



SUBJECT: Public tree removal report 2082 James St (535-007-20)
TO: Environment, Infrastructure & Community Services Cttee.
FROM: Roads, Parks and Forestry Department

Report Number: RPF-18-22

Wards Affected: 2

File Numbers: Site Plan (535-007-20)

Date to Committee: July 7, 2022

Date to Council: July 12, 2022

Recommendation:

Approve the request by the applicant to remove 34 public trees in order to proceed with the proposed site plan application file no. 535-007-20 as outlined in roads, parks & forestry department report RPF-18-22 and associated appendices; and

Instruct the applicant, Helen Xie on behalf of Mattamy James Street GP Inc., to provide compensation for the public tree removals by planting public trees in accordance with the overall streetscape design for the site plan application, and by providing replacement tree compensation fees totaling \$20,000 for those remaining trees that could not be planted due to space limitations; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the City's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

PURPOSE:

Vision to Focus Alignment:

- Support sustainable infrastructure and a resilient environment
- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

The subject property is located at the southwest corner James St. and Martha St. which will be developed into a single condominium (See Fig. 1).

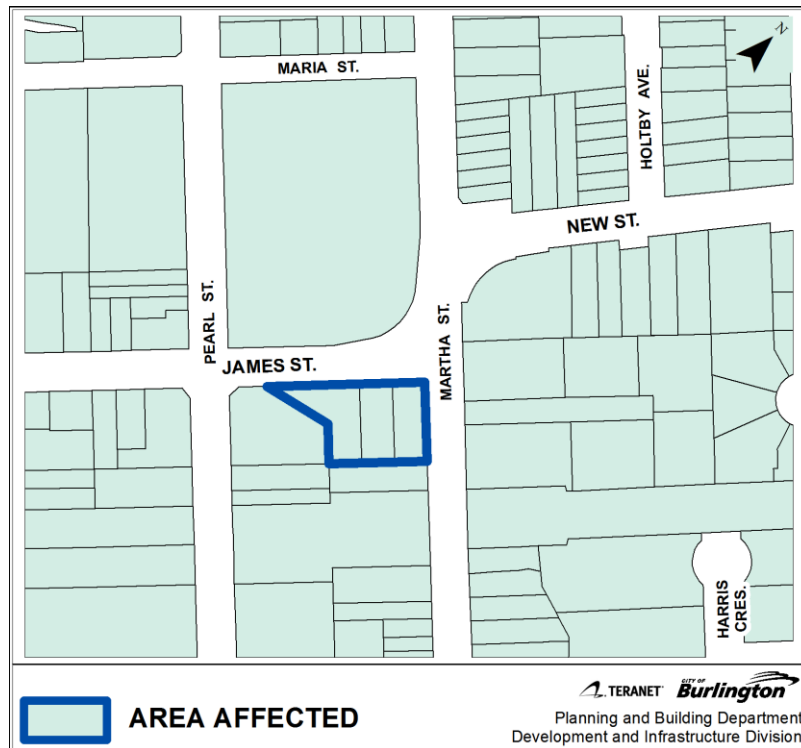


Figure 1: Subject Property, 2082, 2088, 2086 and 2090 James St.

An application for Site Plan (File No. 535-007-20) has been submitted to redevelop the subject property. As part of a condition to satisfy their Site Plan, council approval to proceed with issuance of a tree permit must be obtained in order to facilitate the removal of public trees. In accordance with the City of Burlington's Public Tree By-law 68-2013, Section 1.19 states, "*The City Arborist shall not issue a Tree Permit for Trees located on Public Property immediately abutting Private Property for which a development application has been submitted, until such time as the development application has been approved and Council has also approved the removal of these trees*".

Strategy/process

A total of 34 public trees are proposed to be removed due to conflicts with the proposed Site Plan. More specifically, trees proposed for removal are located within the existing Rambo Creek block and will be in direct conflict with the proposed channel works and

retaining wall that are required to facilitate the build on the subject lot. The subject trees that are proposed for removal are located within a section of the existing creek block to the south of the development. A summary of the trees proposed for removal is provided in Appendix A.

The proposed development was appealed by the applicant to the Ontario Land Tribunal for the official plan, rezoning and site plan applications, and was approved March 6, 2022. The conclusion of this hearing was factored into the review of this file and the proposed public tree removals. Given the design and proposed scale of this development combined with works proposed within the creek and associated riparian area, it is not feasible to retain the public trees. As such, Forestry is in agreement with the removal request for the 34 public trees under the provision that applicant provides for replacement through their restoration efforts within the new creek channel design and through the streetscape, and for all those trees unable to be accommodated, cash-in-lieu be provided to the City as compensation for canopy loss for trees to be planted in an alternate location. Based on the total number of public trees removed a total of 137, 50mm caliper public trees are required to be planted. The proposed creek block design incorporates a variety of tree sizes, and due to spacing limitations, 40 trees are unable to be accounted for. As such, cash-in-lieu will be taken and deposited into the City's tree planting initiative reserve fund. All private tree removals will be dealt with through the *Planning Act* process.

Refer to Appendix A – Tree Inventory and Compensation Form completed by City staff, Appendix B – Supporting Documents for additional details.

Options Considered

Forestry staff conducted a comprehensive review of the proposed plans with the applicant.

Financial Matters:

The applicant will be required to pay tree permit fees as prescribed in the City's Rates and Fees By-law (as amended) and replacement tree compensation in the amount of \$20,000 based on outstanding replacement trees to replace the lost canopy. The total cost of tree and stump removals will be borne entirely by the applicant.

Total Financial Impact

Not Applicable.

Source of Funding

Not Applicable.

Other Resource Impacts

Not Applicable.

Climate Implications

The removal of trees is always a concern as they provide the most cost-effective measure of carbon sequestration, in addition to providing a host of other ecological benefits associated with climate change. It is critical that in cases where trees must be removed, that they are sufficiently compensated for in the interest of replacing the canopy loss long-term.

Engagement Matters:

Conclusion:

The City's Forestry section has reviewed the proposed tree removals, and supports the removals as per the recommendations listed above.

Respectfully submitted,

Melissa Torchia

Supervisor, Forest Protection

(905) 333-6166 ext. 6121

Appendices: (if none delete section)

A. Tree Inventory and Compensation Form

B. Supporting Documents

Notifications: (if none delete section)

Name : Helen Xie, Development Manager Mattamy Homes

Email : Helen.Xie@mattamycorp.com

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.