



## STAFF REPORT ACTION REQUIRED

### 19 Church Avenue – Removal of One (1) Privately-owned tree, Ward 23 - Willowdale.

<b>Date:</b>	December 13, 2006
<b>To:</b>	North York Community Council
<b>From:</b>	Brenda Librecz, General Manager, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 23 - Willowdale
<b>Reference Number:</b>	

#### SUMMARY

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To report on an application for a permit to remove one (1) privately-owned, twin-stemmed silver maple tree (*Acer saccharinum*) having diameters of 43 centimetres and 47 centimetres that has been filed by the the owner of 19 Church Avenue.

The reason given for the application to remove the subject tree is the health of the tree, the proposed construction of a paved parking lot at the rear of the property and a proposed second access to Church Avenue on the east side of the property.

Confirmation that the proposed paved parking lot and second access to the rear conforms to the zoning by-law and that a permit had been granted for street access on the east side of the property was requested by Urban Forestry. Confirmation has not been received by Urban Forestry and, at the time of writing this report, no application had been made to Right-of-Way Management for a second access to Church Avenue.

Urban Forestry staff advised the owner that a second protected tree located on the subject property would require the issuance of a tree injury permit should the project be implemented as planned. At the time of writing this report, no tree injury application has been received by Urban Forestry.

The intent of the Private Tree By-law is to preserve significant trees on private property and to ensure a sustainable urban forest in the City of Toronto. The silver maple tree is significant and, with proper professional maintenance, should continue to provide benefits to the community for years to come.

## **RECOMMENDATIONS**

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

- (1) the request for a permit to remove one (1) privately-owned silver maple tree at 19 Church Avenue be denied; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

## **FINANCIAL IMPACT**

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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 (1) privately-owned, twin-stemmed silver maple tree (*Acer saccharinum*) having diameters of 43 centimetres and 47 centimetres. The tree is located at the rear of the property. The health of the tree, the construction of a paved parking lot at the rear of the property and access to the street on the east side of the property were the reasons provided for the removal application.

## **COMMENTS**

The silver maple tree is in maintainable condition and should provide benefits to the community for years to come. The tree is adjacent to a parking area of crushed stone and is approximately two metres from the southeast corner of the building (Attachment 1).

An inspection by Urban Forestry staff revealed that the subject tree is in fair condition. The tree has two main leaders with a well-balanced, upright crown with no significant dieback and foliage that appears healthy. No significant structural weaknesses were apparent. There is a small, approximately 10-centimetre diameter, cavity present in one leader located within one metre of the ground. The cavity is the result of the death of a small branch and does not appear to affect the structural integrity of the tree as a whole.

The independent arborist report submitted with the application regards the presence of co-dominant leaders to be indicative of “poor” structure and “prone to failure as a result”. The report also refers to “some dieback in the crown due to parking area”.

The site plan drawing submitted with the application indicates that the entire rear of the property will be paved and additional access to Church Avenue will be provided on the east side of the building (Attachment 2). The owner of the subject property has not provided any documentation that confirms that the proposed paved parking lot and

second access to the rear conforms to the zoning by-law and that a permit has been granted for street access on the east side of the property (Attachment 3). At the time of writing this report, the owner had not applied for a permit for a second access to Church Avenue on the east side of the property.

Additionally, the owner has been informed that an injury permit application would be necessary for a 43-centimetre diameter sweet cherry tree (*Prunus avium*) located at the rear of the subject property (Attachment 4) should the proposed paved parking lot plan be implemented as designed. At the time of writing this report, no tree injury application has been received by Urban Forestry.

The applicant has submitted a replanting plan which outlines the owner's intent to plant a replacement tree of a species and size satisfactory to the General Manager, Parks, Forestry and Recreation.

As required under *Section 813-17, of the City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a 'Notice' of application sign was posted on the subject property for the minimum 14-day posting period in order to notify the neighbourhood and provide an opportunity for objection to the application. No Letters of objection were received in response to the 'Notice' of the removal application.

Should the request for a permit to remove the silver maple tree be approved, approval must be conditional upon the owner implementing a landscape plan that is satisfactory to the General Manager, Parks, Forestry and Recreation, a permit to injure the 43-centimetre diameter sweet cherry tree being issued by the General Manager, Parks, Forestry and Recreation, and a permit for access to Church Avenue on the east side of the property being issued by Right-of-Way Management.

## **CONTACT**

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## **SIGNATURE**

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Brenda Librecz  
General Manager, Parks, Forestry and Recreation

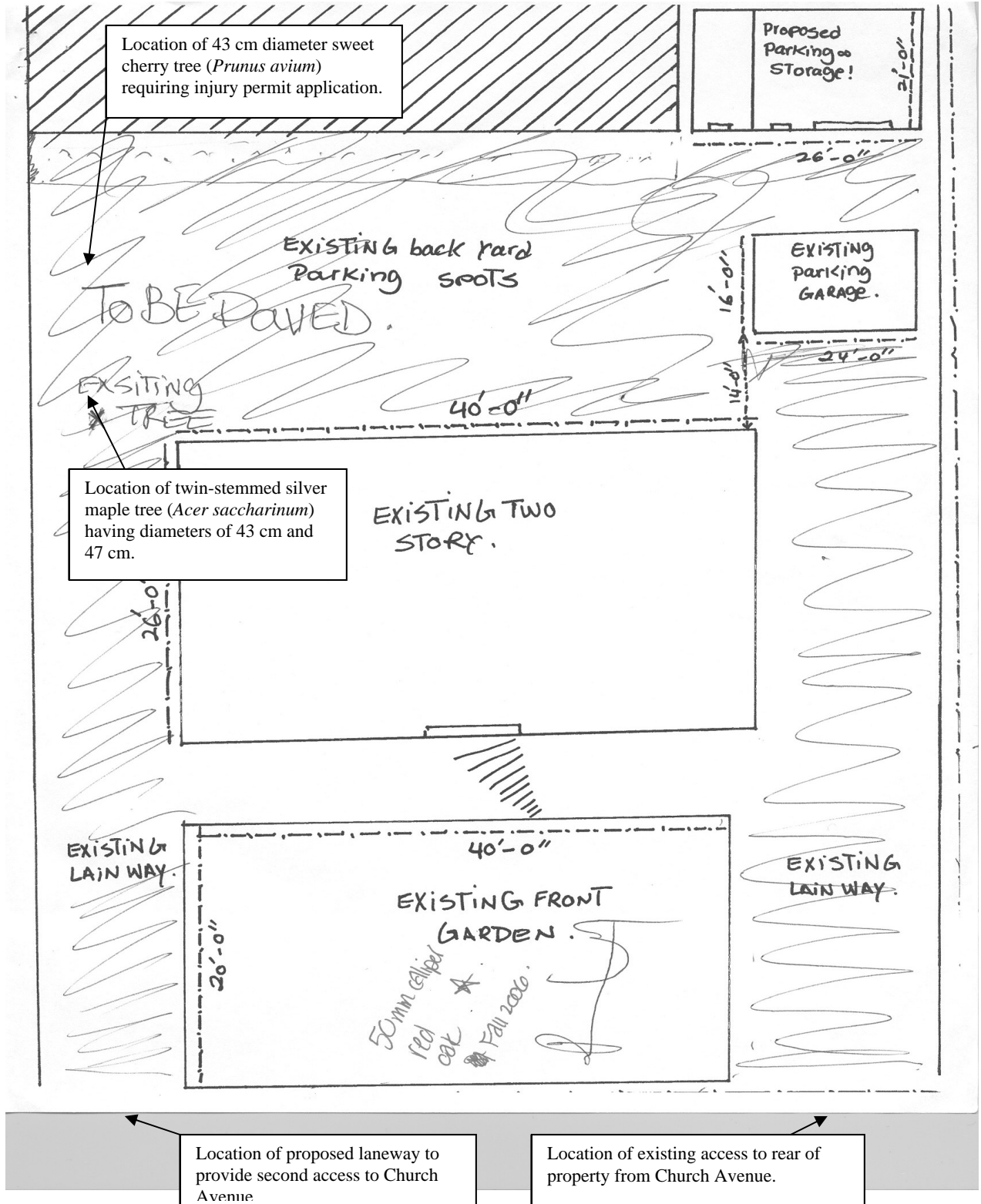
## ATTACHMENTS

- Attachment 1 - Photograph showing twin-stemmed silver maple tree (*Acer saccharinum*) located at the rear of 19 Church Avenue.
- Attachment 2 - Site plan drawing, provided by applicant, showing extent of proposed paving, location of twin-stemmed silver maple tree, location of 43-centimetre diameter sweet cherry tree requiring injury permit application and existing and proposed access to Church Avenue.
- Attachment 3 – Photograph showing subject tree and east side of property at 19 Church Avenue with no curb cut for access to Church Avenue on this side of the building.
- Attachment 4 - Photograph showing the 43-centimetre diameter sweet cherry tree (*Prunus avium*) located at the rear of 19 Church Avenue requiring injury permit application.

Attachment #1 – Photograph showing twin-stemmed silver maple tree (*Acer saccharinum*) located at the rear of 19 Church Avenue.



Attachment #2 – Site plan drawing, provided by applicant, showing extent of proposed paving, location of twin-stemmed silver maple tree, location of 43 centimetre diameter sweet cherry tree requiring injury permit application and existing and proposed access to Church Avenue.



Attachment #3 – Photograph showing subject tree and east side of property at 19 Church Avenue with no curb cut for access to Church Avenue on this side of building.



Attachment #4 - Photograph showing the 43 centimetre diameter sweet cherry tree (*Prunus avium*) located at the rear of 19 Church Avenue requiring injury permit application.

