



MEMO / NOTE DE SERVICE

To / Destinataire	Mayor and Members of Council	File/N° de fichier:
From / Expéditeur	Luc Gagné, Director, Parks, Forestry and Stormwater Services, Public Works and Environmental Services Department John Smit, Director, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development Department	
Subject / Objet	Urban Tree Conservation By-Law Update	Date: 17 May 2019

In 2009, Council enacted the [Urban Tree Conservation By-law 2009-200](#), which regulates tree cutting on private property within the urban area of Ottawa. At the Environment Committee meeting held on May 5, 2015, staff were requested to provide an annual update regarding permits issued under the Urban Tree Conservation By-law. The Urban Tree Conservation By-law Update memo, which focuses on 2018 data, provides metrics on the number of tree removal permits, number of permits issued/denied, and the regulatory basis for granting removal permits under the by-law on a ward-by-ward basis. Also included are Planning, Infrastructure and Economic Development Department (PIED) reports on information pertaining to trees on land greater than one hectare, and the Public Works and Environmental Services Department (PWES) reports on information related to Distinctive Tree Permits.

The Urban Tree Conservation By-law has two distinct components administered by two departments on behalf of the City of Ottawa. The first component, managed by PIED, applies to properties larger than one hectare as well as to all Plans of Subdivision, Site Plan Control, Common Elements Condominium, or Vacant Land Condominium applications within the urban boundary. The By-law requires that a Tree Conservation Report be approved by the General Manager of PIED before a permit for the injury or destruction of trees 10 centimeters in diameter or larger is issued.

The second component of the By-law, as managed by PWES, regulates the injury or destruction of distinctive trees on properties that are one hectare or less within the urban boundary. A distinctive tree is one that is 50 centimetres or more in diameter. To obtain a distinctive tree permit, a property owner or condominium / multi-residential property owner is required to complete and file the application with a report prepared by a certified arborist that confirms the

condition of the tree and the reason for removal, as well as submit the required payment of \$100 for the permit application fee. A permit application may include multiple trees at the same civic address if submitted at the same time under the arborist report and application.

Distinctive Tree Permits (PWES)

The table below notes the number of requests received and issued yearly for Distinctive Tree Permits, between 2013 and 2018.

Table 1 - Number of Request Received 2013-2018

Year	Number of Requests	Number of Permits Issued
2013	801	458
2014	723	405
2015	634	414
2016	635	527
2017	641	556
2018	763	643

The number of requests is defined as the total number of calls received through 3-1-1, which includes requests for information on the By-law, duplicate calls, status of request, etc.

In 2018, each request was reviewed, analyzed and classified into one of the following four categories, as defined in Table 2.

Table 2 - Permit Definitions

Category	Definition/Criteria
Permit Issued	<p>Permit has been granted for the removal of a distinctive tree by the Forestry Inspector after review of the Arborist Report and on-site visit (as required). The permit has been granted under one of the following categories:</p> <p>Structural Damage Refers to damage caused by the tree to property, foundation, roof, underground septic systems, etc</p> <p>Injured Tree Refers to a tree that has been damaged by vehicle collision, mechanical equipment, lightning, etc.</p> <p>Dead Tree Refers to a tree that has reached the end of its life</p> <p>Dangerous Tree Refers to a tree's structural integrity (large cavities, splits, cracks, fruiting bodies, included bark, etc.)</p> <p>Approved Plan-OMB/Building Permit/Utilities/Infrastructure Refers to a tree that requires removal to complete reconstruction, infrastructure modification, etc.</p>
Permit Not Issued	<p>Service requests received through 3-1-1 that have resulted in duplicate records, cancellation of the request, documentation not received to proceed with permit (eg. Arborist Report not provided, etc.), trees are less than 50 cm, error in work requirement, etc.</p> <p>Permit Denied Requests for a Distinctive Tree Permit that have been denied by the Forestry Inspector after review of the Arborist Report and on-site visit (eg. tree is healthy, tree is City-owned, etc.)</p> <p>No Permit – Exempt Request received by the resident/arborist to remove a dangerous tree, or for ash tree removal (as a result of Emerald Ash Borer), are exempt from the Distinctive Tree Permit process</p> <p>Other Request received by the resident/arborist that falls outside the by-law boundaries, for trees < 50 cm, for information only, etc.</p>

Table 3, found below, illustrates the ward-by-ward breakdown and outcome for each Distinctive Tree Permit request received by PWES staff in 2018.

Table 3 - 2018 Distinctive Tree Permit Breakdown (By Ward)

WARD #	PERMIT ISSUED					PERMIT NOT ISSUED			Total
	Structural Damage	Injured Tree	Dead Tree	Dangerous Tree	Planning & Development	Exempt	Denied	Other	
1	5	7	3	30	0	0	0	2	47
2	1	6	7	25	0	0	0	1	40
3	3	3	0	11	1	0	0	1	19
4	1	0	0	2	0	1	1	0	5
5	0	0	0	1	1	1	0	0	3
6	3	0	0	11	0	0	0	0	14
7	2	0	0	19	6	15	2	2	46
8	4	5	0	68	2	1	4	9	93
9	5	5	3	40	4	5	2	2	66
10	0	3	0	14	3	1	4	1	26
11	6	22	5	12	2	1	0	1	49
12	3	3	2	12	1	3	0	4	28
13	3	4	2	23	7	0	2	1	42
14	3	0	1	9	0	0	0	4	17
15	0	2	0	54	15	0	2	10	83
16	0	0	1	29	3	1	2	2	38
17	0	6	2	29	1	0	3	6	47
18	2	21	6	10	6	3	3	4	55
19	0	3	0	1	0	1	1	0	6
20	0	0	0	0	0	3	0	0	3
21	0	0	0	0	0	1	0	0	1
22	0	1	1	4	0	0	0	1	7
23	1	6	1	12	2	1	5	0	28
TOTAL	42	97	34	416	54	38	31	51	763

Tree Permits for Properties Greater than One Hectare (PIED)

Tree permits on land greater than one hectare and planning files associated with Plans of Subdivision, Site Plan Control Applications, Common Elements Condominium Applications, and Vacant Land Condominium Applications.

PIED Planning Foresters review all Plans of Subdivision, Site Plan Control, Common Elements Condominium, or Vacant Land Condominium applications. Regardless of property size, tree permits are issued for all planning applications involving the removal of trees greater than 10 cm in diameter. Table 4 lists the total number of planning files per year reviewed by the two Planning Foresters within PIED.

Table 4 - Number of Tree Files Reviewed by Year

Year	Number of Tree files (D06) created
2013	121
2014	191
2015	131
2016	105
2017	154
2018	161

The data includes the number of permits issued since the enactment of the Urban Tree Conservation By-law as well as open files that may require a permit in the future, and closed files where no permit was necessary.

Information on permits issued per year by PIED is provided in Table 5, found below. In 2018, a total of 61 permits were issued.

Table 5 - Number of Permits Issued by Planning Application Year

Year of Application	Permits Issued
2015	40
2016	66
2017	66
2018	61
Total	233

Table 6, found below, summarizes the number of 2018 permits issued by Ward.

Table 6 - Number of Permits Issued by Ward

Ward	# of new Files	Permits Issued
1	4	2
2	7	3
3	18	5
4	4	0
5	1	0
6	10	3
7	1	2
8	9	7
9	4	4
10	5	0
11	4	0
12	13	2
13	10	1
14	11	2
15	11	4
16	2	3
17	8	7
18	3	1
19	10	1
20	5	3
21	1	0
22	13	8
23	7	3
Total	161	61

Staff are currently undertaking a review of the City's tree by-laws, including Urban Tree Conservation By-law (UTCB). This review was one of the key recommendations of the Urban Forest Management Plan. The Tree By-law Review project will include a review of how the implementation of the tree by-laws are currently reported on and give recommendations for how revised by-laws should be reported on in the future. Staff will report back to Committee and Council in Q1 2020 on the Tree By-law Review.

For additional information regarding trees greater than one hectare, please contact Geraldine Wildman, Program Manager, Resiliency and Natural System Policy at 613-580-2424 x27815 or via email at geraldine.wildman@ottawa.ca.

For additional information regarding Distinctive Tree Permits, please contact Tracey-Lee Schwets, Program Manager, Forest Management Branch at 613-580-2424 x43202 or via email at tracey.schwets@ottawa.ca.

Regards,

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Cc: Senior Leadership Team
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