIONS

The establishment of two permanent Forestry Inspector FTE's in 2020 in Forestry Services at a total cost of \$215,000 will be offset by increased revenues generated from the new permit fees, for a net zero impact to the 2020 budget. Resource requirements for the 2021 budget for the implementation of Phase 2 will be confirmed in the Phase 2 report in Q3 2020.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

ENVIRONMENTAL IMPLICATIONS

Trees are a vital part of the City of Ottawa's green infrastructure and they provide numerous benefits and services to residents. Trees are what makes the City of Ottawa a healthy, vibrant, safe and prosperous place to live. Through Ottawa's UFMP, Council has recognized the central role the urban forest plays in public health, urban design, climate adaptation, and resiliency, through the provision of ecosystem services such as shade, mitigation of urban heat island effects, reduced urban run-off, and many mental and physical health benefits. Retaining trees is a core means of building climate resiliency and to ensure that Ottawa is adapting to future climate conditions. Shaded streets and neighbourhoods, for example, are essential for a much warmer future. Implementing actions such as those recommended in this report to improve the Tree By-laws will help to better retain, protect, and grow Ottawa's urban forest. In the context of a Climate Emergency, protecting Ottawa's green infrastructure is a key component to ensuring a prosperous and healthy City into the future.

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TECHNOLOGY IMPLICATIONS

Once the final requirements are determined, changes and/or enhancements can be scoped with the SAP Solutions Branch for the estimate of effort and resources required. SAP Solutions Branch is committed to working with Forestry Services to process changes that require modifications in SAP.

TERM OF COUNCIL PRIORITIES

This report supports the following Term of Council priority:

- Environmental Stewardship and Sustainable Infrastructure

SUPPORTING DOCUMENTATION

Document 1 Proposed Tree Protection By-law

Document 2 Proposed Tree Protection By-law Schedules A-E

Document 3 Tree By-laws in Other Municipalities – Precedent Review

Document 4 Tree Protection Specification

Document 5 Fee Schedule

DISPOSITION

Upon approval, Planning, Infrastructure and Economic Development and Public Works and Environmental Services, in conjunction with any other relevant Departments, will implement the directions from this report, accordingly, including necessary changes to all related processes and procedures, and the development and implementation of a communications plan to provide the necessary information to internal staff and the public.

Upon Council approval, Planning, Infrastructure and Economic Development, in conjunction with Legal Services, will prepare the by-law for enactment by Council, with an effective date of May 1, 2020.

**STANDING COMMITTEE ON
ENVIRONMENTAL PROTECTION,
WATER AND WASTE MANAGEMENT**

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**COMITÉ PERMANENT DE LA
PROTECTION DE
L'ENVIRONNEMENT, DE L'EAU ET
DE LA GESTION DES DÉCHETS
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PIED and PWES will work with Public Information and Media Relations to develop and carry out a communication plan and provide the necessary information to internal staff and the public.

HR will establish the two new FTE's for Forestry Services in 2020, and Finance will process the 2020 budget adjustment to establish the budget for the FTE's and offsetting revenues.

Phase 2 resource requirements for PIED and PWES will be outlined in the Q3 2020 Phase 2 report and included as part of the Departments' submission for the 2021 budget process.