



## STAFF REPORT INFORMATION ONLY

### **Tree Protection in North York on Sites Involving Demolition and New Construction of Residential Buildings**

<b>Date:</b>	August 8, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	Director and Deputy Chief Building Official, North York District General Manager, Parks, Forestry and Recreation
<b>Wards:</b>	<b>All Wards</b>
<b>Reference Number:</b>	

#### **SUMMARY**

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North York Community Council, on July 7, 2008, sought information from staff regarding how a property owner was able to proceed with a demolition and new home construction without providing the necessary protection for existing trees, as required by the City's Tree Protection Policy and Specifications for Construction Near Trees.

The current policy surrounding tree protection for demolition and new construction of residential buildings was developed by staff in Urban Forestry and Toronto Building. The policy requires applicants and their agents to provide accurate information with respect to trees located on the construction site or on adjacent properties. The policy works very well in streamlining the process surrounding building permit issuance and tree protection issues.

Staff in Urban Forestry and Toronto Building will undertake a review of the current Tree Protection Policy and implement any required changes with the goal of ensuring all trees are properly identified and declared on the Tree Declaration Form. In order to adequately review applications where construction has the potential to impact trees additional Urban Forestry staff are required.

#### **Financial Impact**

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

## **ISSUE BACKGROUND**

At its meeting held on July 7, 2008, the North York Community Council directed the Director and Deputy Chief Building Official, North York District and the Director, Urban Forestry to report to the North York Community Council meeting on September 9, 2008, on how to improve the process in the North York District, as it relates to the Tree Protection By-laws for demolition and new construction of residential buildings.

## **COMMENTS**

There is currently a Tree Protection Policy in place between Toronto Building and Urban Forestry respecting the protection of both private and City trees in the City of Toronto. The agreements outlined in the Policy were agreed to at the highest level of the two Divisions, and formalized in mid 2005, to establish a uniform procedure for processing building permit applications for construction proposals affected by any City by-law regulating the protection of trees. The current Policy replaced policies that dealt with the Private Tree By-law as well as the Ravine and Natural Feature Protection By-law so as to include procedures around the tree protection requirements of the Trees on City Streets By-law and the Parks By-law.

Under this policy, a property owner, or agent, is required to submit a tree declaration form, to either Toronto Building, or Committee of Adjustment staff. This requires declaring whether there are any trees on the subject property or on adjoining properties within 6m of the subject site that may be affected by the proposed project or require removal to facilitate the proposed work. Experience indicates that the Tree Declaration form is not always completed accurately. There are also examples of situations where information is provided accurately but required tree protection is not implemented on site.

In September 2006, Urban Forestry drafted a report in consultation with the City Manager's office and Toronto Building, City Planning and Transportation Divisions titled "Process to Address Tree Preservation Requirements Related to Development and Construction Applications". This report addressed the issues raised by North York Community Council and provided recommendations on how to improve tree protection where construction has the potential to impact trees. The report was adopted by Council but the funding and staffing increases described in the report have not been realized.  
<http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/pltrpt/cl019.pdf>

Parks, Forestry and Recreation along with Toronto Building will undertake a review of the current Tree Protection Policy with the goal of ensuring all trees are properly identified and declared on the Tree Declaration form at the time of application for permit to demolish or construct dwellings. Additional funding in the Operating Budget would enable Urban Forestry to adequately monitor and enforce tree protection where construction has the potential to impact trees.

## **CONTACT**

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## **SIGNATURE**

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