

Supplementary Report - Ontario Line Joint Corridor - Early Works Construction and Right-of-Way Permits

Date: April 20, 2022

To: Toronto and East York Community Council

From: General Manager, Parks, Forestry and Recreation

Wards: Toronto- Danforth- Ward 14

SUMMARY

At the March 9, 2022 meeting of City Council, Parks, Forestry and Recreation was directed to report to the Toronto and East York Community Council meeting of April 21, 2022 on proposals for a mechanism to review any and all tree removal proposals or permits in the vicinity of the Ontario Line project in Toronto-Danforth (Ward 14). The purpose of this report is to provide an overview of the notification process for tree permits associated with Metrolinx's Ontario Line project.

RECOMMENDATIONS

The General Manager, Parks, Forestry and Recreation recommends that:

1. The Toronto and East York Community Council receive this report for information.

FINANCIAL IMPACT

There is no net cost to the City. Metrolinx and its contractors are responsible for all costs, including payment of application fees to the City for tree permits.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

City Council at its meeting on March 9, 2022 approved the member motion MM41.16

"Transportation Impacts of Ontario Line Construction" and requested a report on proposals for a mechanism to review any and all tree removal proposals or permits in the vicinity of the Ontario Line project in Ward 14.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.MM41.16>

COMMENTS

Toronto's Tree By-laws and Metrolinx Tree Permit Notifications

The Building Transit Faster Act, 2020, provides Metrolinx with the authority to eliminate obstacles to expanding transit in Toronto. The City of Toronto has no authority over expansion of rail service on provincial lands and as such, there is no requirement for Metrolinx to obtain permits or notify the City of tree removals on these lands. Rather, Metrolinx follows its own Vegetation Guidelines

(https://www.metrolinxengage.com/sites/default/files/mx_vegguide-final_draft_s001-gen-7761-005_reduced_size.pdf) under the guidance of the Toronto and Region Conservation Authority.

Parks, Forestry and Recreation (PFR) regulates the injury, destruction or removal of trees through; Municipal Code Chapter 658 Ravine and Natural Feature Protection, Municipal Code Chapter 608 Parks, and Municipal Code Chapter 813 Trees, collectively referred to as the City's tree bylaws. These bylaws allow the City to issue permits for the injury or removal of trees, require tree protection zones to be established on construction sites, and require compensation. The City's tree bylaws apply to trees on City-owned land and trees on private property and outline the process for review and issuance of permits by City staff.

Metrolinx and its contractors have committed to complying with the City's tree bylaws through the City's tree permit application process to obtain permits to injure, destroy and/or remove trees on City and privately owned land. PFR staff work with Metrolinx under the applicable municipal tree bylaw to minimize impact to existing trees and maximize restoration and compensation to the greatest extent possible.

Metrolinx obtains tree permits from the City for trees protected under the City's tree bylaws in order to accommodate construction associated with Metrolinx projects. Once a tree permit application is submitted, City staff provide two notices to the relevant Councillors, followed by a supplementary notice providing confirmation of the permit issued.

The first notice to the relevant ward Councillors provides confirmation of the application, and the option to request additional details pertaining to the tree permit application, following City staff review. This notice provides basic information on the number of trees applied to injure or remove, as well as contact information for Metrolinx.

The second notice is provided to the relevant ward Councillors, following City staff review of the tree permit application, and provides a more detailed overview of the

permit request. It also outlines the outstanding permit conditions required prior to permit issuance.

Finally, Councillors are included on the circulation of the permit issuance to Metrolinx, which will include any supporting documentation required to carry out the permit. All notices are sent electronically.

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SIGNATURE

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ATTACHMENTS
