

This email is being sent on behalf of Carol Christensen, Manager - Environmental Sustainability

Nicole,

Thank you for your email regarding UNA 97 and the recent tree cutting.

For your information, a letter was sent out from Nancy Schepers, Deputy City Manager of Planning, Transit and the Environment for the City of Ottawa, to the Chief Operating Officer of Richcraft Homes on July 21st, 2008 outlining the City's concern and disappointment at the tree cutting which occurred on UNA 97. The letter re-iterated that the City had requested that such action not take place while we were actively proceeding towards the acquisition of the property. It also indicated that this kind of action has prompted increased discussion surrounding the need for an urban tree cutting regulation and that the department will be working towards putting measures in place to ensure that these kinds of actions do not repeat themselves.

In response to your questions:

1. Why did the property owner have this site cleared at this particular time?

Environmental Sustainability cannot comment or speculate on the property owner's motives and/or timing.

2. Was the City given a timeframe to reach a decision during these negotiations?

On May 1st, 2008, the City requested by a letter to Richcraft Homes that tree clearing not take place while we are actively proceeding towards acquisition of the woodland (UNA 97).

3. Does the clear-cutting not constitute a serious violation against the principles of the approved Community Design Plan?

With respect to the woodland in question, the Community Design Plan (CDP) for the East Urban Community has two clear directions. Firstly, that a 30 meter set back on Mud Creek be retained, which it has at this point. Secondly, that an assessment of the natural area be done, to City staff's approval, that City staff explore options for protection, and that if it cannot be protected then development will proceed in accordance with the plans in the CDP (i.e. residential lots up to the 30 meter set back on Mud Creek). An assessment of the natural area was done through an Environmental Impact Statement and a priority area for the protection of the site's environmental functions was identified for preservation. Environmental Sustainability staff visited the site and further refined the boundaries of the priority area and recommended that it be acquired by the City for protection. City staff was in the midst of exploring options for protection of the site. As per the wording in the CDP, since it had not been determined that protection of the site was not possible, the timing of the clearing of the site does go against the recommendations of the CDP.

4. Will there be any penalties brought forward to the property owner?

The City currently does not have a regulatory framework in place to bring penalties forward for incidents of tree cutting on private lands.

5. What kind of mitigating measures will be imposed?

An evaluation of the uncut portion of UNA 97 has been done and it retains a high ecological significance. As such, Environmental Sustainability has recommended that the remaining portion of UNA 97 be acquired by the City. Land management recommendations include:

- Retain a 30 meter set back along Mud Creek
- Invasive species control; especially within the edge zone of the woodlot.

- The distribution of a homeowner conservation handbook to new residents of the Eden Park subdivision.
- Edge landscaping to minimize the sensitivity of the woodlot edge.

6. How can property owners be dissuaded from destroying highly rated ecological sites? And what can be done by the City to prevent this type of destruction by the developers in the future? In order to prevent this type of scenario into the future, the City's best course of action is to develop a regulatory framework, which includes a tree cutting bylaw, to support the development application process. The bylaw would require a City approved Tree Preservation and Planting Plan before any tree cutting could occur. In the case of UNA 97, a Tree Preservation Plan that removed the majority of the woodlot would not have been approved until all protection options had been exhausted (as outlined in the CDP). A bylaw would impose fines if trees were cut without an approved plan.

As you know, Environmental Sustainability is currently moving forward with an Urban Tree Conservation Project, which will identify tree conservation issues in the urban area of Ottawa and recommend a Suite of Tools, including a regulatory framework, to deal with these issues. An Issues Paper on urban tree conservation will be released shortly and Public Consultations on this paper will take place in the late fall.

Environmental Sustainability has also been working closely with the Development Approvals Divisions to integrate a regulatory framework for tree conservation into the current development application and approvals process. Once we have a strategy in place, we will be working with development community to refine the strategy further.

Please let me know if you have any more questions or concerns.

Carol Christensen