

MEMO / NOTE DE SERVICE



To / Destinataire	Mayor and Members of Council	
From / Expéditeur	John L. Moser General Manager Planning and Growth Management	
Subject / Objet	Tree Cutting Incident in Kanata North	Date: June 18, 2014

This memorandum provides an update on a recent incident of tree cutting in Kanata that required me to issue a Stop Work Order.

During the week of May 26, a resident of Kanata alerted the City that tree cutting was taking place in Urban Expansion Area 1 on lands that the City considers potentially to be part of our natural heritage system.

At site visits on May 29 and June 11, Planning and Growth Management Department staff determined that trees greater than 10 centimetres in diameter were cut which requires a tree permit under the City's Urban Tree Conservation By-law 2009-200, as amended.

The tree cutting, which took place at 936 March Road, was completed without a tree permit; and is therefore, a contravention of the Urban Tree Conservation By-law 2009-200, as amended.

The lands in question are being studied as part of the Kanata North Community Design Plan. The woodlot where the tree cutting took place is land that is being assessed to determine if it is a part of Ottawa's natural heritage system or not. If this land is significant, it will not be developable.

The tree cutting occurred during a known peak time of nesting for migratory birds. The federal Migratory Birds Regulations under the *Migratory Bird Convention Act, 1994* prohibits the disturbance and destruction of nests.

On June 12, I issued a Stop Work Order to the owner, Metcalfe Realty, instructing that no further trees be cut and that there be no further destruction of the felled materials and stumps.

By-law and Regulatory Services has been contacted and will be taking the required steps to initiate charges against the property owners for the by-law contravention; the penalty for the contravention is to be determined in court.

Penalties under the tree by-law range from \$500 to \$100,000, but are not limited to \$100,000 for the contravention of a Stop Work Order. A person convicted may also be required to correct the contravention in an appropriate and acceptable manner.

Original signed by:

John L. Moser

cc: Executive Committee
Chris Swail, Manager, Deputy City Manager's Office, Planning and Infrastructure
Leslie Donnelly, Deputy City Clerk, City Manager's Office
Lisa Allaire, Chief, Corporate Communications
Michael Fitzpatrick, Program Manager, Media Relations and Public Information
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