



OFFICE OF MAYOR JIM WATSON  
**BRIEFING NOTE**

**TOPIC:** Contravention of Urban Tree Conservation By-law by Metcalfe Realty at 936 March Road (Urban Expansion Area 1)

**CONTACT:** Manager: Lee Ann Snedden

Date: June 13, 2014

Project Lead: Martha Copestake, Forester - Planning

**1. The Issue**

A significant amount of mature trees have been cut without a permit, as required under the Urban Tree Conservation By-law 2009-200, at 936 March Road, Metcalfe Realty's portion of Urban Expansion Area 1. Staff was made aware of this cutting by the complaint of "chainsaw sounds" from a neighbour. The tree cutting occurred during the week of May 26, 2014.

The land is part of the Kanata North Community Design Plan (CDP) area; the CDP is currently in development. The area of trees cut is within one of the CDP area's woodlands currently under assessment to determine whether it is a significant woodland that would become part of the City's natural heritage system. City staff was scheduled to visit the woodland on Friday June 13, 2014 to assess the significance and to determine if it qualifies as part of the City's natural heritage system.

Metcalfe Realty contravened the tree by-law specifically by cutting trees greater than 10 cm in diameter on a property that is larger than one hectare in size without a tree permit from the City of Ottawa.

**2. Council  
Direction**

In June 2009, Council approved the Urban Tree Conservation By-law 2009-200. In June 2013, Council approved the addition of the Urban Expansion Areas to the Urban Tree Conservation By-law area. The tree by-law has applied to the Expansion Areas since then. Policy 3.11.6b. of the City's Official Plan, as approved by the OMB, says that in the urban expansion areas which contain possible components of the natural heritage system, studies must be done to the satisfaction of the City, to confirm this designation. Furthermore,

\*\*\* Please attempt to keep this Briefing Note to one to two pages in length and attach any relevant background information.

Policy 3.11.7b of the Official Plan says that any components of the natural heritage system will be non-developable lands and transferred to the City for \$1.

**3. Current Status**

On Friday June 13, 2014, a Stop Work Order was issued to one of the owners of 936 March Road, Mr. Antony Fuller of Metcalfe Realty. As well, on the same day, a request was sent to By-law Services to charge Metcalfe Realty for the contravention of the Urban Tree Conservation By-law 2009-200, as amended.

**4. Staff Recommendation**

Staff recommends to move forward with the charge under the Tree By-law and to require full correction of the contravention (forest restoration).

**5. Other Considerations**

N/A

**6. Financial Implications**

N/A

**7. Communication Plan**

TBD