

Tree Removal - 241 Wellington Street West on the John Street Flank (Downtown)

(City Council on June 7, 8 and 9, 2000, amended this Clause, by striking out the recommendations of the Toronto Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated June 2, 2000, from the Commissioner of Urban Development Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Council authorize the removal of the four existing street trees within the John Street right-of-way, subject to the applicant paying all associated costs totalling \$1,027.44;*
- (2) removal of the City-owned trees be permitted, subject to the applicant constructing the glass canopy required by the Sign By-law amendments related to this site and implementing the outstanding landscaping required at 253 Wellington Street West; and*
- (3) Council authorize the applicant to replace the four removed trees with four skyline honeylocust, subject to the applicant providing a Letter of Credit in the amount of \$1372.76, for a period of two years, as a guarantee that the trees will remain in good health.’ ”)*

The Toronto Community Council recommends that:

- (1) removal of one of the four City owned summit ash trees on the John Street flank of 241 Wellington Street West be approved, conditional on the applicant paying all associated costs totalling \$749.43; and**
- (2) the request for the removal of the remaining three City owned summit ash trees be denied.**

The above recommendations carried on the following division of votes:

Yeas: Councillors McConnell, Bossons, Bussin, Chow, Layton, Miller, Rae and Pantalone – 8

Nays: Councillors Disero, Jakobek, Korwin-Kuczynski, Palacio, Silva and Walker – 6

The Toronto Community Council reports, for the information of Council, having requested the Commissioner of Urban Development Services to report directly to Council on the original urban design of the canopy at this site, the implication for the remaining trees of the original canopy design, and whether the canopy could be redesigned, with a view to ensuring both the survival of the trees and the erection of the canopy.

The Toronto Community Council submits the following report (May 3, 2000) from the Commissioner, Economic Development, Culture and Tourism:

Purpose:

A request has been filed for permission to remove four City-owned trees at 241 Wellington St. W. The request has been received in connection with a proposal for the reconstruction of the sidewalk and tree pits and the replacement of the existing four trees at 241 Wellington St. W. The request has been filed on behalf of Ontario Hydro, owner of the subject property, by the agent, Christine Abe, Project Manager of the MBTW Group Community and Resort Planning, Urban Design, Landscape Architecture, 240 Duncan Mill Road, Suite 500, Toronto, Ontario, M3B 1Z4.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) removal of one of the four City owned summit ash trees be approved conditional on the applicant paying all associated costs totalling \$749.43; and
- (2) deny the request for the removal of the remaining three City owned summit ash trees.

Background:

This report is in response to the MBTW Group's request, on behalf of Ontario Hydro, for the removal of four City owned summit ash trees. Their request includes a proposal for new landscaping.

Ontario Hydro has installed a façade around their transformers at 241 Wellington Street West and they wish to further improve the appearance of their site. Thus they have proposed to reconstruct the sidewalk, replace the existing trees with large fastigate (upright branching habit) trees, and upgrade the existing tree pits to continuous tree pits with tree pit covers as per Tree Details of the City's Streetscape Manual.

The existing trees are Summit Green Ash, which tend towards an upright canopy and have a coarse textured appearance during the winter. Presently, pruning is required to clear the façade and Ontario Hydro wishes to solve this maintenance issue by planting fastigate trees.

Comments:

The four summit ash trees have diameters varying from 14 cm to 16 cm, are in fair condition and are maintainable. One tree has its leader missing and therefore it will require more pruning to clear structures and to develop the canopy. It is unlikely that this tree will amount to a shade tree of significance so we support its removal.

The other trees can be pruned to clear the façade and as such Forestry Services will prune to further establish the trees' central leaders and will water the trees during the growing season of the year 2000.

Fastigate trees do not offer significant shading, therefore Forestry restricts their use to sites with confined vertical and horizontal space, such as on a narrow sidewalk in between a building and overhead wires. This is not the situation at 241 Wellington Street West on the John Street flank.

Conclusions:

Since three of the four trees are healthy and do not meet the requirements for tree removal, we do not support the request to remove and replace these trees.

Should Toronto Community Council approve removal of any of these trees, such approval should be on the condition that the applicant:

- (a) pay all associated tree values and costs, namely tree values, removal and replacement costs, a total of \$3,371.41; and
- (b) the applicant construct new continuous tree pits in accordance with the City of Toronto Streetscape Manual; and
- (c) the applicant guarantee any new trees for two years.

Contact:

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Mr. Patrick Devine, Goodman and Carr, Barristers and Solicitors, appeared before the Toronto Community Council in connection with the foregoing matter.

(A copy of the communication (March 27, 2000) from Ms. Christine Abe, Project Manager, The MBTW Group, referred to in the foregoing report was forwarded to all Members of the Toronto

Community Council with the agenda for its meeting on May 2, 2000, and a copy thereof is on file in the office of the City Clerk.)

(City Council on June 7, 8 and 9, 2000, had before it, during consideration of the foregoing Clause, the following report (June 2, 2000) from the Commissioner of Urban Development Services:

Purpose:

To review and make recommendations regarding the design of the glass canopy along the John Street frontage of 241 Wellington Street West, and the implications of the canopy design for street trees within the John Street right of way.

Financial Implications:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) Council authorize the removal of the four existing street trees within the John Street right of way subject to the applicant paying all associated costs totalling \$1027.44;*
- (2) removal of the City owned trees be permitted subject to the applicant constructing the glass canopy required by the Sign By-law amendments related to this site and implementing the outstanding landscaping required at 253 Wellington Street West; and*
- (3) Council authorize the applicant to replace the four removed trees with four skyline honeylocust, subject to the applicant providing a Letter of Credit in the amount of \$1372.76 for a period of two years as a guarantee that the trees will remain in good health.*

Background:

At its meeting on May 23, 2000, Toronto Community Council considered a report from the Commissioner of Economic Development, Culture and Tourism regarding the proposed removal of four City owned trees within the John Street flankage of 241 Wellington Street West. The applicant, Ontario Hydro, wished to undertake reconstruction of the sidewalks and tree pits adjacent to their property, and install four replacement trees.

In considering the report, Community Council recommended to City Council, for its meeting to be held on June 7, 8 and 9, 2000, that:

- (1) *removal of one of the four City owned summit ash trees on the John Street flank of 241 Wellington Street West be approved, conditional on the applicant paying all associated costs totalling \$ 749.43; and*
- (2) *the request for removal of the remaining three City owned summit ash trees be denied.*

Toronto Community Council also requested the Commissioner of Urban Development Services to report directly to Council on the original urban design of the canopy at this site, the implication for the remaining trees of the original canopy design, and whether the canopy could be redesigned, with a view to ensuring both the survival of the trees and the erection of the canopy.

Comments:

In May 1998, City Council approved an application (No. 997072), for a site specific amendment to Chapter 297, Signs, of the former City of Toronto Municipal Code to permit a sign screen on the existing Hydro substation site. As a part of the conditions of approval, and prior to the issuance of a sign permit, the owner was required to enter into an Encroachment Agreement with the Commissioner of Works and Emergency Services with respect to the erection of a clear, tempered glass canopy along the John Street flankage of the site.

On August 3, 1999, the applicant submitted a Building Permit application (No. 428175) to erect the illuminated sign screen. The application initially included the construction of the glass canopy. However, since the canopy required issuance of an encroachment agreement which had not been authorized at that time, the encroaching glass canopy was deleted from the plans, and a permit issued for the sign screen.

The tempered glass canopy was intended to form an integral part of the sign screen structure. Staff of the Urban Design Section have advised that the glass canopy was designed so that it would not interfere with street trees planted within the John Street right of way. The applicant has now indicated that they are prepared to undertake construction of the canopy along with the requested streetscaping work within the road allowance.

Staff of Economic Development, Culture and Tourism have conducted a further site visit and have determined that the three remaining street trees have died. They have advised that it is appropriate for Council to authorize their removal and replacement with four skyline honeylocust. The applicant will be required to provide a Letter of Credit for a period of two years to ensure that the trees will remain in good health. If the replacement tree(s) are not in good health after the two year period, the applicant will be responsible for replacing the tree(s) and providing a further Letter of Credit.

As part of the discussions related to this issue, the applicant has agreed to undertake the required landscaping of their property at 253 Wellington Street West. The landscaping was part of the original approvals for the sign screen, and is secured through an outstanding Letter of Credit. The landscaping can be undertaken as part of the sidewalk replacement and streetscaping project on John Street.

Conclusion:

The glass canopy attached to the existing sign screen along the John Street flankage of 241 Wellington Street West can be constructed without interfering with street trees within the right of way. Staff of Economic Development, Culture and Tourism have determined that the three remaining street trees have died and that their removal and replacement is appropriate. I am recommending this work, subject to the applicant constructing the glass canopy and implementing required landscaping at 253 Wellington Street West.

Contact:

Norm Girdhar, West Section

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(Copies of the attachments, appended to the foregoing report, are on file in the office of the City Clerk.)

(City Council also had before it, during consideration of the foregoing Clause, a communication (May 18, 2000) from Mr. Patrick J. Devine, Goodman and Carr, Barristers and Solicitors, on behalf of Urban Outdoor Trans Ad, requesting approval of the application for the removal of four trees at 241 Wellington Street West.)