

STAFF REPORT ACTION REQUIRED

92 Wanless Avenue – Private Tree Injury

Date:	May 29, 2009
To:	North York Community Council
From:	Richard Ubbens, Director, Urban Forestry
Wards:	25 – Don Valley West
Reference Number:	

SUMMARY

The report requests Council's authority to approve the request to injure a privately-owned tree, located in the rear yard of 94 Wanless Avenue. This request has been made to allow for the construction of a new two-storey dwelling at 92 Wanless Avenue.

The Committee of Adjustment has approved a minor variance which would allow the construction of a new dwelling at 92 Wanless Avenue. Construction of the new home will encroach upon the minimum required tree protection zone of the subject tree, as defined in the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees.

The applicant has worked with staff to modify the proposed new home in order to minimize potential impacts to the tree, and has provided a tree preservation plan outlining protection measures that will be implemented to protect the tree during construction. Urban Forestry is satisfied that if the proposed tree protection measures are implemented construction of the new dwelling will have minimal impact on the health of the subject tree.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that Council approve the request to injure one (1) privately-owned tree located in the rear yard of 94 Wanless Avenue to facilitate the construction of a new dwelling at 92 Wanless Avenue.

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 by the property owner of 92 Wanless Avenue requesting permission to injure one (1) privately-owned tree located in the rear yard of 94 Wanless Avenue.

The Committee of Adjustment approved a minor variance application for 92 Wanless Avenue, on October 22, 2008, related to an increase in the permitted gross floor area. The applicant is proposing to demolish the existing dwelling and replace it with a new two-storey dwelling with a reduced garage footprint off of Deal Avenue. The Committee of Adjustment approval was conditional on the applicant satisfying City of Toronto Municipal Code, Chapter 813, Article II and III, to the satisfaction of the Urban Forestry Branch.

COMMENTS

An application has been received from the property owner of 92 Wanless Avenue for permit to injure a 100 cm diameter privately-owned silver maple tree located in the rear yard of 94 Wanless Avenue.

Inspection of the tree by staff revealed that it is in fair condition, located approximately 5.5 metres from the existing house. The foundation for the proposed new dwelling will be located 4.5 metres from the tree with additional above grade structures, to be supported on piers, at a distance of 2.5 metres from the tree. The construction of the new dwelling will impact approximately 10 to 15% of the silver maple's root system in the opinion of staff. Silver maple trees have extensive root systems and are tolerant of construction disturbance. Installing tree protection hoarding and a layer of mulch, to reduce compaction, in the tree protection zone, will protect this tree from significant injury.

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 a minimum 14 days. The posting serves to notify the community and provide an opportunity for objection to the application. Twenty-five (25) letters of objection were received in response to the posting.

The proposed construction of a new dwelling at 92 Wanless Avenue will impact a small portion of the root system of the silver maple tree and will not adversely affect the health of the tree in the opinion of staff, provided that the proposed tree protection measures are implemented.

CONTACT

Harold Moffatt, Supervisor, Tree Protection and Plan Review, Urban Forestry Branch,
Tel: 416-395-6134, Fax: 416-394-5406, Email: Hmoffat@toronto.ca

SIGNATURE

Richard Ubbens
Director, Urban Forestry

ATTACHMENTS

Attachment No. 1 – Photo of the Silver maple tree
Attachment No. 2 – Site Plan
Attachment No. 3 – Letters of Objection