

Protection of Trees – Direct Sale of Land to Saskatchewan Cancer Agency

ISSUE

A report recommending the direct sale of City-owned land at College/University Drive (Appendix 1) to the Saskatchewan Cancer Agency (SCA) was considered by the Standing Policy Committee on Finance on November 8, 2021. Committee resolved:

- “1. That the Administration be Authorized to enter into a conditional agreement to sell portions of ISC Parcel No.’s 145146955, 145146944, and 145146933, located immediately east of the Saskatoon Cancer Patient Lodge at 1035 College Drive, to the Saskatoon (sic) Cancer Agency as per the terms and conditions outlined in the report of the Chief Financial Officer dated October 12, 2021;
2. That the City Solicitors be requested to prepare the agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal; and
3. That during the site plan review, that the Administration ensure that the three healthy trees are maintained and protected as part of this transaction.”

Upon further investigation and implementation of resolution 3, the Administration has determined that maintaining and protecting the three healthy trees is neither possible nor desirable.

BACKGROUND

Through discussions with internal stakeholders as part of administrations consideration of the direct sale to the SCA, it was noted there may be concerns in the local community with the removal of trees on the site. As such, Urban Forestry was contacted to provide any comments with respect to the proposed removal and to assess the health of the trees. Urban Forestry noted the trees are not classified as boulevard or park trees and are therefore not under the care and protection required in City Council Policy C09 011 Trees on City Property. Their assessment concluded most trees located on the site were dead or in a state of significant decline, although three trees located towards the perimeter of the parcel were deemed to still be healthy. In further discussion with Administration, the SCA agreed that they would attempt to preserve and incorporate the healthy trees into their development plan where possible, with the City having the ability to review and approve SCA’s landscaping plan before development took place.

At the November 28, 2021 meeting, when considering the matter of the direct land sale, Committee resolved “That during the site plan review, the Administration ensure that the three healthy trees are maintained and protected as part of the transaction.”

CURRENT STATUS

Administration reconnected with the SCA to see whether the requirement to preserve the three healthy trees would affect their use of the site and willingness to enter into an agreement to acquire the land. The SCA indicated the location of the trees has the potential to impact their use of the site and were hopeful the City would entertain some flexibility in the requirement to preserve the trees, perhaps allowing the SCA to replace the trees in the event their plans are significantly impacted. To determine whether the location of the healthy trees would be problematic, the SCA had a preliminary conceptual site plan and renderings completed (Appendix 2). The site plan shows that the location of the trees would impair such a development from proceeding (it is important to note that the preliminary site plan is subject to change but was intended to provide an indication on what type of new development is being proposed).

Finally, to determine if the trees identified as being healthy could be effectively preserved if required to do so a Senior Arborist completed a site visit and agreed that the three trees are currently healthy. Upon further inspection, the arborist noted;

- The trunk of one of the three healthy trees is located on the current Saskatchewan Cancer Patient Lodge property, not on the City-owned parcel proposed to be sold as originally thought.
- There is a high likelihood that the two other healthy trees located on the site will decline within the next three to five years due to a combination of drought, their age and the potential for root exposure and root compaction during construction, and therefore retention and protection is not recommended.

In the arborist's opinion, a preferred option would be to request the SCA to remove the stand of trees and replace the two healthy trees at alternate locations with two mature and hardy nursery grown basket trees and provide three years of establishment watering.

DISCUSSION/ANALYSIS

Due to the potential impact the location of the healthy trees could have on the SCA's development plans and the likelihood the trees will die within the next three to five years, Administration is of the opinion that it is preferable to work with the SCA on a suitable alternative to preserving the trees. In accordance with Bylaw No 8770, Zoning Bylaw 2009 (Zoning Bylaw), the SCA is required to submit a landscaping plan to the City as part of the application for a development permit. M2 zoned lands require that trees be planted every six linear meters along the front yard setback and every 9 linear meters along the side yard flankage. In addition to the requirements imposed by the Zoning Bylaw, the SCA is willing to work with the City in developing a landscaping plan that is appealing to the patrons of the SCA Patient Lodge and the public. As part of their future landscaping, SCA have committed to removing the unhealthy trees and replacing the two healthy trees with mature basket trees in addition to planting several younger trees of appropriate size that once established will be healthy, resilient, and able to provide environmental and quality of life benefits to the community for many years to come. In addition to the trees that will be replanted on site by the SCA, Urban

Forestry has noted that additional trees may be planted along the corridor upon completion of the College Drive Corridor Plan.

If the Standing Policy Committee on Finance is willing to remove the requirement to preserve and protect the existing trees, trusting the Administration will work closely with the SCA to develop an appropriate landscaping plan for the project, Committee would need to rescind resolution 3 passed at the November 8, 2021 Committee meeting:

In order to rescind resolution 3, a member of Committee must submit a Notice of Motion for Committee's further consideration and approval. The Procedures and Committee Bylaw requires that any Notice of Motion made during the meeting needs a notice period that would have the motion considered and debated at the next Committee meeting.

OTHER IMPLICATIONS

There are no financial, privacy, legal, social, or environmental implications identified at this time

NEXT STEPS

Should a Notice of Motion to rescind occur and be supported by Committee, Administration will proceed with the sale and the City Solicitor will be requested to prepare the necessary agreement of sale. Administration will also provide notification to the Varsity View Community Association regarding the proposed plan to remove existing and plant new trees on the site.

APPENDICES

1. Location Plan showing the proposed site on College Drive
2. Conceptual Drawings of the proposed Saskatchewan Cancer Agency Project

REPORT APPROVAL

Written by: Jeremy Sibley, Property Agent, Saskatoon Land
Reviewed by: Frank Long, Director of Saskatoon Land
Darren Crilly, Director of Parks
Approved by: Clae Hack, Chief Financial Officer, City of Saskatoon