



STAFF REPORT ACTION REQUIRED

21 and 23 Mastwood Crescent (Buttermill Subdivision, East Side of East Avenue) – Privately Owned Trees

Date:	May 13, 2009
To:	Scarborough Community Council
From:	Brenda Patterson, General Manager, Parks, Forestry and Recreation
Wards:	Ward 44 – Scarborough East
Reference Number:	

SUMMARY

A report was before Scarborough Community Council, at its meeting of April 21, 2009, with a recommendation that Council approve the request for a permit to remove five (5) privately-owned trees.

Scarborough Community Council requested that the Director, Urban Forestry, in consultation with Technical Services staff, and the applicant's arborist and engineer, formalize a plan to preserve the trees outlined in the application and report back to the Scarborough Community Council for its meeting on May 14, 2009.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that this report be received for information.

Financial Impact

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

DECISION HISTORY

At its meeting of April 21, 2009, Scarborough Community Council referred a report regarding tree removal back to the Director, Urban Forestry, Parks, Forestry and Recreation, with a request that he, in consultation with Technical Services staff, and the applicant's arborist and engineer, formalize a plan to preserve the trees outlined in the application and report back to the Scarborough Community Council for its meeting on May 14, 2009.

<http://www.toronto.ca/legdocs/mmis/2009/sc/decisions/2009-04-21-sc25-dd.htm>

ISSUE BACKGROUND

Scarborough Community Council at its meeting of April 21, 2009, had a report before it recommending that a permit be approved for removal of five (5) privately-owned trees located at the rear of 21 and 23 Mastwood Crescent (Lots 11 and 12).

Subsequent to submitting the report (dated March 25, 2009) to Scarborough Community Council, new information was provided to Urban Forestry staff. Staff were advised that the developer had made a commitment to retain the trees as a buffer, and retention of the buffer is referred to in an Ontario Municipal Board (OMB) decision rendered December 14, 2006. Staff were also advised that the grading plans were approved by City of Toronto Development Engineering on December 5, 2007, and that trees were not considered or included on the grading plans submitted to the City. Staff in Development Engineering have advised that although approved, the grading plans can still be reviewed at this time and revised or red-lined in order to allow retention of the trees in question.

The new information described above was provided to members of Scarborough Community Council at its April 21, 2009, meeting. Scarborough Community Council referred the report back to the Director of Urban Forestry, Parks, Forestry and Recreation, with a request that he, in consultation with Technical Services staff, and the applicant's arborist and engineer, formalize a plan to preserve the trees outlined in the application and report back to the Scarborough Community Council for its meeting on May 14, 2009.

COMMENTS

A site meeting was held on April 28, 2009 with the applicant, their engineer and arborist, and staff from Urban Forestry and Development Engineering.

At the meeting it was discovered that two (2) of the five (5) trees had been injured. Someone had girdled (cut through the bark around the entire circumference of the stem) two (2) of the trees, a 33 centimetre diameter silver maple tree and a 46 centimetre diameter willow tree, both located at the rear of 23 Mastwood Crescent. There were no witnesses to the tree injury and no evidence was found as to who was responsible, eliminating the possibility of laying charges under the provisions of the private tree by-law. The injury to the silver maple tree is severe and will result in the death of this tree. Therefore, staff have authorized removal of this tree. The injury to the willow tree is not as severe and should not affect the long term viability of the tree.

The four (4) trees that will remain once the injured silver maple is removed will require a minimum 3.5 metre tree protection zone. It was determined at the April 28 meeting that the grading plan could be revised to permit adequate protection for two (2) of the trees: the 30 centimetre and the 46 centimetre diameter willow trees. The grading at the rear of 23 Mastwood Crescent presents more of a challenge, and a number of options are being reviewed in order to retain and have the least impact on the trees. Options presented by staff at the site meeting include construction of a retaining wall(s), terracing the rear yard, or installation of a deck in order to retain the grade around the trees. The applicant is

exploring these options in greater detail and will be providing staff with more detailed information regarding the feasibility of each option.

City staff will continue to work with the applicant to formalize a plan to preserve four (4) privately-owned trees. Details regarding what will be planted as replacement for the damaged silver maple tree is also being discussed. Staff will provide a further report to Scarborough Community Council when the tree preservation plan is finalized.

CONTACT

Richard Ubbens, Director, Urban Forestry, Tel: 416-392-1894, Fax: 416-392-1915,
Email: rubbens@toronto.ca

Donna Cormier, Urban Forestry Planner, Tel: 416-338-5056, Fax: 416-396-4248, Email:
dcormier@toronto.ca

SIGNATURE

Brenda Patterson
General Manager, Parks, Forestry and Recreation