



**STAFF REPORT  
ACTION REQUIRED**

**114 Stibbard Avenue – Removal of One (1) Privately-owned Tree**

<b>Date:</b>	January 23, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Brenda Librecz, General Manager, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	

**SUMMARY**

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To report on a request from the applicant of 114 Stibbard Avenue to remove one privately-owned 70-centimetre diameter Norway maple tree (*Acer platanoides*) located in the front yard of the subject property, adjacent to the east property line. The property was the subject of a recent Committee of Adjustment application for minor variances. The variances were approved subject to conditions which included the requirement that the owner provide a minimum of 2 parking spaces on the lot behind the main front wall of the dwelling and a driveway length of 15 meters. The owner proposes to install a driveway at the east side of the property to provide access and on-site parking as required. The proposed driveway is however, in direct conflict with the existing 70-centimetre Norway maple tree.

The original permit application included two (2) additional trees which included an 82-centimetre diameter Norway maple tree and a 48-centimetre diameter pear tree. A permit will be issued to the applicant for removal of the pear tree as it is in poor condition. The application for removal of the 82-centimetre diameter Norway maple tree was subsequently withdrawn by the applicant.

Staff have reviewed the information that has been submitted with respect to the 70-centimetre diameter Norway maple tree and there are no viable options that would see installation of a driveway and retention of the tree on site. The owner has proposed to plant two (2) replacement trees should approval for tree removal be granted. The proposed planting plan is satisfactory and Urban Forestry does not object to the issuance of the permit to remove the subject tree.

## **RECOMMENDATIONS**

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The General Manager of Parks, Forestry and Recreation recommends the application to remove one privately-owned 70-centimetre diameter Norway maple tree (*Acer platanoides*) located in the front yard of 114 Stibbard Avenue adjacent to the east property line be approved, conditional on:

- a. the planting of two (2) replacement trees in accordance with the plan on file with Urban Forestry, and
- b. the tree not being removed until the requirements of Transportation Services have been met.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

In accordance with *City of Toronto Municipal Code Chapter 813, Trees, Article III*, the applicant is applying to remove one privately-owned 70-centimetre diameter Norway maple tree to facilitate driveway access to the existing property and one 48-centimetre diameter pear tree that is in poor condition.

### **COMMENTS**

An application for permit to remove three (3) privately-owned trees was received from Peter Higgins, Architect on behalf of the owner of 114 Stibbard Avenue. The trees in question included two Norway maple trees located at the front of the property that are 70 centimetres and 82 centimetres in diameter and one pear tree located at the rear of the property that is 48 centimetres in diameter. The application was made due to tree health concerns and in order to facilitate driveway access to the property.

As noted in the independent arborist report that was submitted with the application and as confirmed by Urban Forestry staff, the 48-centimetre diameter pear tree is in poor condition. Under the provisions of *City of Toronto Municipal Code, Chapter 813, Trees Article III, Section 813-16 B*, a permit will be issued to remove the pear tree as it is in poor condition and cannot be maintained in a healthy and safe condition.

The existing dwelling is currently under extensive renovations with the original structure remaining. Plans for the original home, which was constructed many years ago, included provisions for a driveway by retaining an east side lot line set back for future use; however, a driveway was never constructed. The current owner of the property had made an application to the Committee of Adjustment for minor variances which were approved on October 19, 2006, subject to conditions. Among the Committee of Adjustment conditions, was the requirement that the owner provide a minimum of 2

parking spaces on the lot behind the main front wall of the dwelling and a driveway length of 15 meters. The owner proposes to install a driveway at the east side of the property to provide access and on-site parking as required. The proposed driveway is, however, in direct conflict with the existing 70-centimetre Norway maple tree.

Inspection of the 70-centimetre Norway maple tree by staff has revealed that it is in fair condition.

Under the provision of *Section 813-17, of the City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a notice of application sign was posted on the property for the minimum 14-day posting period. Nineteen (19) letters of objection and one (1) letter in support of the tree removal were received in response to the posting.

The application for removal of the Norway maple tree that is 82 centimetres in diameter was subsequently withdrawn following the posting of the public notice sign. That tree is now proposed to be protected and retained on site.

The applicant has submitted a plan which outlines the owner's intent to plant one (1) white pine tree (*Pinus strobus*) having a minimum height of 300 centimetres and one (1) red oak tree (*Quercus rubra*) having a minimum calliper of 50 millimetres. The proposed planting plan is satisfactory to Urban Forestry.

Urban Forestry has no objection to the issuance of a permit for removal of the 70-centimetre diameter Norway maple tree as there are no viable alternatives for construction that would see retention of the tree and installation of a driveway. The applicant proposes to retain and protect the 82 centimetre diameter Norway maple tree on site.

## **CONTACT**

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## **SIGNATURE**

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Brenda Librecz  
General Manager, Parks, Forestry and Recreation

## **ATTACHMENTS**

- Attachments:
- 1 - Photograph showing 114 Stibbard Avenue, front of property.
  - 2 - Photograph of site plan as provided in the application for tree removal.
  - 3 - Photograph showing an amended site plan, after withdrawal of the application to remove an 82-centimetre Norway maple tree.

Attachment #1: Photograph showing 114 Stibbard Avenue, front of property.

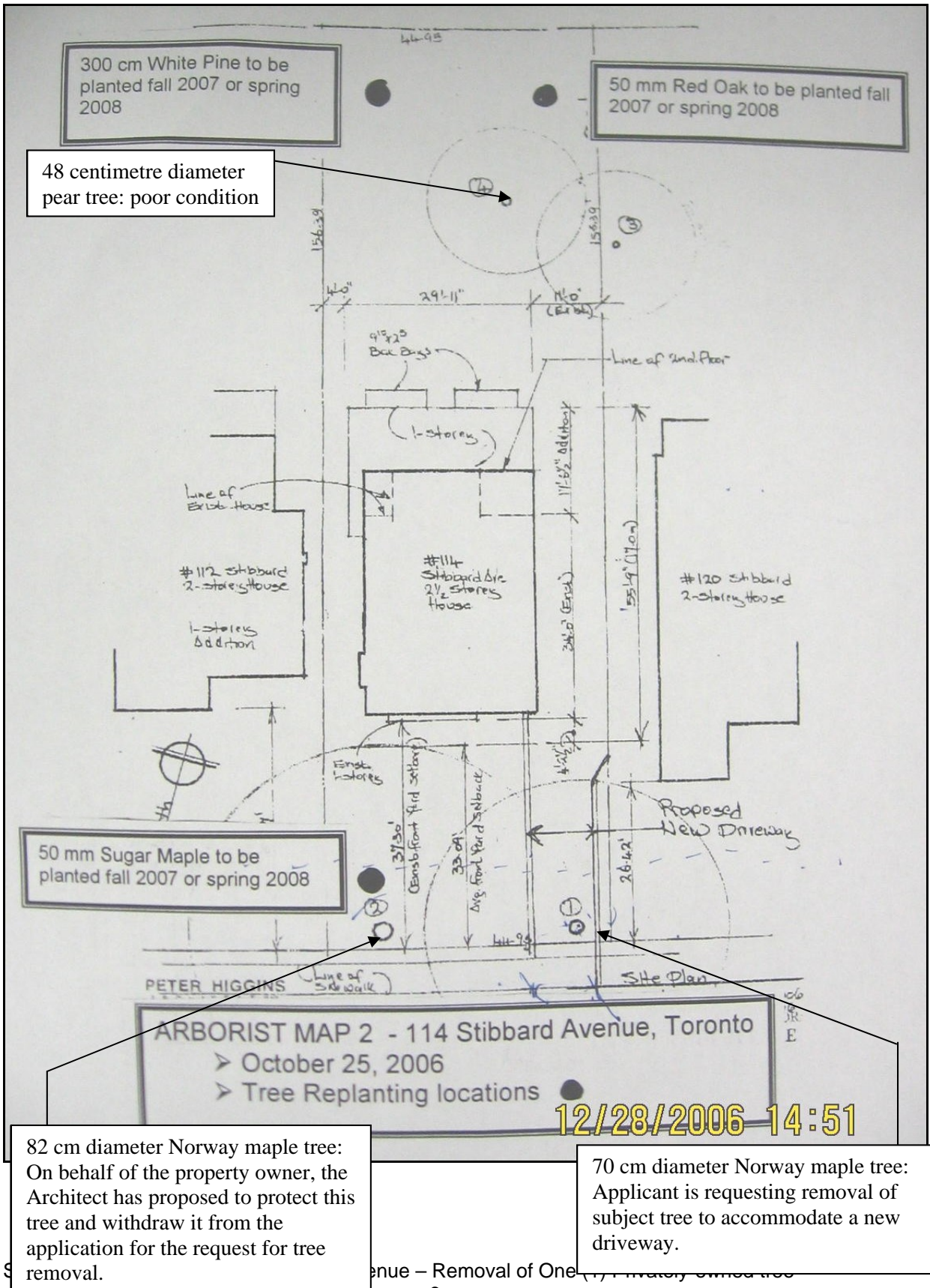
- Tree 10 corresponds to the 82 centimetre Norway maple tree to be protected
- Tree 20 corresponds to the subject 70 centimetre Norway maple tree



82 cm diameter Norway maple tree:  
On behalf of the property owner, the Architect has proposed to protect this tree and withdraw it from the application for the request for tree removal.

70 cm diameter Norway maple tree:  
Applicant is requesting removal of subject tree to accommodate a new driveway.

Attachment #2: Photograph of site plan as provided in the application for tree removal.



48 centimetre diameter pear tree: poor condition

50 mm Sugar Maple to be planted fall 2007 or spring 2008

82 cm diameter Norway maple tree: On behalf of the property owner, the Architect has proposed to protect this tree and withdraw it from the application for the request for tree removal.

70 cm diameter Norway maple tree: Applicant is requesting removal of subject tree to accommodate a new driveway.

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Attachment #3: Photograph showing an amended site plan, after withdrawal of the application to remove a 82 centimetre Norway maple tree.

