

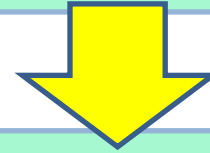
## Two tree by-laws exist in Ottawa

2006 by-law applies to trees on municipal property

2009 by-law applies to trees on private property

Municipal Trees and Natural Areas Protection By-law

Urban Tree Conservation By-law



- Applies to ANY species of tree **of any size** on streets, boulevards, parks, wetlands, and conservation areas owned by City of Ottawa
- The by-law requires staff and contractors working with the City to protect trees
- Contractors working for private developers or builders can be fined for damaging or destroying a tree on municipal lands
- When a municipal tree must be destroyed due to private buildings or infill developments, Forestry Services (FS) determines the replacement value of the tree and charges owners that sum, as well as a fee for planting a new tree.

For trees on private property 1 hectare or less, this by-law

- Applies to trees of ANY species
- Protects “**distinctive trees**” (more than 50 cm in diameter, measured 1.2 metres from ground)
- Covers **injury** (damage to) and **destruction** (cutting of) distinctive trees
- Citizens must apply for a permit and pay a fee to **destroy** a tree
- In Ottawa NO PERMIT SYSTEM exists if a private property owner intends to **damage** a tree
- By-law provides for penalties of \$500 to \$100,000 for **destruction** or **injury** to a distinctive tree

## Changes to implementation of the Urban Tree Conservation

By-law in the urban core: May 24, 2016



These changes relate to an amendment to the by-law passed by city council on May 9, 2012. It took almost 4 years for the amendments to be translated into action.

- New rules apply only to wards within the city's Greenbelt, namely Wards 7 to 18.
- \$100.00 fee to apply for a Distinctive Tree Permit (permit to destroy a distinctive tree on private property).
- \$700.00 deposit from infill developers when they apply for a building permit within the greenbelt. Reason: "to ensure that trees lost to development are replaced." Deposit is refundable if developer preserves a tree or plants a replacement tree that meets city's specifications.
- Property owner must hire an arborist to prepare an Arborist Report using a template supplied by the city. Arborist must submit this report IN PERSON at a client centre. **Lots of push-back on this from developers and residents, as well as arborists. Needs to be online!**
- If the resident is applying for a building permit for a new single, semi, duplex or triplex within the greenbelt, a Tree Disclosure Information form must be submitted as part of the building permit application.
- Forestry Inspector will do a site visit and will approve the application for a Distinctive Tree Permit if the Arborist Report is accepted.

"Please note the city reserves the right to reject an application to remove a distinctive tree if there is not a valid reason for removal."—City of Ottawa website

### Why were these changes instituted?

- Distinctive trees were NOT appearing on site plans at Committee of Adjustment or building permit applications. The city agreed it needed to address this gap.
- Until these changes came into effect, the city did not, as a matter of course, charge \$100.00 for an application to remove a distinctive tree. It only charged \$100.00 if a permit were issued.