



STAFF REPORT ACTION REQUIRED

41 Long Branch Avenue – City Tree Removal

Date:	December 10, 2009
To:	Etobicoke York Community Council
From:	Richard Ubbens, Director, Urban Forestry, Parks, Forestry and Recreation
Wards:	Ward 6 – 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 permission to remove a healthy City-owned, red oak tree.

The applicant applied to the Committee of Adjustment for consent to sever the property into two undersized residential lots. The Committee consented to the creation of the new lots on the condition that before a Certificate of Consent is issued, the applicant must file, within one year, a number of conditions, including satisfying all conditions concerning City-owned trees, to the satisfaction of Urban Forestry.

The proposed construction of a pair of two-storey semi-detached dwellings cannot be accomplished without destroying the oak tree in question and Urban Forestry cannot support the loss of this tree.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that Council deny the request for permission to remove one (1) healthy City-owned tree adjacent to 41 Long Branch Avenue.

Financial Impact

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

COMMENTS

An application has been received from the property owner of 41 Long Branch Avenue requesting permission to remove a healthy 93 cm diameter City-owned red oak tree.

Prior to submitting the tree application, the applicant had applied to the Committee of Adjustment for consent to sever the subject property into two undersized residential lots. The Committee of Adjustment approved the consent application with conditions, one of which was that prior to the issuance of a building permit, the applicant shall satisfy all conditions concerning City-owned trees, to the satisfaction of Urban Forestry.

The applicant is proposing to demolish the existing dwelling and construct a two-storey semi-detached dwelling. The location of the oak tree is in conflict with the construction of the new homes and construction as currently proposed could not take place and allow for protection of the oak tree. The construction activity would destroy the tree's root system, killing the tree and/or destabilizing the tree, causing it to fall over. A second red oak tree measuring 71 cm in diameter is also in close proximity to the proposed construction. It can be retained with the current proposal, if adequate tree protection is put in place.

In order to satisfy Urban Forestry with respect to City-owned trees, the applicant will have to propose a development that will allow for the protection of the 93 cm diameter red oak tree during all construction activity. The oak tree is healthy and has lived for over 100 years in this community. If it is protected from injury and regularly maintained it should remain as an asset for future generations to enjoy.

Should approval be granted for the request to remove the City-owned red oak tree, located at 41 Long Branch Avenue, approval must be conditional on:

- (i) the applicant paying the appraised tree value and all applicable costs and complying with all other requirements as set out in City of Toronto Municipal Code, Chapter 813, Trees, Article II; and
- (ii) the applicant planting one 70 millimetre replacement tree to the satisfaction of the General Manager of Parks, Forestry and Recreation; and
- (iii) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$583.00 to cover the costs of removal, maintenance, and replacement of the 70 millimetre tree planted on City property.

CONTACT

Daniel Boven, Assistant Planner, Urban Forestry, Tel: 416 392-0970, Email: dboven@toronto.ca.

SIGNATURE

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

ATTACHMENTS

Attachment 1 – Photograph of red oak tree

Attachment 2 – Proposed Site Plan





Dashed line shows outline of existing dwelling

Tree protection zone of 93 cm red oak tree

Property line