

**Tree Removal on Private Property  
4451, 4453 and 4455 Lawrence Avenue East  
Scarborough Highland Creek**

*(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)*

**The Scarborough Community Council recommends the adoption of the following report, subject to adding thereto the following:**

- (1) that the applicant, at his expense, plant and replace 14 trees with a minimum diameter of 100 millimetres, minimum 1.4 metres in height, of a native species and from a commercial nursery, at the following residences:**

<b>68 Dunstall Crescent</b>	<b>4 trees;</b>
<b>70 Dunstall Crescent</b>	<b>3 trees;</b>
<b>244 Beechgrove Drive</b>	<b>5 trees; and</b>
<b>4457-4459 Lawrence Avenue East</b>	<b>2 trees;</b>

**at locations on each property to be selected by the owners; and**

- (2) that the applicant, through the use of a certified arborist, fertilize and maintain the planted trees for a period of two years, and replace them if they die within that period.**

**The Scarborough Community Council submits the following report (October 22, 1999) from the Commissioner of Economic Development, Culture and Tourism:**

Purpose:

To inform, in accordance with By-law No. 25150, being a by-law for the protection and conservation of trees, adopted by Scarborough City Council on June 24, 1997, the Community Council of an application filed for the removal of trees on private property at 4451, 4453 and 4455 Lawrence Avenue East.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that Scarborough Community Council approve the request for the removal of the trees which are the subject of this report.

Background:

On June 24, 1997, the former City of Scarborough passed its Tree Protection and Conservation By-law No. 25150 to help preserve significant trees on private property. Under the by-law, a permit is required to injure, destroy or otherwise cause damage to any tree having a diameter of 30 centimetres or more measured at a height of 1.4 m above ground level.

The request for tree removal which is the subject of this report has been received in connection with a subdivision development proposal. The applicant received draft plan approval in 1993 for a subdivision development of 22 single family residential units. As a condition of the registration of this plan, the applicant is required to prepare a Tree Inventory Report and a Tree Preservation Plan. This is spelled out specifically in Schedule 'B' (13) of the subdivision agreement between the applicant and the City.

Comments:

We are in receipt of a request that the City consider the removal of five trees situated on private property.

Two of the five trees noted above include a 38.1 cm diameter White Ash situated on the private property of 244 Beechgrove Drive, adjacent to the subject site, and a 40.6 cm diameter White Ash situated on the subject site. The developer of the subject lands has undertaken excavation on the development site and as a result of these excavation activities, has severely injured these two trees. The structural support roots of the two trees in question have been severed and as such, the applicant's arborist has advised Forestry Services that as a result of the actions taken by the developer, these two trees are susceptible to failure given that they are unstable. As such, Forestry Services has deemed these two trees to be hazardous and therefore exempt from protection under the provisions of By-law No. 25150 and no permit is required for their removal. The two trees in question were injured without a permit and as such the injury of the trees is a contravention of By-law No. 25150. Forestry Services is in the process of resolving the issue of the by-law contravention.

The remaining three trees which are the subject of the permit application to remove trees on private property are as follows:

- (1) 30.5 cm diameter Sugar Maple with good trunk integrity, poor structure and fair vigour;
- (2) 63.5 cm diameter Red Oak with good trunk integrity and fair to good structure and vigour;
- (3) 36.8 cm diameter Sugar Maple with good trunk integrity and fair to good structure and vigour.

All three trees are situated on the subject site and require removal as they are situated within the footprint of one of the proposed single family dwelling units. All three trees are protected under the provisions of By-law No. 25150, and as such the applicant requires City Council approval to permit their removal.

As required under Section 5.B. of By-law No. 25150, a 'Notice' of application sign was posted on the subject property for the required minimum 14 day posting period, in order to notify the neighbourhood and provide an opportunity for objection to the application. Four (4) written objections were received in response to the application to remove the trees in question. Copies of these letters have been forwarded to the Community Council Secretary for review by Scarborough Community Council.

The applicant has agreed to plant thirty (30) balled and burlapped trees with a trunk diameter of 80 mm on the City boulevard. The applicant has also agreed to plant a total of seventeen (17) balled and burlapped trees with a trunk diameter of 80 mm on private property once the development has been completed. The remaining thirty-four (34) trees located on, or within 3.0 m of the property, are to be protected.

Conclusions:

That this request for the removal of three trees situated on private property be approved.

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