

2. ACCELERATION OF *TREE PROTECTION BY-LAW* REVIEW

**ACCÉLÉRATION DE L'EXAMEN DU *RÈGLEMENT SUR LA PROTECTION
DES ARBRES***

COMMITTEE RECOMMENDATIONS

That Council:

1. Direct staff to amend the new Tree Protection By-law to come into force and take effect on January 1, 2021 and to reduce the size of a Distinctive Tree from 50 centimeters to 30 centimeters in diameter at breast height in the new by-law; and,
2. Direct the General Managers of Planning, Infrastructure and Economic Development (PIED) and Public Works and Environmental Services (PWES) to hire up to four temporary resources (three in PWES; one in PIED) required to implement the accelerated Distinctive Tree provisions outlined above using vacant positions, until such time as permanent resources can be established in a future budget using increased permit fee revenues and increased development fee revenues to result in a net zero budget impact.

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

1. Demande au personnel d'amender le nouveau *Règlement sur la protection des arbres*, pour prévoir son entrée en vigueur le 1^{er} janvier 2021 et y inclure les dispositions sur la diminution de la limite de diamètre à hauteur d'homme de 50 cm à 30 cm; et,
2. Demande aux directeurs généraux de la Direction générale de la planification, de l'infrastructure et du développement économique

(DGPIDE) et de la Direction générale des travaux publics et de l'environnement (DGTPE) d'embaucher au plus quatre employés temporaires (trois à la DGTPE et un à la DGPIDE), ces ressources étant nécessaires à la mise en œuvre accélérée des dispositions sur les arbres distinctifs susmentionnés, au moyen de postes vacants, jusqu'à ce que l'embauche d'employés permanents puisse être prévue dans un prochain budget. Grâce à l'augmentation des recettes provenant des droits de permis et des coûts d'aménagement, il n'y aura aucune incidence nette sur le budget.

DOCUMENTATION

1. Standing Committee on Environmental Protection, Water and Waste Management report, dated 19 June 2020 (ACS2020-OCC-ENV-0003).

Rapport du Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets, daté le 19 juin 2020 (ACS2020-OCC-ENV-0003).
2. Extract of Draft Minute, Standing Committee on Environmental Protection, Water and Waste Management, 16 June 2020.

Étrait de l'ébauche du procès-verbal, Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets, le 16 juin 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
RAPPORT 9
LE 24 JUIN 2020**

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24 JUNE 2020**

**Report to
Rapport au :**

**Council
au Conseil
24 June 2020 / 24 juin 2020**

**Submitted on June 19, 2020
Soumis le 19 juin 2020**

**Submitted by
Soumis par :**

**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**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-OCC-ENV-0003

SUBJECT: *Acceleration of Tree Protection By-law Review*

OBJET: *Accélération de l'examen du Règlement sur la protection des arbres*

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Direct staff to amend the new Tree Protection By-law to come into force and take effect on January 1, 2021 and to reduce the size of a Distinctive Tree from 50 centimeters to 30 centimeters in diameter at breast height in**

the new by-law; and,

2. Direct the General Managers of Planning, Infrastructure and Economic Development (PIED) and Public Works and Environmental Services (PWES) to hire up to four temporary resources (three in PWES; one in PIED) required to implement the accelerated Distinctive Tree provisions outlined above using vacant positions, until such time as permanent resources can be established in a future budget using increased permit fee revenues and increased development fee revenues to result in a net zero budget impact.

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

1. Demande au personnel d'amender le nouveau *Règlement sur la protection des arbres*, pour prévoir son entrée en vigueur le 1^{er} janvier 2021 et y inclure les dispositions sur la diminution de la limite de diamètre à hauteur d'homme de 50 cm à 30 cm; et,
2. Demande aux directeurs généraux de la Direction générale de la planification, de l'infrastructure et du développement économique (DGPIDE) et de la Direction générale des travaux publics et de l'environnement (DGTPE) d'embaucher au plus quatre employés temporaires (trois à la DGTPE et un à la DGPIDE), ces ressources étant nécessaires à la mise en œuvre accélérée des dispositions sur les arbres distinctifs susmentionnées, au moyen de postes vacants, jusqu'à ce que l'embauche d'employés permanents puisse être prévue dans un prochain budget. Grâce à l'augmentation des recettes provenant des droits de permis et des coûts d'aménagement, il n'y aura aucune incidence nette sur le budget.

BACKGROUND

At the 16 June 2020 meeting of the Standing Committee on Environmental Protection, Water and Waste Management (SCEPWWM), the Committee agreed to waive the

Rules of Procedure to consider the following Motion, introduced by Councillor McKenney, as an additional item:

WHEREAS the City's Urban Forest Management Plan ([ACS2017-PIE-EDP-0012](#)), approved by Council on June 28, 2017, was established to provide a structured approach to protecting and enhancing the environmental, social, and economical services provided by the urban forest and to ensure that it is healthy and robust into the future; and

WHEREAS the City's Urban Forest Management Plan includes a recommendation for staff to undertake a Tree By-law Review; and

WHEREAS the Tree By-law Review Project report ([ACS2019-PIE-EDP-0052](#)), approved by Council on January 29, 2020, responds to this recommendation by proposing a new, harmonized tree by-law to support the protection and enhancement of the City's urban tree canopy, and includes a planned phased approach for implementation; and

WHEREAS Phase 1 of the new Tree Protection By-law – aimed at improving tree protection requirements, formalizing compensation requirements, improving submission requirements, increasing application fees to offset implementation costs, and instituting a new special fine designed to eliminate or reduce any economic or financial gain from contravening the by-law - was to come into effect on May 1, 2020; and

WHEREAS Phase 2 of the new Tree Protection By-law – outlining the final proposed changes to the by-law, including decreasing the diameter limit for distinctive trees from 50 cm to 30 cm for the inner urban area, and creating a permit to work around trees – was to be presented to Council in Q3 2020 for implementation in 2021; and

WHEREAS work on the Tree Protection By-law requires procedural and administrative tasks to be done by staff who have been fully or partially redeployed to support the response to and recovery from the COVID-19 pandemic; and

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WHEREAS the redeployment of these staff originally resulted in a modified project schedule with a tentative implementation date of November 1, 2020 for Phase 1, and a report to Council in Q3 2021 for Phase 2; and

WHEREAS, upon further discussions with staff and senior management, it has been indicated that – barring a second wave of COVID-19 requiring another redeployment of key staff – it would be feasible to enact, on January 1, 2021, the Tree Protection By-law - including the reduction in the distinctive tree diameter from 50 cm to 30 cm for the inner urban area (the urban lands within the greenbelt), originally to be contemplated as part of Phase 2; and

WHEREAS, despite the devastating impacts of COVID-19, the protection of trees remains a priority for the City of Ottawa and its residents, necessitating the continuance of work on the Tree By-law Review to align as closely as possible with the original timelines presented to Council in January 2020;

THEREFORE BE IT RESOLVED that Council direct staff to amend the new Tree Protection By-law to come into force and take effect on January 1, 2021 and to reduce the size of a Distinctive Tree from 50 centimeters to 30 centimeters in diameter at breast height in the new by-law;

AND BE IT FURTHER RESOLVED that Council direct the General Managers of Planning, Infrastructure and Economic Development (PIED) and Public Works and Environmental Services (PWES) to hire up to four temporary resources (three in PWES; one in PIED) required to implement the accelerated Distinctive Tree provisions outlined above using vacant positions, until such time as permanent resources can be established in a future budget using increased permit fee revenues and increased development fee revenues to result in a net zero budget impact.

DISCUSSION

The above Motion, introduced by Councillor McKenney at the SCEPWWM meeting of Tuesday, 16 June 2020, was added to the Committee agenda as an additional item, via a suspension of the Rules of Procedure. It is now before Council for its consideration.

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RURAL IMPLICATIONS

This report was drafted to transmit the above Motion to Council for its meeting of 24 June 2020. No specific Rural Implications have been identified. Staff will be available at Council if clarification is required.

CONSULTATION

This report is administrative in nature; no public consultation was undertaken in the preparation of this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This report is City-wide in nature.

ADVISORY COMMITTEE(S) COMMENTS

This report is administrative in nature; no Advisory Committees were consulted in the preparation of this report.

LEGAL IMPLICATIONS

There are no legal impediments to Council's approval of the recommendations of this Report.

RISK MANAGEMENT IMPLICATIONS

This report was drafted to transmit the above Motion to Council for its meeting of 24 June 2020. No specific Risk Management Implications have been identified. Staff will be available at Council if clarification is required.

ASSET MANAGEMENT IMPLICATIONS

This report was drafted to transmit the above Motion to Council for its meeting of 24 June 2020. No specific Asset Management Implications have been identified. Staff will be available at Council if clarification is required.

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FINANCIAL IMPLICATIONS

There are no financial implications associated with this report as temporary resources will be funded from vacant positions, and permanent resources will be identified in a future budget, to be offset by increased revenues for a net zero budget impact.

ACCESSIBILITY IMPACTS

This report was drafted to transmit the above Motion to Council for its meeting of 24 June 2020. No specific Accessibility Impacts have been identified. Staff will be available at Council if clarification is required.

TERM OF COUNCIL PRIORITIES

This report was drafted to transmit the above Motion to Council for its meeting of 24 June 2020. No specific Term of Council Strategic Priorities have been identified. Staff will be available at Council if clarification is required.

DISPOSITION

Staff will take direction from Council, as appropriate.