

**REPORT 8
29 JANUARY 2020**

**EXTRACT OF DRAFT STANDING
COMMITTEE ON ENVIRONMENTAL
PROTECTION,
WATER AND WASTE MANAGEMENT
MINUTES 8
17 DECEMBER 2019**

**EXTRAIT DE L'ÉBAUCHE DU
PROCÈS-VERBAL 8 DU COMITÉ
PERMANENT DE LA PROTECTION
DE L'ENVIRONNEMENT, DE L'EAU
ET DE LA GESTION DES DÉCHETS
LE 17 DÉCEMBRE 2019**

TREE BY-LAW REVIEW PROJECT

ACS2019-PIE-EDP-0052

CITY WIDE

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**

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Tree Protection By-law to give effect to the intent of Council.

The Committee received a detailed slide presentation overview of the report from Ms Martha Copestake, Forester – Planning, Natural Systems and Rural Affairs, Economic Development Services, PIED. A copy of this presentation is held on file with the City Clerk.

Following the staff presentation, Councillor Cloutier read the following Motion:

MOTION N^o EPWWM 2019 08/01

Introduced by Councillor J. Cloutier:

WHEREAS report ACS2019-PIE-EDP-0052 proposes a new Tree Protection By-law to support the protection and enhancement of the City's urban tree canopy; and

WHEREAS the proposed By-law includes permit fees (on a per tree basis) for the removal of distinctive trees; and

WHEREAS the permit fee for removing a tree that is not associated with infill development is \$150 per tree, up to a maximum of \$750 (or five trees); and

WHEREAS the permit fee for removing a tree that is associated with infill development is \$500, but with no maximum indicated; and

WHEREAS staff recommend implementing a maximum permit fee for infill development for consistency;

THEREFORE, BE IT RESOLVED that the Standing Committee on Environmental Protection, Water and Waste Management recommend to

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Council that the By-law be amended to set the maximum permit fee for infill development at \$2500 (or five trees), to correspond with the limit set for non-infill tree removals.

Responding to Committee questions, Ms. Copestake explained that the purpose of the staff-drafted Motion was to amend the By-law to set maximum permit fees, as a fee structure had not yet been established at the time of stakeholder consultations.

The Committee then heard from the following delegations, who provided comment on, or recommended amendments to, the By-law:

- Mr. Brian Beaven*, Co-Chair, Trees & Greenspace Committee, Centretown Community Association
- Mr. Robb Barnes*, Executive Director, Ecology Ottawa (slide presentation)
- Mr. Daniel Buckles*, PhD, Community Associations for Environmental Sustainability (CAFES – slide presentation)
- Mr. Paul Johanis*, Greenspace Alliance of Canada's Capital
- Ms Heather Pearl*, Federation of Citizens' Associations (slide presentation)
- Mr. John Dickie*, Chair, Eastern Ontario Landlord Organization
- Mr. Jason Burggraaf*, Executive Director, Greater Ottawa Home Builders Association

*[* Individuals / groups marked with an asterisk above either provided comments in writing or by e-mail; all submissions are held on file with the City Clerk.]*

The Committee's questions to staff and subsequent discussions included, but were not necessarily limited to: concerns with a phased-in approach versus full,

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immediate implementation of the By-law recommendations; related costing and cost recovery; tree loss due to LRT Phase II construction; ensuring that Forestry staff are included at the start of projects to allow for their input; ensuring that best practices are studied and followed; tree replacement due to tornado damage; explanations of private and developer tree replacement ratios; and, striking a balance between competing intensification objectives to ensure that trees remain a priority.

Discussions having concluded, Councillor Menard recommended against supporting the Motion, as he felt the recommended caps would disincentivize the protection of trees. He asked that the Motion be voted upon. Chair Moffatt suggested that the Motion be referred to Council without a recommendation, so that additional information might be provided by the time this matter rises to Council. Ms Caitlin Salter MacDonald, Program Manager, Council and Committee Services, Office of the City Clerk, clarified procedure matters, after which Councillor Cloutier withdrew the Motion, on the basis that more information was required, with respect to costs and cost recovery aspects as mandated under the *Municipal Act*. The report recommendations were then put before the Committee and were 'CARRIED' as presented, along with the following Direction to Staff:

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.