

Joint Response to May 29 Tree Bylaw consultation

We thank you for organizing last week's meeting of the City, environmental organizations, community associations and the builder community to discuss proposals for revisions to municipal tree bylaws. Multiparty discussions are a very important complement to the work we all do within our respective groupings.

We would also like to congratulate the City on the five by-law improvements outlined during the meeting. We strongly support all of them, and believe they respond well to the various recommendations brought forward by community groups and others in the past. In particular we welcome your remarks concerning a culture change appropriate to the climate crisis we are facing and to the City's commitment to significant mitigation and adaptation measures. This culture change is also in keeping with the objectives of the Urban Forest Management Plan.

Details are important, of course, and we look forward to reviewing and discussing the full review report when it is available. In the meantime, following are several points from our recent meeting we would like to emphasize:

- The priorities expressed in the by-line "retain, replace, renew" are entirely correct in our view. Growing a healthy urban forest requires the full range of age classes in the tree population, including the older and middle aged healthy trees (trees generally have a life-span that is much longer than most humans). Retaining the existing population, including the trees in the 20-30 cm range and larger, is a first priority because larger trees bring exponentially more benefits to urban life than smaller trees (see Figure 2 in the Urban Forest Management Plan: Social, economic and environmental benefits provided by the urban forest increase exponentially in quantity and value as tree size and leaf area increase).
- We share with the builder community representatives at the meeting a keen interest in understanding the City's proposals regarding the city-wide tree compensation guidelines. While we support the principle that approval for removal of trees requires appropriate and reasonable compensation from the applicant, compensation should not be a reason or direct pathway to removal. Also, the level of compensation should be in line with the strategic role trees play in the climate emergency we all face. The climate crisis requires a fundamental shift in the valuation of trees going forward, to fully recognize contributions to carbon capture and storage as well as adaptation to climate extremes such as the heat island effect and flooding. Trees also save residents and the City money by reducing energy costs and extending the life of grey infrastructure such as sewers and roads. To give you a sense of the scale of the shift needed, we would support an increase in the refundable tree planning deposit required under the infill tree conservation program from the current \$700 per lot to something in the order of \$10,000. This would provide a marker closer to appropriate and reasonable compensation guidelines, and serve as a meaningful incentive to retain trees whenever possible and fully replace them when not.

- We support the application of regulations concerning tree protection during construction to minor renovations and additions such as porches, and to private individuals as well as construction and landscaping businesses (see attached OMB Decision PL120666 MRO8 2013, sections 13 and 91 through 95).
- Finally, we wish to flag the common practice of “over-excavating” in infill scenarios and ask that the review report clarify the relationship between the “as-of right building envelope” and the required excavation area. This should also address Provincial Occupational Health and Safety (OHS) legislation on excavations and both OHS and Building Code laws requiring that no damage be done to abutting properties. In this context, we agree with the City that it has a right and responsibility to set standards and procedures for the protection of boundary trees, both in the interest of neighbours affected by infill and the significant public interest in retaining, replacing and renewing the urban canopy.

Again, thank you for a very productive meeting, and excellent first glimpse of the forthcoming issues paper. We encourage you to make the paper available as soon as possible, and in time for community groups to review before the summer holiday period begins.

Community Associations for Environmental Sustainability (CAFES)

Federation of Citizen’s Associations (FCA)

Greenspace Alliance for Canada’s Capital

Ecology Ottawa