



**STAFF REPORT
ACTION REQUIRED**

4187 Dundas Street West and 567, 569 and 571 Prince Edward Drive – Private Tree Removal

Date:	March 4, 2009
To:	Etobicoke York Community Council
From:	Richard Ubbens, Director, Urban Forestry, Parks, Forestry and Recreation
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	

SUMMARY

This report requests that Council confirm the decision of the General Manager of Parks, Forestry and Recreation to deny the request for a permit to remove two (2) privately-owned trees at 4187 Dundas Street West and 567, 569 and 571 Prince Edward Drive (the “Site”).

The applicant originally applied for permits to remove 9 trees, but subsequently requested the deletion of two trees located on the abutting property. By letter dated November 20, 2008, the General Manager advised that of the remaining 7 trees, 5 could be removed subject to conditions but the General Manager refused to issue a permit to destroy Tree Nos. 4192 and 4193, being a red oak and a horse-chestnut, as: inspection of the trees by staff revealed that both are in good condition and, for the reasons set out below, the General Manager cannot support the removal of these trees.

The applicant has appealed this decision to refuse to issue permits to destroy these two trees to Etobicoke York Community Council.

The applicant had requested the removal of all 9 trees (including the 2 on the abutting property) to permit the construction of a proposed residential building that was the subject of a zoning and site plan appeal to the Ontario Municipal Board (the “OMB”). The OMB has issued a decision allowing the proposed building; and, in appealing the General Managers refusal, the owner stated that:

the above noted decision . . . contradicts decision PL070056 of the Ontario Municipal Board. The decision of the General Manager would not permit the

construction of the 7 storey condominium development on site as approved by the Ontario Municipal Board. I believe that the decision of the General Manager cannot ignore and also contradict the decision of the Board

However, City legal counsel, who appeared before the OMB, has advised that he had specifically raised the issue of trees with the OMB member during the hearing, noting that the owner's witnesses had not identified any trees that may need to be removed and that the owner was not seeking permission from the OMB to remove any trees. City legal counsel had, therefore, specifically asked the presiding OMB member to note that its decision would not prejudice any later decision that may have to be made by the City in the event the owner applied to the City for a permit to remove trees. The presiding Board member agreed with City legal counsel on that point. The decision of the General Manager therefore neither ignores, nor contradicts the Board's decision.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that Council confirm the decision of the General Manager of Parks, Forestry and Recreation to deny the request for a permit to remove two (2) privately-owned trees at 4187 Dundas Street West and 567, 569 and 571 Prince Edward Drive.

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*, an application has been made requesting permission to remove two (2) privately-owned trees located at the Site. The General Manager has refused and the owner has appealed to the Etobicoke York Community Council.

COMMENTS

Private Tree Application

The owner of the Site submitted the following two applications:

- (1) an application dated December 4, 2007 (the "Dec. 4/07 Application") submitted on behalf of Dunpar Developments Inc. and received by Urban Forestry staff on December 6, 2007, with respect to the 7 trees identified as Tree Nos. 6054, 6055, 6056, 6057, 6058, 6066 and 6067 on the associated Arborist Report, and

- (2) an application dated May 1, 2008 (the “May 1/08 Application”) submitted on behalf of CIC Millwork Limited in Trust and received by Urban Forestry staff on May 5, 2008, with respect to the 2 trees identified as Tree Nos. 4192 and 4193 on the associated Arborist Report. [These two trees had been noted on the Arborist’s Report dated December 5, 2007 in support of the Dec. 4/07 Application, but were incorrectly described therein as being City-owned trees.]

With respect to these trees:

- (a) Tree Nos. 6054, 6057, 6058, 6066, 6067, 4192 and 4193 have their trunks located entirely within the Site,
- (b) the trunk of Tree No. 6055 straddles the boundary between the Site and the Abutting Lot, (565 Prince Edward Drive), and
- (c) the trunk of Tree No. 6056 is located entirely within the Abutting Lot.

Decision of the General Manager

The following was the decision of the General Manager, Parks Forestry and Recreation (the “General Manager”) with respect to each of the trees identified on the Dec. 4/07 Application and the May 1/08 Application.

Deletion of Tree Nos. 6055 and 6056 from the Applications

As Tree Nos. 6055 and 6056 are situated either entirely or partially within the Abutting Lot, the applicant was advised by City Forestry staff that the Applications in respect of these trees would not be processed without the consent of the owner of the Abutting Lot. Subsequently, on May 9, 2008, the applicant directed City Forestry Staff to process the above Applications with the exclusion of Tree Nos. 6055 and 6056.

Posting of Notice

With respect to the seven remaining trees, a notice of application sign was, therefore, posted on the property for a period of 14 days (in accordance with *Section 813-17, of City of Toronto Municipal Code, Chapter 813, Trees, Article III*). In addition, as also required by Article III, Urban Forestry has consulted the Ward Councillor regarding the Applications.

Granting the Application to Destroy Tree Nos. 6054, 6057, 6058, 6066 and 6067

Pursuant to *Article III, Section 813-16.1*, the General Manager is prepared to issue a permit for the destruction of Tree Nos. 6054, 6057, 6058, 6066 and 6067, subject to the following conditions:

- Provision of a landscape plan deemed acceptable to Urban Forestry which indicates that at least three trees will be planted on the privately-owned portion of the Site for each tree protected under the Private Tree by-law that is to be destroyed. If the required tree planting can not be accommodated on-site, Urban Forestry may accept cash in-lieu of tree planting at a rate of \$583/tree.
- Provision of a tree preservation plan acceptable to Urban Forestry outlining the tree preservation methodologies that will be employed to ensure Tree Nos. 4192 and 4193 located within the Site and Tree Nos. 6055 and 6056 located within the Abutting Lot are each preserved and protected throughout the duration of the construction process.
- That Tree Nos. 6054, 6057, 6058, 6066 and 6067 not be destroyed until a Permit to Destroy Trees on Private Property has been issued by Urban Forestry.

To date these conditions have not been met by the applicant.

Refusal of the Application to Destroy Tree Nos. 4192 and 4193

Tree No. 4193 is a red oak tree (*Quercus rubra*) measuring 77 cm in diameter. Red oak is a tree species that is native to the Toronto area. Preservation of indigenous species is very important as the urban forest as a whole is much healthier when those species that are native to the area are abundant and healthy. Red oak trees can live up to 150 years. As this tree is in good condition and not exhibiting any signs of decline, it can be assumed that Tree No. 4193 will live for many more years. The character and benefits of this tree cannot be replicated by replacing it with smaller less mature trees.

Tree No. 4192 is a horse-chestnut tree (*Aesculus hippocastanum*) measuring 58 cm in diameter. While this species is not native to Ontario, it is highly valued for its ability to tolerate urban conditions and it is not regarded as an invasive species within neighbourhoods such as this. Horse-chestnut trees can live for up to 100 years. As this tree is in good condition and not exhibiting any signs of decline, it can also be assumed that Tree No. 4192 will live for many more years. The character and benefits of this tree cannot be replicated by replacing it with smaller less mature trees.

The intent of the Private Tree by-law is to preserve significant trees and to ensure a sustainable urban forest. Replacing mature trees such as these with smaller less mature trees would fail to meet these objectives and would not protect and maintain the City's existing population of mature trees.

A healthy population of mature trees provides numerous benefits and is a very important part of the City's fabric. Large, mature trees like these red oak and horse-chestnut trees provide extensive canopy cover in neighbourhoods like the Beach, North Toronto, the Annex, Cabbagetown, Riverdale, Rosedale, Forest Hill and The Kingsway, adding to the character and charm of these neighbourhoods. If properly maintained and protected, both of these trees will continue to provide numerous benefits to this neighbourhood for many

years to come, including food and shelter for wildlife, as well as other environmental and aesthetic benefits.

The Application for a permit to destroy Tree Nos. 4192 and 4193 was therefore refused.

Ontario Municipal Board Hearing

As noted, the applicant had requested the removal of all 9 trees (including the 2 on the Abutting Lot) to permit the construction of a proposed residential building that was the subject of a zoning and site plan appeal to the OMB. Through the application review process, Urban Forestry advised the applicant, through City Planning that protected private trees existed on the Site and that efforts should be made to incorporate existing trees into future development at the Site.

The OMB hearing proceeded with the owner not seeking permission to remove any trees from the OMB. During the OMB hearing, City legal counsel specifically raised the issue of trees with the presiding OMB member, noting the owner's witnesses had not identified any trees that may need to be removed and that the owner was not seeking permission from the OMB to remove any trees. City legal counsel specifically asked that the presiding OMB member note that its decision would therefore not prejudice any later decision that may have to be made by the City in the event the owner applied to the City for a permit to remove trees. The presiding OMB member agreed with City legal counsel on that point.

On February 6, 2008, the OMB issued a decision allowing the Official Plan and Zoning by-law appeal. The decision also indicated that the Board would withhold its final order with respect to the site plan until it has been provided with a final site plan and site plan conditions. This site plan requirement is still outstanding.

Community Notification

As required under *Section 813-17, of 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. The posting serves to notify the neighbourhood and provide an opportunity for objection to the application. 58 letters of objection were received in response to the posting from residents in the area.

CONTACT

Brian L. Mercer, Urban Forestry Planner, Urban Forestry, Tree Protection and Plan Review Section, Tel: 416-392-0964, Fax: 416-394-5406, Email: bmerc1@toronto.ca

SIGNATURE

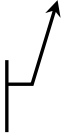
Richard Ubbens
Director, Urban Forestry, Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 – Photo of Trees
Attachment 2 – Letters of Objection



Red oak tree



Horse-chestnut tree



>>> "Mike Cardiff" <mike@cardiffs.ca> 21/05/08 01:14 PM >>>

To whom it may concern,

I would like to register my complaint against the Dunpar proposal to remove mature trees. These trees take generations to grow and are critical in the astetic value of the Kingway as well as maintaining the environment and the reduction of greenhouse gases .

Mike Cardiff

>>> "Mary-Anne Huestis" <mahuestis@marketsenseinc.ca> 21/05/08 01:13 PM >>>

The Dunpar Properties request to cut down the mature trees at Prince Edward and Dundas is premature as their development plans are being appealed. I strongly object to their request to remove the tress at this time.

Mary-Anne Huestis
MarketSense Inc.
416 233-5385

>>> "Marks, Duncan" <Duncan.Marks@Bmo.com> 21/05/08 01:16 PM >>>

I am totally opposed to letting this developer cut down these trees. They are healthy and a beautiful part of the cityscape. This developer is out of control. The city has to protect our trees. At worst the city should insist they transplant the trees to the nearby park, guarantee their survival and add a component of greenspace to the monstrous development they plan on the corner. They should also be charged a nice hefty surcharge to improve the park and school in the neighborhood.

Please stop these people from destroying these beautiful trees and our beautiful neighborhood.

Regards,
Duncan Marks
25 Queen Mary's Drive
Etobicoke, Ontario
M8X1S1.

>>> "Joan Rilling" <joan.rilling@sympatico.ca> 21/05/08 01:16 PM >>>

It has come to our attention that Dunpar has applied to the City of Toronto Forestry department for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr.

Please note that we oppose this application for these trees to be removed.

If you require any other information, please advise

Sincerely

Joan and Bernd Rilling
98 Government Road

>>> "Kerr, Neal" <NKerr@ci.com> 21/05/08 01:19 PM >>>

Dear Sirs,

We are writing to express our concern with Dunpar's recent application to the City of Toronto's Forestry Department to cut down 7 trees.

We believe that it is premature for Dunpar to cut down trees given the fact that its development application is under appeal by both the City of Toronto and Kingsway Residents Against Poor Planning.

Regards, Neal Kerr & Marlene Hynd

>>> Katherine Langdon <katherinelangdon@gmail.com> 21/05/08 01:24 PM >>>

Hello,

My name is Katherine Langdon and I am a resident of the Kingsway in Etobicoke. I am 22 years old and have lived in the Kingsway my entire life, attending Lambton-Kingsway from JK to Grade 8 all the way up to my recent graduation from Humber College. I was recently informed of Dunpar's application to remove seven trees at the corner of Prince Edward Drive and Dundas Street and wanted to express my concern.

The application calls for the removal of seven large trees, including a fully grown red oak tree. This is a premature step that Dunpar is taking, assuming that their development application for the land will be approved. I think it would be a irreversible mistake on the part of the city to cut down these trees before a decision regarding the development application is made.

As a resident of the area and a strong supporter and advocate of environmental causes I am worried that the full picture is not being taken into account.

I appreciate you taking the time to listen to my concerns and hope that as a resident of the area my voice will be heard.

Thankyou,

Katherine Langdon

>>> Margaret Arnold <margaret.arnold@leoburnett.ca> 5/21/2008 1:34 PM >>>

I believe it is way too premature for Dunpar to make an application to City Council to have trees cut down on Prince Edward. They are behaving as if they have already won the case!

Cannot believe their arrogance!

Let's keep up the fight.

Hello

It has been brought to my attention that Dunpar Developments has applied to the City of Toronto Forestry department for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr..

I do not know the official law on tree cutting and unfortunately have seen too many mature trees in this area cut down in the last years. Thus maybe this application is within all official city laws. It is definitely not inkeeping with the desire of the neighbourhood, the environmental plans of the City and associated sustainability objectives. It in fact is a perfect example of actions that are impacting our city's environment. Cut down trees, pave/develop areas with hard surfaces, thus reducing rainwater infiltration, decrease oxygen generation, force more water into sewers and thus generate more downstream surcharges on the system capabilities and pollute.

I am writing to ask that the City of Toronto do not approve the application for several reasons.

1. The redevelopment plan involving this property is not yet finalized/approved and removal of mature trees vital to the City ecosystem without a plan for replacing their environmental and sustainability benefit is not acceptable. I am not aware of any stormwater management plan, canopy replacement plans and if one is present, it can not be acceptable as the development plan for the site has not been approved.
2. The tree canopy of the City is rapidly disappearing and many areas do not have mature trees. Removal of mature trees not only reduces the cosmetic appeal of the area (replacing it with man made structures or immature trees), it is going against all sustainability, carbon footprint and environmentally engaging schemes, plans and desires of the citizens of Toronto.

Please do not approve this application

Regards-
John Fahey
6 Queen Anne Rd
Etobicoke, Ontario
phone: 416 233 3523

>>> "Anderson, Chris J - Finance" <Chris.J.Anderson@CIBC.com> 5/21/2008 1:49 PM >>>
Dear Sir,

I believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP. I strongly suggest that the application to cut down the trees be denied until development is settled.

Regards,

Chris Anderson
42 King George's Road

>>> Diane Kress <dkress@thinknet.com> 21/05/08 01:46 PM >>>

Dear Mr. Mercer,

Please accept this letter as proof of our opposition to the request by Dunpar Developments to remove the 7 trees from the South-East corner property at Dundas and Prince Edward Drive (as well as the three adjoining residential properties on Prince Edward Drive).

Some of these trees are extremely mature trees that cannot be replaced, and until construction begins there is no need to remove them in advance.

This is particularly concerning as Dunpar's development application is currently under appeal by the City of Toronto and a private citizens group (KRAPP), and therefore no approvals on tree removal should be made until the appeal is final and the issue has been resolved.

Kindly,
Diane & Edward Kress
134 Government Road
Etobicoke, ON M8X 1W5
416-236-1477

>>> Mining Insights <miningtruth@yahoo.com> 21/05/08 02:06 PM >>>

Hello:

I've just been advised Dunpar has applied to cut down mature trees on Prince Edward Drive. The leafy network of trees adds tremendous value to the neighbourhood in the summer time and one would hope that allowances could be made to leave the trees standing and build around them.

I will be quite disappointed to see the removal of the trees in question; have a look at the Essence condos a block away for an idea of what construction looks like without stately trees.

I would hope that since getting a permit from the City to cut down dead trees is difficult enough, that cutting down live ones would require a higher standard of care.

Jim Steel
1 The Kingsway

Jim Steel MBA P.Geo.
CEO & Head of Research
Mining Insights Inc.

>>> "Huestis, Chris" <Chris.Huestis@rbccm.com> 21/05/08 02:04 PM >>>

Please be advised that as a Kingsway resident I object to cutting down of the mature trees at the captioned location. At this point, the City of Toronto is challenging the ruling of the OMB as it relates to what can be built on these sites and it seems premature to be taking down trees. Especially for the Prince Edward Drive lot.

Regards
Chris Huestis
33 Montgomery Road
416 233-5385

>>> "John Moore" <JohnMoore@sierrasystems.com> 5/21/2008 2:09 PM >>>

I am not dead-set against the Dunpar proposal for Dundas and Prince Edward, and I am not a member of KRAPP. I trust a satisfactory arrangement will be worked out.

But I think it would be "criminal" to allow them to cut down trees before the development plans are finalized. Frankly, it sounds like a cheap trick to deface the property, in support of their development proposal.

Please reject the application to cut trees until the development proposal is settled.

John Moore
44 Strath Avenue
416-231-5120

>>> "Donna Toth (Scotia Capital)" <Donna_Toth@scotiacapital.com> 21/05/08 02:15 PM >>>

I am a proud Kingsway resident and have lived in the neighbourhood for 18 years. The email below re Dunpar's application is very disturbing. This company is out of control and is changing the landscape and culture in our neighbourhood. I cannot believe that no one has been able to stop this company and drive them out of what has been a very desirable area to live and raise a family.

I would like to hear your plans regarding the preservation of our uniquely special neighbourhood known as "The Kingsway". I believe this is a very high priority.

Thank you,

Donna Toth

>>> "Phillips, Andrew" <Andrew.Phillips@tdsecurities.com> 21/05/08 02:29 PM >>>

My wife Cathy and I and our two children have lived at 16 Strath Ave for the past 10 years.

We understand that Dunpar has applied to the City of Toronto Forestry department for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr.

We believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP.

If healthy, mature trees are being destroyed, at this juncture, we would like to understand on what basis and who at the City has (or will) approve such action. If Dunpar is thinking of removing the trees without approval and paying the \$10,000 fine per tree then I think that the City should put them on notice now that a building permit for whatever they end up getting approval for will not be forthcoming from the City.

>>> "Dick Thompson" <dthompson@saraphina.com> 21/05/08 03:56 PM >>>

I believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) before it is determined if its development application will be successful and is able to build on the three adjacent properties.

Dick Thompson 416-233-3659

31 Queen Mary's Drive M8X 1S3

>>> Gord Naylor <GANaylor@pcl.com> 21/05/08 03:46 PM >>>

I have followed Dunpar's proposed development on Dundas and Prince Edward for over a year now and am infuriated at the thought that Dunpar should even consider applying for permission to cut down trees before their development is approved. It would be even more infuriating if they were to receive permission to proceed.

I trust that the City authorities will NOT consider or approve further applications until this project has been fully approved.

Sincerely,

Gord Naylor
44 Brentwood Rd. N.
Etobicoke, ON M8X 2B7

>>> "Manget, Ken" <ken.manget@bmo.com> 21/05/08 03:38 PM >>>

To Whom It May Concern:

This is to inform you that Dunpar has applied to the City of Toronto Forestry department for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr. I believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP.

As a resident of the area, I firmly object and respectfully request that the Forestry department decline Dunpar's request.

Ken Manget
Managing Director, Equity Capital Markets
Tel: (416) 359-6724
Cell: (647) 281-9769
Home: (416) 231-4345
Fax: (416) 359-4404
E-mail: ken.manget@bmo.com

11 Kingsway Crescent,
Toronto, Ontario

>>> "Tom Keating" <tom@micrologic-ca.com> 21/05/08 03:36 PM >>>

We are writing to express our objection to a permit being granted to Dunpar to cut down trees at the corner of Prince Edward Ave. and Dundas St. in Etobicoke.

No development permit has been granted to Dunpar in respect of that property and the trees are not diseased or unhealthy so there is no reason to remove them.

This appears to be yet another attempt by Dunpar to move towards building a structure which contravenes the City of Toronto Official Plan.

Yours truly

Tom & Sarah Keating
26 Dunedin Drive
Etobicoke, Ontario
M8X 2K5

>>> "Maureen Comette" <maureen.comette@gmail.com> 21/05/08 03:23 PM >>>

We strongly object to all trees being cut down. Somehow???? he was given the green light to go against the City of Toronto's plan and was allowed to completely ignore hundreds of protests from immediate neighbors. It is a Mystery to everyone how OMB allowed this to happen. There is serious problems with OMB Let's all try to fix it now.

Maureen & Michel Comette

>>> <Wrlawlor@aol.com> 21/05/08 03:07 PM >>>

We are very opposed to the removal of these trees, which simply displays the contempt that Dunpar holds for the residents of this community.

Surely this application to destroy healthy and beautiful trees must await the outcome of formal Appeals against Dunpar's plans to build an oversized building on the same property

Bill & Judy Lawlor
46 The Kingsway
Toronto, M8x-2T2
416-233-4808 (Toronto)

>>> "Scott, Ian (JUS)" <Ian.Scott@ontario.ca> 21/05/08 03:11 PM >>>

Sir:

A local resident, I would like to register my objection to the proposal to cut down the trees at the Dunpar site. They are located near the road, and would not impede any development. As well, they are perfectly healthy and assist the streetscape.

Please contact me if I can be of further assistance.

Ian D. Scott
98 Strath avve
Toronto

>>> JOHN THOMPSON <jrpthompson@rogers.com> 21/05/08 02:53 PM >>>

I believe Dunpar should not be allowed to cut down trees until the development application is approved by the City of Toronto which currently is under appeal by both the City of Toronto and KRAPP.

>>> "Andre Lebed" <awlebed@sympatico.ca> 21/05/08 02:50 PM >>>

Please do not allow any cutting of trees until the legal matter regarding the OMB is settled. It is premature to allow this until the entire matter is done with. Do everything you can to save any tree.

Thanks,
Lydia Lebed

>>> "Bill Lechow" <blechow@oise.utoronto.ca> 21/05/08 02:40 PM >>>

Dear Mr. Mercer,

I wish to protest the application forwarded by Dunpar Developments for the removal of trees on their site on the southeast corner of Dundas Street and Prince Edward Drive.

As you may already know, the building proposal on that property is actively being challenged by a large group of neighboring residents, - the Kingsway Residents Against Poor Planning (KRAPP), and inasmuch as the plan is under contention, it is my view that tree removal would be **premature** at this point. If Dunpar Developments were eventually to succeed with their building proposal **as planned**, then they would then have an opportunity to re-apply for tree removal as required. In the event that their plan was accepted following amendments, the selection of trees to be removed may then require re-evaluation.

Thank you for your attention to this matter,

Bill Lechow 34 Queen Mary's Drive

>>> "marc solby" <msolby@lighthouseonline.ca> 21/05/08 02:38 PM >>>

Please note my strong disapproval of Dunpars application to cut down mature healthy trees at Prince Edward and Dundas.

They need to be more considerate of the neighborhood environment - as we all are. Ultimately they do not live here, they simply capitalize it.

Please note the new address:

Marc Solby
8 Elliott Ave

Office: (416) 253-0997
Cel: (416) 567-2926
Fax: (416) 253-4443

>>> CHRISTINE FOY <clfoy@rogers.com> 21/05/08 02:36 PM >>>

I am writing to raise an objection regarding the above noted developers plans to remove trees from properties owned by Dunpar Developments. The development approval is being appealed by KRAPP and The City of Toronto therefore the destruction of healthy trees is imprudent at this time.

>>> "R THOMPSON" <gailthompson@sympatico.ca> 21/05/08 02:58 PM >>>

To whom it may concern,

I request that you deny the application by Dunpar to cut down any/all of the seven trees on their property at or near the corner of Prince Edward and Dundas.

Their application is premature because their development application for this site is under appeal by both the City of Toronto and Kingsway Residents Against Poor Planning.

Please refuse this application.

Thank you,

Gail Thompson

Gail P. Thompson

E-mail: gailthompson@sympatico.ca

>>> "Karla Minello" <karla@gradeexpectations.ca> 5/21/2008 11:17 PM >>>

Please be informed that I object to the application from Dunpar to cut down trees. The trees are integral to the character of our neighbourhood and I strongly object to their being cut down. I believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP.

Karla

Karla Minello

>>> "Sandra Linsdell" <sandralinsdell@sympatico.ca> 5/21/2008 10:07 PM >>>

I strongly object to Dunpar receiving permission to remove the seven mature trees on the Prince Edward and Dundas property.

I think it is very presumptive to do so given the current appeal on their development application. Once removed, these trees cannot be replaced.

I think tree removal will make the current site look like even more of an eyesore than it currently is, until their building plans are resolved.

I also feel that the loss of seven mature trees is a significant loss to the tree canopy of the neighbourhood.

Sincerely,

Sandra Linsdell
88 Jackson Ave
416-231-7494

>>> "Sally Evans" <sallye@sympatico.ca> 5/21/2008 6:44 PM >>>

Of course the trees **SHOULD NOT BE CUT!!!**

What more can Dunpar do to enrage the community and this is not even legal as they do not yet have full go ahead with their monstrous plans for their bldg.!

HORRORS!

A fifty year resident of the Kingsway

Sally Evans
73 The Kingsway
416-239-3442

>>> "Mary Prime" <mary.prime@sympatico.ca> 5/21/2008 6:36 PM >>>

It has come to my attention that Dunpar has applied to the City of Toronto Forestry department for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr.

I believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP.

Please do something to stop them.
I appreciate your help in this matter,
From a concerned citizen,

Mary Prime
102 Dunedin Drive,
Etobicoke,
M8X 2K5

>>> "Paul & Louise" <mcmuland@comcast.net> 5/21/2008 6:30 PM >>>

Dear Sirs,

We have been advised by the Kingsway Residents Against Poor Planning that Dunpar has applied for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. I am a home owner of a property on Brownstone Lane. My wife and I believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and Kingsway Residents Against Poor Planning. Please do not approve this application.

Regards,
Paul McMullan and Louise Headland

>>> Kathleen Aldridge <kathleen.aldridge@sympatico.ca> 5/21/2008 6:16 PM >>>

Hello

I would like to register my strong objection to Dunpar's application to cut down trees in the Prince Edward and Dundas Avenue West area. Not only would this desecration damage our scenic neighbourhood, but it would also affect the many varieties of birds that reside in our area.

Given that the OMB decision is being challenged in the court, I cannot believe that this application can be given ANY consideration. It is a further indication of this developer's total disregard for our community and for our by-laws.

Yours truly,
Kathleen Aldridge
27 Brownstone Lane
Etobicoke, Ontario
M8X 2Z7 416-239-4290

>>> Asko Marjanovic <asko8@rogers.com> 5/21/2008 4:48 PM >>>
Dear Sirs or Madam,

Please do not contribute to the destruction and deterioration of our neighbourhood.

I strongly object to the application to cut down mature healthy trees by Dunpar.

The development is under appeal, does not meet existing zoning regulations and puts undo stress on traffic, schools and neighbourhood infrastructure.

Please reserve your judgment pending the outcome of this appeal.

Please note City Council voted overwhelming against this development.

Yours truly,

Asko Marjanovic P.Eng.

10 Queen Anne Road

>>> Nancy Newton <nancy@nancynewton.com> 5/21/2008 4:42 PM >>>

Please reject the application by Dunpar to cut down any trees on its property at the corner of Dundas and Prince Edward Dr. and on the three residential properties that it owns.

Nancy Newton
56 Belvedere Blvd.
Toronto, ON M8X 1K4

416-231-6138
info@nancynewton.com

>>> "David Karecki" <karecki@rogers.com> 5/21/2008 4:29 PM >>>
Dear sir:

Please do not allow Dunpar to cut down the trees near Parklawn and Dundas. If they do they should be charged the same fine and costs as a private taxpayer i.e. tens of thousands of dollars would if he removed a heritage tree. The City should just get rid of their zoning bylaws and let it be known that developers can do whatever they want in the name of increasing density in the GTA. We local residents are fed up with this two-tier mentality that property tax subsidizes developers and politicians.

David Karecki
1043 Royal York Rd.
Toronto ON
M8X 2G5

>>> "Barbara VALLIS" <bvallis@sympatico.ca> 5/21/2008 4:30 PM >>>

Dear Mr. Mercer, I now understand that the city is simply considering the application for the tree removal I referred to in my accompanying email. It is not an announcement.

Please use your position of responsibility in this matter and require that the developer protect and build the condo to accomodate the trees on this lot.

Yours Truly, Mr. and Mrs. K.C. Vallis

Dear Ms/ Mr Mercer, I am aware of the notice at the corner of Prince Edward Drive and Dundas Street that announces the cutting down of a few mature trees in favour of the condominium development being built on that corner by Dunpar.

This causes me and most of our neighbours great concern. The reason many people choose to settle in this lovely neighbourhood is often because of the 'green leafy streetscape'. We respect the Toronto by-law that protects our trees. The city's tree removal by-law is meant to protect the trees and its citizens from a wasteland of concrete.

Please explain to me and my neighbours would have to tolerate the inconsistency of a bylaw that allows cutting down these lovely trees.

Yours truly, E. B. Vallis and K.C. Vallis

>>> John Heeney <john.heeney@sympatico.ca> 5/21/2008 4:19 PM >>>

To whom it may concern:

It is unbelievable that Dunpar would even entertain cutting down mature trees on properties that their development plans are still in dispute.

It once again illustrates their complete disregard for any of the planning processes in place in Toronto!

Please do not give them your consent until this development dispute has been resolved once and for all. To do otherwise, would be an abdication of your duty to ensure that there are no objections to what they are asking for. Also the Kingsway area is known for its mature trees and they should be saved at all costs.

Sincerely:

John & Carol Heeney

>>> "Douglas Hara" <doug_carol_hara@sympatico.ca> 5/22/2008 9:42 AM >>>

Dear B Mercer,

We are against the removal the said trees.

Doug and Carol Hara

May 22, 2008

>>> DOUG PRITCHARD <ds_pritchard@msn.com> 5/22/2008 8:39 PM >>>

We do not agree with Dunpar's request to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr.. We believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP.

Thank you

Sue & Doug Pritchard
416-232-2611

>>> "Mark and Donna" <doinamark@rogers.com> 5/23/2008 10:36 AM >>>

Good Morning:

I am writing this email as a concerned resident who resides on Brownstone Lane near the proposed condominium development by Dunpar Homes. I was advised that an application had been made by Dunpar to the City of Toronto Forestry Dept. to remove a number of mature trees adjacent to my property. I object to this type of action - it's deplorable to kill mature trees that beautify my neighbourhood, provide privacy and green space to permit intensification via condominium construction. Had Dunpar adhered to the Avenue Study conducted, this Kingsway neighbourhood would remain a "residential" neighbourhood; not one that will become intensified with condo buildings, more brick & mortar in place of mature greenery.

You have my permission to use this email at any meetings disputing this application by Dunpar.

Thank you for your time and consideration.

Donna Radia-Cox
8 Brownstone Lane
Etobicoke, ON M8X 2Z6
(416) 231-4116

>>> "Al & Joyce Castagna" <acasta@sympatico.ca> 5/23/2008 10:42 AM >>>

Hello,

I have been a Kingsway resident for over 10 years and am disgusted with Dunpar's attempt to get the issue of cutting down mature trees addressed even before the development application issue has been finalized.

I strongly believe they should not be allowed to cut down the trees at all! They are mature, healthy and actually look quite beautiful when you turn into the street from Prince Edward.

Why do they have to be cut down. is there anyway that the trees could be dug up and moved (I realize the size of the trees but Dunpar is already in the process of ruining the landscape of that corner, so maybe they should incur the cost of such a venture. On another note, if this can be done, then the city has to make sure that they have one of their arborists are on site to supervise this.). There are many parks around the area that would make a great home for these trees.

Don't let Dunpar continue to be the neighborhood "bully". Don't allow them to cut the trees down. Please do not allow this issue to be heard until the development application is finalized.

Thank You
J Castagna
77 Strath Ave

>>> Halena mermer <halena_mermer@yahoo.ca> 5/23/2008 12:26 PM >>>

I strenuously object to the cutting down of any trees on the properties noted above since Dunpar's development application is under appeal by both the City of Toronto and the Kingsway Park residents and no work should be allowed to move forward until the issue has been finalized.

>>> HELENA SYPTAK <hsyptak@rogers.com> 5/23/2008 2:58 PM >>>
Hello Mr.Mercer,

I would like to let you know that as a resident of the Kingsway area I am strongly opposed to cutting any trees by Dunpar neighbourhood for the purpose of building development on Prince Edward/Dundas.

Helena Syptak
102 Government Road

>>> "Hirasawa" <hirasawa@sympatico.ca> 5/23/2008 8:34 PM >>>
I would like to express my opposition to the removal of the trees on Prince Edward and Dundas on Dunpar's property. It is premature to remove these mature trees given the unresolved status of Dunpar's building permit application.

>>> "Chris Rankin" <chris.rankin@rogers.com> 5/24/2008 9:23 AM >>>
I am writing to object to Dunpar's application to cut down mature trees on properties near the corner of Dundas and Prince Edward in Etobicoke.

My name is Chris Rankin, and I am a resident of the Kingsway neighbourhood. My address is 61 The Kingsway.

>>> Jennifer Blommers <jblommers@hotmail.com> 5/25/2008 9:37 AM >>>
I support Councillor Milczyn and KRAPP with the request to the Forestry department to wait for a ruling by courts on the an Appeal by the city and residents for Dunpar's building applications BEFORE any healthy trees be removed from the site at Dundas and Prince Edward Drive.

Jennifer and David Blommers
176 The Kingsway
M8X 2V6

>>> "A COVENTRY" <alexcoventry@sympatico.ca> 5/25/2008 9:55 PM >>>

To whom it may concern,

Re: Dunpar's request to the removal of several trees, on their property at Dundas and Prince Edward Dr.

I strongly oppose any removal of these mature trees, especially prior to any approval of building permits granted to Dunpar.

Thank you for your consideration,

Alexandria Coventry
31 Government Rd.

>>> "Cameron Ward" <CAMW@wardfh.com> 5/25/2008 10:05 PM >>>

To Whom This May Concern,

Dunpar is attempting to remove trees from a property whose development application is under appeal by the City of Toronto and KRAPP.

I strongly oppose any removal of any trees that Dunpar requests.

Come on councillors, put this destruction of the beautiful Kingsway to an end.

Regards,
Cameron Ward
31 Government Road

>>> "Patrick Madigan" <patrick.madigan@terrma.com> 5/26/2008 10:31:58 AM >>>

We hereby object to the application to cut down mature trees on Dundas Street West and Prince Edward Drive pending the settlement of the Dunpar development application.

Patrick and Jackie Madigan
57 Willingdon Blvd.
Toronto ON M8X 2H5

>>> <switzerb@sympatico.ca> 5/26/2008 5:47 PM >>>

As a resident of the Kingsway, living very close to the proposed Dunpar development, I strongly wish to add my voice to the objections raised regarding an application by Dunpar to the City of Toronto Forestry department for permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr. and on three residential properties it also owns that front on Prince Edward Dr.

I absolutely believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP. A decision on this latest application should be deferred until the development application is heard.

Yours truly,
Barbara Switzer
13 Thorndale Avenue
Toronto

>>> "Sandra Brazel" <sandrabrazel@sympatico.ca> 27/05/08 10:26 AM >>>
To Whom it may concern;

We are concerned about the application by Dunpar to cut down several trees on the site at Prince Edward Drive and Dundas. We understand that the plans for this site are currently under appeal. We have fully supported this appeal since we do not agree with the current plans for the condo development on this property. The plans are inconsistent with the vision of the City of Toronto for the development of Dundas Street. Given that, we do not support Dunpar's request to proceed (as if they have the green light) and clear out the land of its trees when the matter of plan of the building remains under dispute. Please consider our request.

Thank you.

Sandra Brazel and Rajiv Singal
84 Queen Anne Road
Etobicoke, ON
M8X1T2
416-233-8135

>>> "Fernandes, Vernon" <vernon.fernandes@rbc.com> 5/27/2008 5:38 PM >>>

Please note that my wife and I object to Dunpar's application to the City of Toronto Forestry department requesting permission to cut down seven large trees on its property at the corner of Dundas and Prince Edward Dr and on the three residential properties it also owns that front Prince Edward Drive,

We believe that it is premature for Dunpar to cut down mature, healthy trees (including a fully grown Red Oak on Prince Edward Dr.) given the fact that its development application is under appeal by both the City of Toronto and KRAPP

Thank you for your consideration

Vernon and Mary Fernandes
33 Walford Road
Etobicoke, Ont
M8X 2P2

>>> "Lynn Goodayle" <lgoodayl@idirect.com> 5/27/2008 7:45 PM >>>

To: City of Toronto Forestry Dept

Regarding the application by Dunpar to cut trees down on property lots at Prince Edward Dr and Dundas St. West and three adjacent residential lots

We object to any action whatsoever to cut down or even prune trees on these lots. This developer does not as yet have approval to build, so it is premature to allow this group to take any trees down. We respectfully request the Forestry dept deny Dunpar's request to proceed with this application.

Yours truly,

Lynn Goodayle and Gary Hudson
37 Walford Road
Toronto
416-234-0019

>>> SUSAN CULVER <culver8800@rogers.com> 5/28/2008 2:09 PM >>>

Dear B. Mercer,

I am opposed to allowing Dunpar to cut down mature trees on their properties at the corner of Dundas Ave and Prince Edward.

Yours truly,

Susan Culver
53 Dunedin Dr.

May 27, 2008

BY FAX

Brian L. Mercer
Urban Forestry
441 Kipling Avenue
Toronto, ON
M8Z 5E7
Fax: 416.394.5406


Dear Mr. Mercer:

Re: Objection to the proposed removal (destruction) of trees at 4187 Dundas St. West and 567, 569 and 571 Prince Edward Drive

Please accept this as my formal objection to the proposed removal (destruction) of trees located at 4187 Dundas Street West and 567, 569 and 571 Prince Edward Drive (application attached). The developer's rezoning application is currently under appeal. Accordingly, it would be premature and inappropriate to consider the application to permit the removal of the referenced trees. Once the OMB matter is resolved, it is my understanding that a new application would have to be submitted.

Thank you for your time in reviewing this.

Yours truly,



David C. Turner
92 Dunedin Drive
Toronto, ON
M8X 2K5

May 22nd, 2008.

Mr. Brian L. Mercer,
Urban Forestry,
City of Toronto,
441 Kipling Avenue,
Toronto, ON, M8Z 5E7
By Fax: 416-394-5406

Re: Removal of Seven Trees at Dundas West & Prince Edward Drive North

Thank you for the opportunity to comment, though with a very short comment period expiring May 28th, on the proposal by Dunpar to prematurely remove seven trees from their properties.

Very unfortunately, you are probably aware that this company takes precipitate action before the city and local citizens have completed legal steps regarding their development proposal. Thus before completing approvals to rezone two residential lots for their proposed condominium development, they quickly demolished two single family dwellings.

This tree removal proposal appears to be another attempt to bypass/influence the legal approval process. Some or all of these trees may be irrecoverable assets in the final approved development plan. Therefore two recommendations:

1 - Please extend the comment period well beyond May 28th. (The first Neighbourhood Meeting regarding the Dunpar Development, able to discuss this latest Dunpar proposal, is scheduled for May 29th.)

2 - Please postpone your decision until the City of Toronto have completed their appeal of the OMB decision so that tree removal is assessed versus the final approved development plan.

Premature destruction of private dwellings and trees undermines the legal approval process.

Yours sincerely,
John R Wearing

Dr. J R Wearing,
23 Strath Avenue,
Toronto, ON, M8X 1R1
Tel: 416-231-8987
Fax: 416-231-2187