



Upholding the INJURY part of Ottawa's Urban Tree Conservation By-law

INJURY TO TREES

Injury (or damage) to distinctive trees is covered under the Urban Tree Conservation By-law. However, Forestry Services has stated it does not have the resources or consider it a priority to issue permits to limit **injury** to distinctive trees. Damage often occurs due to excavation close to the root zone or cutting of large branches due to the height of a new building.

In other cities with tree protection by-laws, such as Toronto, policies and practices uphold the injury clause by issuing permits for a fee, requiring a deposit based on the tree's assessed value, providing the owner with details on how to protect a tree from injury, and monitoring actions so as to reduce serious injury to distinctive trees.

In Ottawa, serious injury to trees often leads to their destruction. Why? Excavation may destabilize the tree, making it a threat to workers on the site. Furthermore, infill developers are often deciding NOT to seek a permit to destroy a tree by saying they will "save" the tree during construction.

OUR PROPOSITION: FORESTRY SERVICES NEEDS TO ENFORCE THE INJURY PROVISIONS OF THE BY-LAW. IT SHOULD INSTITUTE A PERMIT SYSTEM AND PROVIDE CLEAR, PUBLICLY-AVAILABLE GUIDELINES TO BUILDERS AND PROPERTY OWNERS ON HOW TO PREVENT INJURY TO DISTINCTIVE TREES DURING CONSTRUCTION.

IF CONSTRUCTION IS LIKELY TO DAMAGE A TREE BEYOND SAVING, FORESTRY SERVICES CAN UPHOLD THE TREE PROTECTION BY-LAW BY DENYING A PERMIT FOR INJURY.

Ottawa's builders and property owners ignore or are unaware of best practices for protecting trees from damage during construction. These include placing fences around the critical root zone of a tree and keeping heavy machinery from compacting roots.

At least one community association in Kitchissippi has developed guidelines to protect mature trees from damage. It provides these to contractors and developers. But its guidelines have no force in law. It's time for Forestry Services in Ottawa to develop protocols that protect distinctive trees from damage. It also needs to meet the standards and practices for communication with the public and builders that exist in other major cities in Canada. Ottawa needs to stop lagging behind.