



STAFF REPORT ACTION REQUIRED

9 Michigan Drive – Private Tree Removal

Date:	April 21, 2009
To:	North York Community Council
From:	Richard Ubbens, Director, Urban Forestry, Parks, Forestry and Recreation
Wards:	Ward 24 – Willowdale
Reference Number:	

SUMMARY

The report requests City Council’s authority to approve the request to remove a privately-owned tree, located in the rear yard of 9 Michigan Drive. This request has been made to allow for the construction of a new two-storey dwelling.

The applicant has received approval from the Committee of Adjustment for a minor variance which would allow the construction of a new dwelling. The tree cannot be protected from destruction if the proposed construction goes ahead due to its proximity to the existing house and its location relative to the proposed new dwelling. It is the opinion of staff that the replacement trees proposed will provide greater canopy coverage to the neighbourhood in the long term and, therefore, support the request for tree removal.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that City Council approve the request to remove one (1) privately-owned tree located in the rear yard of 9 Michigan 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 one (1) privately-owned tree located in the rear yard of 9 Michigan Drive.

The Committee of Adjustment approved a minor variance application, on December 3, 2008, for a proposed lot coverage of 32%, whereas a maximum lot coverage of 30% is permitted. The applicant is proposing to demolish the existing dwelling and replace it with a new two-storey dwelling with an integral at-grade garage. The Committee of Adjustment approval was conditional on the applicant satisfying a number of Urban Forestry conditions.

COMMENTS

An application has been received from the property owner of 9 Michigan Drive for permit to remove a 61-centimetre diameter privately-owned Honey locust tree, located in the rear yard.

An Arborist Report, submitted with the application, indicates that the tree has approximately 20% deadwood throughout the crown, the main trunk has a large co-dominant leader at six feet from its base that is leaning over the existing house. The report recommends removal of the locust tree as more than half of the canopy will have to be removed to accommodate the proposed new dwelling.

Inspection of the tree by staff revealed that it is in fair condition, located approximately 4 metres from the existing house, with a crown spread almost entirely toward and over the house. The construction of the two-storey dwelling, as currently proposed, would not allow for adequate tree protection to be put in place to preserve the locust tree. Approximately half of the tree's crown and root system would require removal in order to construct the proposed new dwelling and the tree would not survive, in the opinion of Urban Forestry.

On Wednesday December 3, 2008, the Committee of Adjustment approved a minor variance, subject to the applicant satisfying Urban Forestry conditions, that would allow a 32% lot coverage, whereas a maximum lot coverage of 30% is permitted for the site in question.

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 days. The posting serves to notify the community and provide an opportunity for objection to the application. Eight (8) letters were received in response to the posting. The letters of objection were received prior to the Committee of Adjustment public hearing and six (6) of the eight (8) letters stated that approval to remove the tree should not be granted until the minor variance has been approved or until a building permit has been issued permitting the construction of the new dwelling.

The property owner is proposing to plant three (3) large growing native shade trees to replace the tree in question. These include one (1) red maple, one (1) sugar maple and one (1) red oak tree.

The three (3) large-growing, native shade trees will provide an increase in canopy coverage to the neighbourhood as they mature, and ultimately more shade, which will lead to greater energy savings and increased environmental benefits such as improved air quality. The increased canopy coverage that will be realized as the replacement trees grow provides the rationale for staff to support the request for tree removal.

CONTACT

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SIGNATURE

Richard Ubbens, R.P.F.
Director, Urban Forestry
Parks, Forestry and Recreation Division

ATTACHMENTS

Attachment No. 1 - Photograph of Honey locust tree
Attachment No. 2 – Letters of Objection

