EKG
ERIC K. GILLESPIE PROFESSIONAL CORPORATION
BARRISTERS & SOLICITORS

IAN FLETT, J.D.
Telephone: +1 (416) 703-5400
Direct: +1 (416) 703-7034
Fax: +1 (416) 703-9111
Email: iflett@gillespielaw.ca

November 15, 2016

Delivered by hand

Toronto East York Community Council
100 Queen Street West, 2nd Floor, West Tower
Toronto, ON M5H 2N2

Dear Committee Members:

Re: Item 20.25; 150 Hamilton Street – Application to Injure Private Tree

We are the lawyers for Mr. Cyril Borovsky, the owner of the property at 154 Hamilton Street.

Mr. Borovsky purchased the property from Mr. Gordon Kipping. Mr. Kipping, an architect who drew the plans on which a building permit was issued for this property, had previously applied for a permit to injure the tree which was refused. Mr. Borovsky made a subsequent application as a new owner, which Urban Forestry denied and he now brings the instant appeal to the Committee pursuant to the Chapter 813 of the *Toronto Municipal Code*.

Mr. Borovsky relies on the reports and work conducted by Urban Forest Innovations Inc. ("UFI"). UFI provided two reports and an addendum in respect of the application. Those reports are included here.

Incorrect application of ANSI standards

The October 25, 2016 staff report draws the conclusion that the Silver Maple at issue would be unlikely to survive the medium to long term if Mr. Borovsky receives his permit to injure based on the application of the ANSI A300 (Part-1) 2008 standard.

The report relies on the Pruning Practice Standard 5.5.3 which reads:

"Not more than 25 percent of the foliage should be removed within an annual growing season. The percentage and distribution of foliage to be removed shall be adjusted according to the plant's species, age, health, and site."

Ignored in the October 25, 2016 report is reference to the forward text of the ANSI standard which reads:

"The A300 standard stipulates that specifications for tree work should be written and administered by a professional possessing the technical competence to provide for, or supervise, the management of woody landscape plants. Users of this standard must first interpret its wording, then apply their knowledge of growth habits of certain plant species in a given environment. In this manner, the user ultimately develops their own specifications for plant maintenance."

The staff report does not apply the ANSI standard as it was intended.

Standard 5.5.3 contains two interpretive aids for its users. The first is that "*Not more than 25 percent of the foliage <u>should</u> be removed.*" The second interpretive aid is that the percentage and distribution of "*…foliage to be removed <u>shall</u> be adjusted…*". [Emphasis added]

The use of the word *shall* indicates an imperative clause, whereas the word *should* is suggestive.

The imperative aspect of rule 5.5.3 requires users of the standard to adjust the percentage of the foliage to be removed in light of the factors of the plant's species, age, health and site. A proper reading of the standard, as intended by its drafters, is the 25% figure is a guideline from where a user applies their own knowledge and ultimately adjusts the figure to direct the pruning of a specific tree. The standard clearly anticipates that the amount and distribution of foliage removal may increase or decrease after an appropriate analysis by a professional with the appropriate technical competence.

We submit that the UFI has appropriately applied the ANSI standard by adjusting the maximum foliage removal amount from 25% to 40% in light of its analysis of the relevant factors. Whereas, the staff report fails to account for this analysis and treats the guideline 25% as a maximum above which all pruning will amount to significant injuries that jeopardize the tree's survival.

This is an incorrect and arbitrary application of the standard which is unfair for homeowners since it is not the standard articulated in the Municipal Code. Notwithstanding this, UFI has re-visited the site in order to respond to the application of this standard and provides its remarks in the included addendum to this report.

It should be noted that UFI's further investigation and addendum indicates:

- The City has conducted significant pruning on public trees along Hamilton Street which likely exceed the ANSI 25% limit;
- One of the branches in the subject tree may be in a state of decay as UFI observed a squirrel tail from a possible cavity in the branch.

Structures over roots

There were two structures over the subject tree's root system at its base. These structures are at 150 Hamilton, the property from which the tree grows, and 154 Hamilton, Mr. Borovsky's property. Significant structures above root systems at the base of a tree are widely regarded by arborists as being harmful to a tree's survival, this is one of the reason the city demands tree-protection zones.

Mr. Borovsky has removed the structure on his property, which, with other tending measures, will represent a vast improvement to the health of the subject tree's root system. The same cannot be said of the two-car garage built atop the root structure at 150 Hamilton Street, the property of the tree's owner.

New home designed to protect tree

Consistent with concern for the long term survival of the subject tree, it should be noted that the Kipping design, for which Mr. Borovsky has a building permit, introduces a unique and difficult to build cantilever design. In effect, the home is anchored in the front so that its rear section can be supported over a small portion of the root system. That overlapping portion is designed for permeability and will not impact the tree's root system. This unique design was incorporated in order to balance the needs for a liveable gross floor area and increasing the front yard setback with neighbouring properties and protection of the long-term survival of the tree.

Conclusion

What our client seeks is consistent with the planning merits of the application and with the City's concern for the protection and maintenance of the urban tree canopy. Urban Forestry has arbitrarily introduced a standard to which no mention is made either in the Municipal Code or in Urban Forestry's own documents. Notwithstanding Urban Forestry's after-the-fact particularization of "…good arboricultural practices…" as being the ANSI standard, it did not apply the very standard it relied on. The only evidence before the Committee of the application of that standard comes from UFI and concludes a 40% reduction in the crown in a single growing season, taking into account all the relevant factors, will not undermine the subject tree's survival.

We therefore respectfully submit that there is now no basis on which to further refuse Mr. Borovsky's permit to injure.

Yours very truly,

ERIC K. GILLESPIE
PROFESSIONAL CORPORATION

10 King Street East, Suite 600, Toronto, Ontario M5C 1C3, Canada
TEL: 416.703.5400 | FAX: 416.703.9111

Per:

Ian Flett

10 King Street East, Suite 600, Toronto, Ontario M5C 1C3, Canada
TEL: 416.703.5400 | FAX: 416.703.9111

TAB 1

Urban Forest Innovations Inc.
1248 Minnewaska Trail
Mississauga, ON L5G 3S5

November 15, 2016

Cyril Borovsky
223 River Street
Toronto, ON
M5A3P9

Re: Addendum to Pruning plan for tree #5 at 154/150 Hamilton Street, Toronto, Ontario. Original Report, June 2, 2014, Revised report, May 9, 2016

Mr. Borovsky,

Subsequent to our last revised pruning plan, you have received a Staff Report from the City of Toronto dated October 25, 2016, from Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation with a reference number of: P:\2016\Cluster A\PFR\TE20-111516-AFS#23728. Subsequent to receiving a copy of that letter, another site visit was undertaken by Urban Forest Innovations Inc. (UFI) on November 14, 2016 in order to reassess the tree in light of the comments contained in the letter.

This letter report provides responses to specific points contained within that letter and a further explanation of the pruning intended for the subject tree. This letter report should be read in conjunction with all previous reports submitted by Urban Forest Innovations Inc.

As previously described, in order to enable the proposed site works, pruning (removal cuts) of five scaffold branches and several additional small (< 3 cm diameter) branches will be required. The proposed locations of removal cuts for the five scaffold branches are shown in Figures 2-5. Red numbers have been added to Figures 4 and 5 to identify specific branches. The following comments pertain to those specific branches.

1. Branch 1 - This branch is part of a branch in the centre of the tree. At the time of the most recent inspection, a squirrel tail was observed at the base of this branch (Figure 6). This is an indication that there may be a decay cavity at the base of the branch that the rest of the squirrel was hidden in. In order to maintain as much foliage as possible, this branch can be pruned to the last small side branches to avoid a large cut at the base (Figure 7). If the arborist who undertakes the pruning discovers a cavity at the base, the branch may need to be removed to its base as previously prescribed.
2. Branch 2 - This is a very large and extended lower stem that extends over both rear yards at 150 and 154 Hamilton. This type of extended stem is prone to what is described as a “hazard beam” failure. The base of the stem has the classic crooked appearance indicative of this type of failure (Figure 8). Regardless of any construction, significant weight should be reduced on this stem to avoid whole-stem failure. The proposed pruning on this stem will facilitate the proposed construction but also accomplish weight reductions that will greatly reduce the likelihood of failure. Since there are no logical side branches to reduce the branch that extends over 154 Hamilton, good arboricultural practice requires that this branch be completely removed back to its connection with the main stem.
3. Branch 3 – This is a small branch growing directly over 154 Hamilton. There is no alternative to its removal.

4. Branch 4 - This branch is also growing directly over 154 Hamilton. Removal of the whole branch may be avoidable by removing one side where the branch has its first major fork (Figure 9). This would be determined once the rear outside wall was built on the proposed structure. We recommend removing one side initially and the second branch only if required.
5. Branch 5 - This branch is also growing directly over 154 Hamilton. Removal of the whole branch may be avoidable by removing one side where the branch has its first major fork (Figure 10). This would be determined once the rear outside wall was built on the proposed structure. We recommend removing one side initially and the second branch only if required.

The following comments were extracted from the Staff Report. Our response or comment can be found after each comment.

Comment 1: "*The American National Standard Institute, Standard Practices (Pruning) (ANSI A300 (Part 1)-2008, is an internationally recognized standard developed by the Tree Care Industry Association. This standard indicates that "Not more than 25 percent of the foliage should be removed within an annual growing season. The percentage and distribution of foliage to be removed shall be adjusted according to the plant's species, age, health and site.*"*"*

UFI Response: To date we are not aware that *The American National Standard Institute, Standard Practices (Pruning)ANSI A300 (Part 1)-2008* is referenced in any Toronto Forestry policies nor are we aware that it is commonly being applied for determinations of good arboricultural practice in the City of Toronto. However, we do comment that the considerations of species, age, health and site have been used in the development of this pruning plan as directed by the standard. The species is a silver maple (*Acer saccharinum),* known to be tolerant of relatively heavy pruning due in part to its tendency to re-sprout epicormic shoots near pruning wounds, as well as the extensive root system and overall high vigour of the species. The tree is middle aged and capable of recovery from pruning. The tree is healthy and vigorous. This assessment is corroborated in the Staff Report: "*In response to the current permit application submitted by the new owner of 154 Hamilton Street, Urban Forestry staff inspected the tree and confirmed that the silver maple is healthy and in good condition, both botanically and structurally."* Finally the site must be considered. In this instance the tree is growing in a constrained site. This is mostly due to the proximity of a relatively new double car garage in the rear yard of 150 Hamilton. The garage greatly constrains (or eliminated) the root zone to the south and east of the tree. There is a significant grade change between the base of the tree and the floor of the garage which indicates that roots of the tree were likely removed at the time of its construction (Figure 11). The canopy is also constrained and one major stem is growing within a few centimetres of the roof of the garage (Figure 12). The proposed new house has been designed to minimize any further damage or loss of roots. This will be accomplished with a cantilever design for the building and a root sensitive construction of the parking pad at the rear of the house. However, the new house to be built on the site will require the pruning of branches to accommodate its construction.

It should also be noted that the ANSI standards are revised from time to time. The pruning standard has been under revision by committee for some time. The current draft was recently available for review at:

http://tcia.org/TCIA/BUSINESS/ANSI_A300_Standards_/Current_Projects/TCIA/BUSINESS/A300_Standards/Current_Projects.aspx?hkey=d9bde246-0a2d-4350-b1df-42209b44d100

In the current draft, the prescriptive language that limits pruning to 25% has been removed as it was considered inappropriate. The following three sections have been copied from the draft document and give guidance for the pruning proposed in our pruning plan. UFI comments are provided after each section.

4.2 *Pruning operations should remove no more living material than what is necessary to achieve specified objectives.*

UFI Comment: The pruning plan for 154 Hamilton seeks to minimize the pruning required to meet the objective of building the house that has been approved on the site.

4.3 *Plant species, size, age, condition, and site shall be considered when specifying the location and amount of live branches to be removed.*

UFI Comment: Our explanation of how this section has been followed appears earlier in our response to comment 1.

5.2 *Objectives should include, but are not limited to, one or more of the following:*
Manage risk (see the most recent version of ANSI A300 Part 9, Tree Risk Assessment). Manage health (see the most recent version of ANSI A300 Part 10, Integrated Pest Management and ANSI A300 Part 2, Soil Management).
Develop structure, such as to:

- *Improve branch and trunk architecture;*
- *Promote or subordinate certain leaders, stems or branches;*
- *Promote desirable branch spacing;*
- *Promote or discourage growth in a particular direction (directional pruning);*
- *Minimize future conflict with traffic or infrastructure;*
- *Restore plants following damage, and/or;*
- *Rejuvenate shrubs (see Annex D – Additional explanation of objectives, evolving concepts, explanation of material removed from 2008).*

Provide clearance, such as to:

- *Ensure safe and reliable utility services;*
- *Minimize current interference with infrastructure, buildings or other plants;*
- *Raise crown(s) for movement of traffic or light penetration;*
- *Ensure lines-of-sight or desired views;*
- *Provide access to sites, buildings or other structures; and/or,*
- *Comply with regulations.*
- *Manage size or shape.*
- *Improve aesthetics.*

UFI Comment: The pruning objectives in our pruning plan conform to several of the objectives outlined under 'Provide Clearance' in this section.

Comments 2 & 3 - *"The proposed injury does not constitute a good arboricultural practice and, if approved, it is unlikely the tree will survive well over the medium to long term. Urban Forestry does not support the injury of this tree. The extensive pruning proposed could possibly be avoided by relocating the proposed four-storey dwelling further towards Hamilton Street."*

"Urban Forestry has determined that the level of injury proposed would unacceptably compromise the health of the tree in question."

UFI Response: We do not agree with the assumption that tree will not survive well over the medium to long term or that the proposed pruning would unacceptably compromise the health of the tree in

question. In Figures 13 – 18 we have provided photographs of Silver maple street trees (managed by the City of Toronto Urban Forestry) on Hamilton Street directly adjacent to the subject property. All of these trees have had anywhere from 30 – 60 % of their canopies removed for various reasons such as street, wire or building clearance. Despite having significant portions of their canopies removed in the past, these trees are still being maintained by the City for the benefits that they provide. All of the trees grow in very constrained rooting sites between the sidewalk and house frontages. Figure 17 shows the tree at the front of 192 Hamilton Street. The entire lower canopy has been removed at some point in the past and a relatively small percentage of foliage remains in the canopy. The large, recent fresh wounds on the tree indicate that the City is managing the tree by removing unwanted portions of the canopy. The sizes of branches that have been recently removed (see pruning wounds) are significantly larger than any branches contemplated for removal in our pruning plan for the tree at 154 Hamilton Street.

Comment 4: "*The silver maple tree at 150 Hamilton Street is a valuable part of the urban forest and with proper care and maintenance, this tree has the potential to provide the property owner and the surrounding community with benefits for many years*."

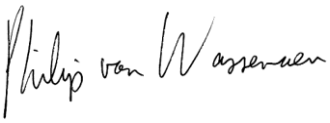
UFI Response: We agree with this statement. The pruning plan, root protection through design details and mitigation recommendations that we have provided for this tree will allow for its successful retention on the site although some future pruning of the tree will likely be required. If our pruning plan and recommendations provided in the arborist report are fully implemented, the tree will continue to provide benefits for many years to come.

Conclusion

In response to comments provided by Toronto Urban Forestry in the October 25, 2016 staff report, we revisited the subject tree for a further inspection. Based on that site visit, we have provided several suggestions for potentially reducing some of the required pruning. We have also considered *The American National Standard Institute, Standard Practices (Pruning)ANSI A300 (Part 1)-2008* and its current revision and feel confident that our pruning plan conforms to that standard, if it is applicable.

We trust that this letter will suffice for your current needs. Should you have any questions or require further assistance, please do not hesitate to contact us.

Respectfully submitted by,



Philip van Wassenaer, B. Sc., MFC
ISA Certified Arborist ON-0361A
Member – ISA, ASCA, SMA, SAG Baumstatik
E: pwassenaer1022@rogers.com

Urban Forest Innovations, Inc.
1248 Minnewaska Trail
Mississauga, ON L5G 3S5
T: (905) 274-1022, F: (905) 274-2170
urbanforestinnovations.com

Figures

Figure 1: The subject tree, a large silver maple (*Acer saccharinum*) at 150 Hamilton Street, overhanging the subject property at 154 Hamilton Street.

Figure 2: Orange lines show approximate location of proposed scaffold pruning cuts. Note that limb (A) is to be retained despite overhanging subject property in close proximity to proposed building face.

Figure 3: Overview of proposed pruning. White dashed line shows area of potential large pruning cut if limb (A) was to be removed. Limb (A) will be retained despite overhanging subject property.

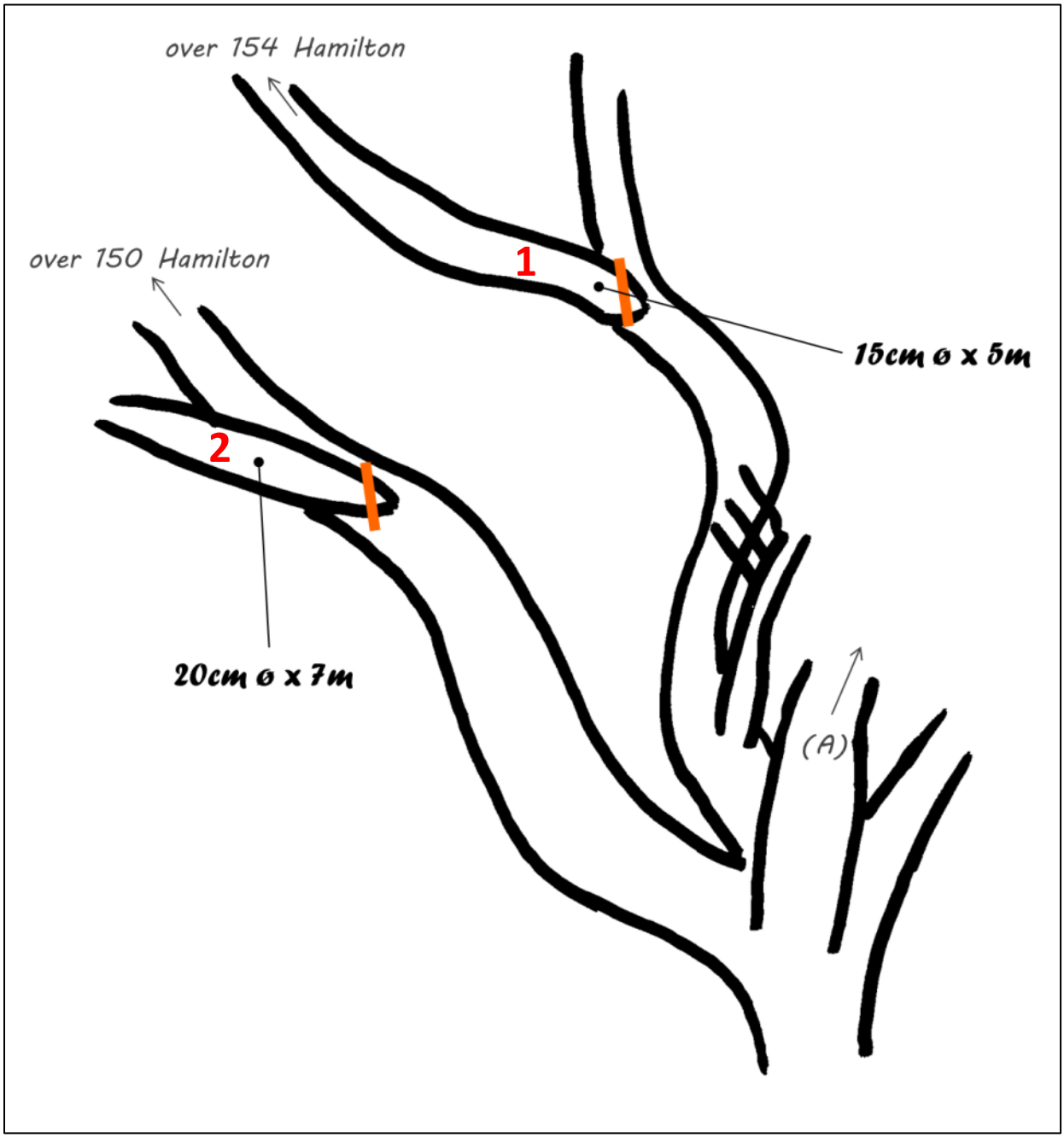


Figure 4: Schematic of proposed removal cuts on other limbs, showing approximate branch sizes.

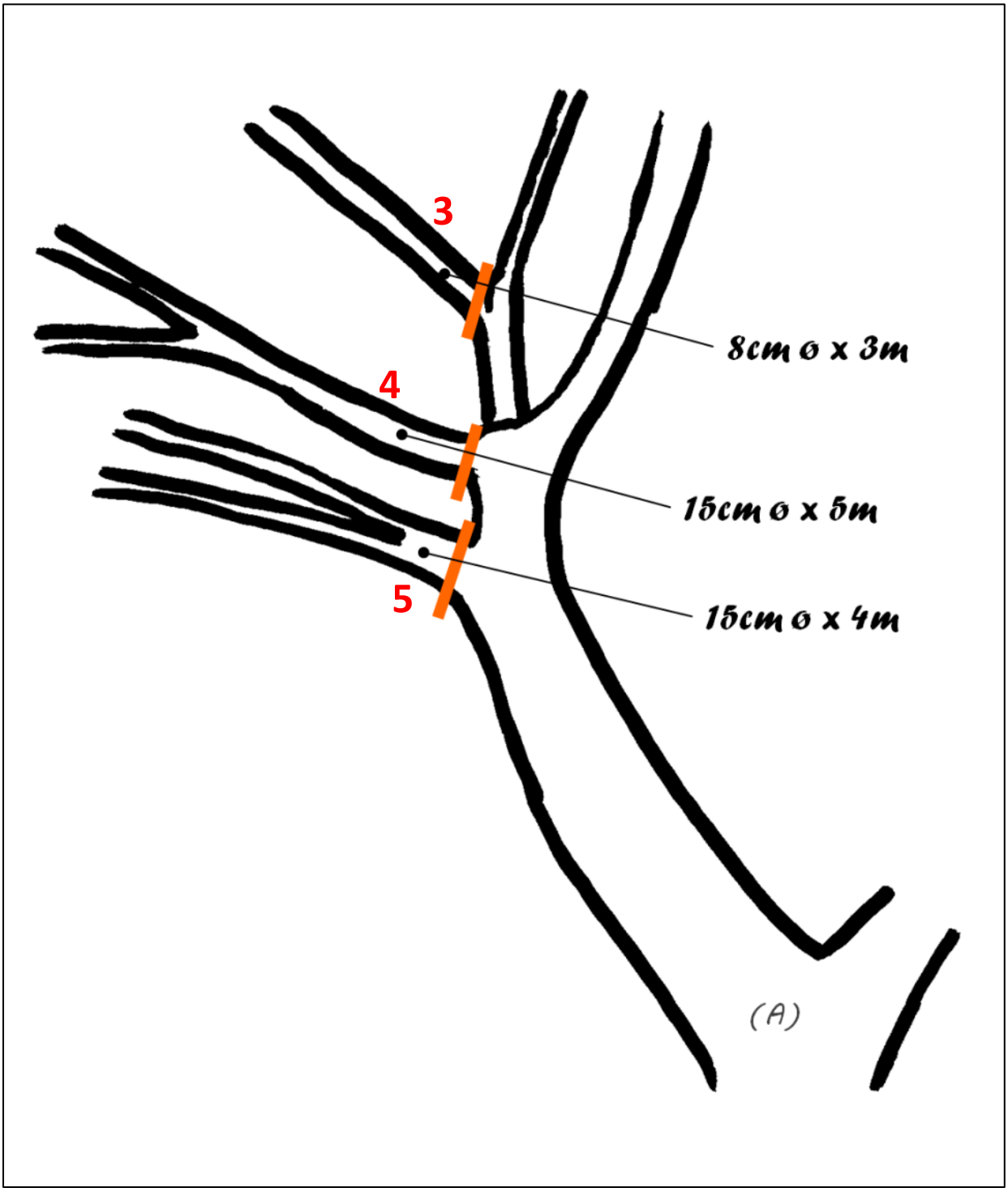


Figure 5: Schematic of proposed removal cuts on limb (A), showing approximate branch sizes.

Figure 6. Squirrel burrowing at the base of Branch 1.

Figure 7: Alternate pruning point for Branch 1.

Figure 8: Base of Branch 2 showing crooked shape typical of “hazard beam” failures.

Figure 9: Possible pruning alternative for Branch 4.

Figure 10: Possible pruning alternative for Branch 5.

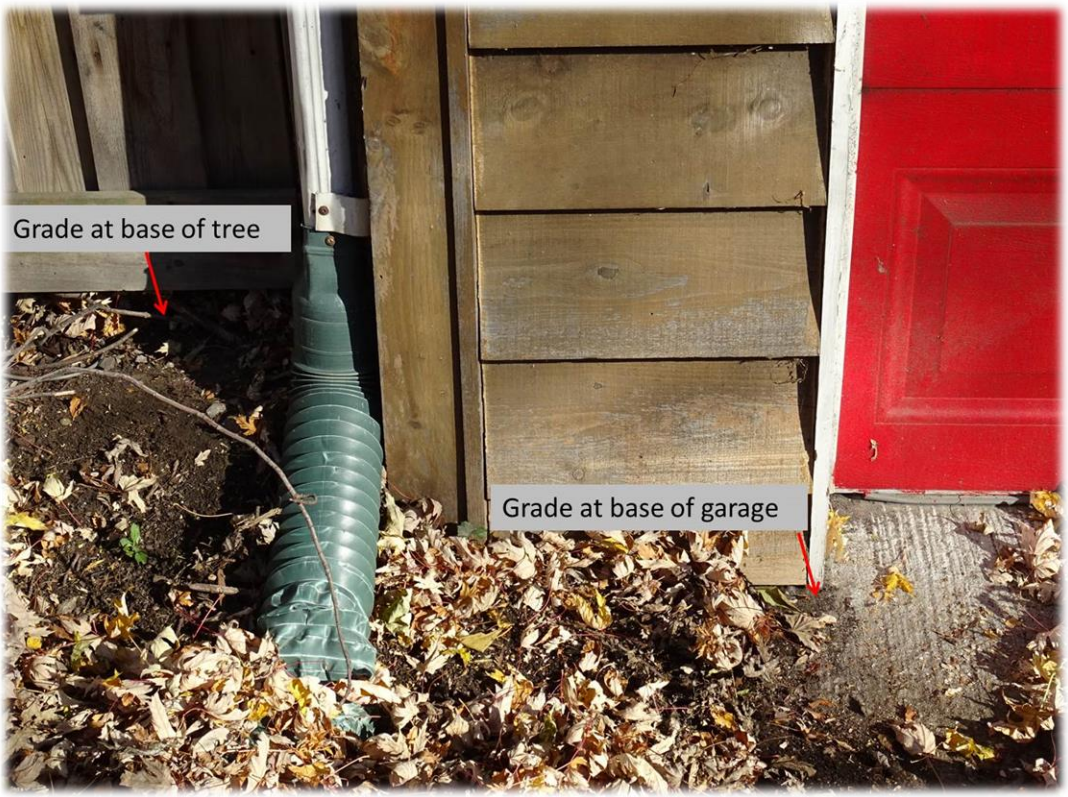


Figure 11: Showing significant change of grade immediately adjacent to the base of the tree. Garage is on 150 Hamilton Street.

Figure 12: Photos show proximity of base of the tree to the garage foundation (left) and the proximity of a large stem to the roof of the garage (right). Garage is on 150 Hamilton Street.

Figure 13: Silver maple at 184 Hamilton Street. Note large portions of crown removed.

Figure 14: Silver maple at 167 Hamilton Street. Note large portions of crown removed.

Figure 15: Silver maple at 173 Hamilton Street. Note large portions of crown removed.

Figure 16: Silver maple at 184 Hamilton Street. Note large portions of crown removed.

Figure 17: Silver maple at 192 Hamilton Street. Note large portions of crown removed and very recent large pruning wounds (inset, red arrows).

Limitations of Assessment

It is our policy to attach the following clause regarding limitations. We do this to ensure that the client is aware of what is technically and professionally realistic in assessing and retaining trees.

The assessment(s) of the tree(s) presented in this report has been made using accepted arboricultural techniques. These may include, among other factors, a visual examination of: the above-ground parts of the tree(s) for visible structural defects, scars, external indications of decay such as fungal fruiting bodies, evidence of pests or pathogens, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of property and people. Except where specifically noted, the tree(s) was not cored, probed, climbed or assessed using any advanced methods, and there was no detailed inspection of the root crown(s) involving excavation.

Notwithstanding the recommendations and conclusions made in this report, it must be recognized that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site or weather conditions, or general seasonal variations. Weather events such as wind or ice storms may result in the partial or complete failure of any tree, regardless of assessment results.

While reasonable efforts have been made to accurately assess the overall condition of the subject tree(s), no guarantee or warranty is offered, expressed or implied, that the tree(s) or any of its parts will remain standing or in stable condition. It is both professionally and practically impossible to predict with absolute certainty the behaviour of any single tree or its component parts, regardless of the assessment methodology implemented. Inevitably, a standing tree will always pose some level of risk. Most trees have the potential for failure under adverse weather conditions, and the risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the tree(s) should be re-assessed periodically. The assessment presented in this report is only valid at the time of inspection.

TAB 2

Urban Forest Innovations Inc.
1248 Minnewaska Trail
Mississauga, ON L5G 3S5

May 9, 2016

Cyril Borovsky
223 River Street
Toronto, ON
M5A3P9

Re: Pruning plan for tree #5 at 154/150 Hamilton Street, Toronto, Ontario. Original Report, June 2, 2014, Revised report, May 9, 2016

Note: It is our understanding that Mr. Cyril Borovsky has recently purchased the property at 154 Hamilton Street, Toronto, Ontario from the original owner. UFI prepared a full arborist report for the site for the original owner, Gordon Kipping, on May 28, 2014 and the original version of this report on June 2, 2014. It is also our understanding that the site plan has not changed and that the project will proceed as originally designed.

On May 9, 2016, Mr. Cyril Borovsky assured UFI that he has recently spoken to Daniel Boven at City of Toronto Urban Forestry Services and that an update to this pruning plan report is required to support a new application to injure the tree originally noted as tree # 5. This tree is a silver maple located on an adjacent property, 150 Hamilton Street. Since no changes have been made to the plan we have not re-inspected the tree and we assume that the pruning requirements will be the same. As such, we provide this new report to support an application to injure tree #5.

Mr. Borovsky,

The purpose of this letter report is to present a pruning plan for a large silver maple (*Acer saccharinum*) tree, located at 150 Hamilton Street and extending over 154 Hamilton Street. This tree, noted as tree #5 in the March 18, 2014 arborist report for the proposed development at 154 Hamilton Street, will require significant canopy pruning to enable the proposed construction of a 4-storey dwelling on the site. The pruning plan outlined in this report has been prepared in an effort to minimize adverse effects upon the subject tree, while enabling the implementation of the proposed site works. Such a pruning plan was originally requested on May 26, 2014 by Christine Oldnall, Assistant Planner – Urban Forestry, Tree Protection & Plan Review, Toronto - East York District, in order to facilitate the City's review of the proposed development. It is our understanding that Daniel Boven has recently requested this update to the original report.

Tree Pruning Plan

In order to enable the proposed site works, pruning (removal cuts) of five scaffold branches and several additional small (< 3 cm diameter) branches will be required. The proposed locations of removal cuts for the five scaffold branches are shown in Figures 1-5.

The approximate sizes of scaffold limbs to be removed, expressed as estimated diameter (in cm) at the cut-off point and estimated length (in metres) are:

1. 8 cm x 3 m
2. 15 cm x 4 m
3. 15 cm x 5 m
4. 15 cm x 5 m
5. 20 cm x 7 m

It should be noted that, despite the potential complications associated with its retention in terms of site and construction access and building clearance, a significant scaffold limb (limb 'A' in Figs. 2-4) extending over the subject property is proposed to be retained in order to minimize potential adverse effects upon the tree. Removal of this limb is not recommended due to the large size of the resultant pruning wound, which would be unlikely to be effectively compartmentalized by the tree.

All branch pruning must be undertaken by a qualified ISA Certified Arborist, and must be conducted in accordance with arboricultural best practices, including the implementation of proper reduction and removal cuts and avoidance of internodal or 'topping' cuts.

It is strongly recommended that expressed permission be obtained from the tree owner prior to undertaking of any pruning which requires crossing of property boundaries to implement proper pruning practices.

Impact Assessment

The proposed pruning will result in the removal of an estimated 40% of the tree's canopy. While this pruning amount is significant, *A. saccharinum* is known to be tolerant of relatively heavy pruning due in part to its tendency to re-sprout epicormic shoots near pruning wounds, as well as the extensive root system and overall high vigour of the species. The species is generally considered to be a poor to moderate compartmentalizer of decay, and the larger pruning cuts may result in the development of limb decay over the medium to long term. This effect is considered unavoidable and is common to virtually all silver maple trees which experience pruning.

Tree mortality in the reasonably foreseeable future is not anticipated as a result of the proposed pruning. It is our understanding that the proposed actions will not meet the definition of "destroy" as provided in City of Toronto Municipal Code Chapter 813, Article II – 'Private Tree Protection', which means "to remove, cut down or in any other way injure a tree to such an extent that it is deemed by the General Manager to be an imminently hazardous tree or is no longer viable and it becomes necessary to remove the tree."

Mitigation Recommendations

Effective mitigation of adverse effects upon tree health associated with the proposed pruning will depend primarily upon root zone enhancement and maintenance of overall tree health and vitality. It is therefore recommended that a 10-cm bed of composted wood chip mulch be installed in the tree's root zone at 150 Hamilton Street, in order to improve overall tree health and encourage root development and compartmentalization of decay.

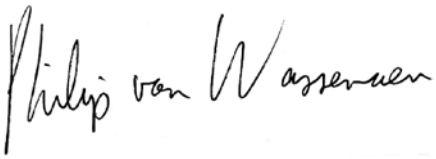
Furthermore, the proposed installation of a cellular confinement system such as Presto GeoWeb® or Geosynthetics Cellweb® (refer to May 28, 2014 arborist report) will minimize any adverse effects upon the tree's root system on the subject property, which is already limited due to the existing building foundations and will therefore not be subjected to significant adverse impacts.

Finally, the tree should be monitored on a biennial basis for signs and symptoms of general decline and decay at pruning locations. Additional mitigation efforts such as canopy retrenchment pruning may be recommended in the future, if required to maintain tree health.

Conclusion

We trust that this letter will suffice for your current needs. Should you have any questions or require further assistance, please do not hesitate to contact us.

Respectfully submitted by,



Philip van Wassenaer, B. Sc., MFC
ISA Certified Arborist ON-0361A
Member – ISA, ASCA, SMA, SAG Baumstatik
E: pwassenaer1022@rogers.com

Alexander Satel, MFC
ISA Certified Arborist ON-1353A
Member - ISA
E: asatel@ufis.ca

Urban Forest Innovations, Inc.
1248 Minnewaska Trail
Mississauga, ON L5G 3S5
T: (905) 274-1022
F: (905) 274-2170
urbanforestinnovations.com

Figures

Figure 1: The subject tree, a large silver maple (*Acer saccharinum*) at 150 Hamilton Street, overhanging the subject property at 154 Hamilton Street.

Figure 2: Orange lines show approximate location of proposed scaffold pruning cuts. Note that limb (A) is to be retained despite overhanging subject property in close proximity to proposed building face.

Figure 3: Overview of proposed pruning. White dashed line shows area of potential large pruning cut if limb (A) was to be removed. Limb (A) will be retained despite overhanging subject property.

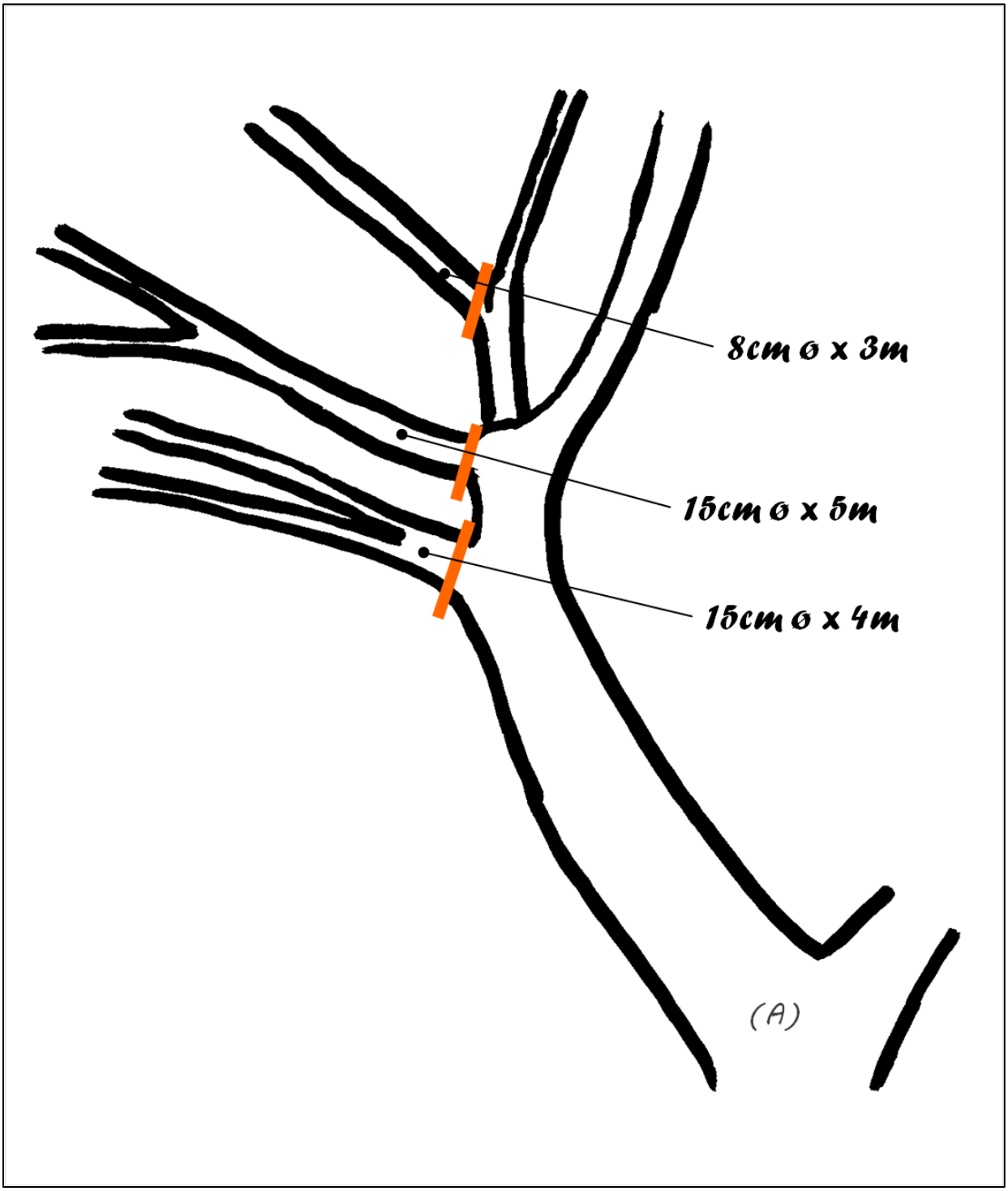


Figure 4: Schematic of proposed removal cuts on limb (A), showing approximate branch sizes.

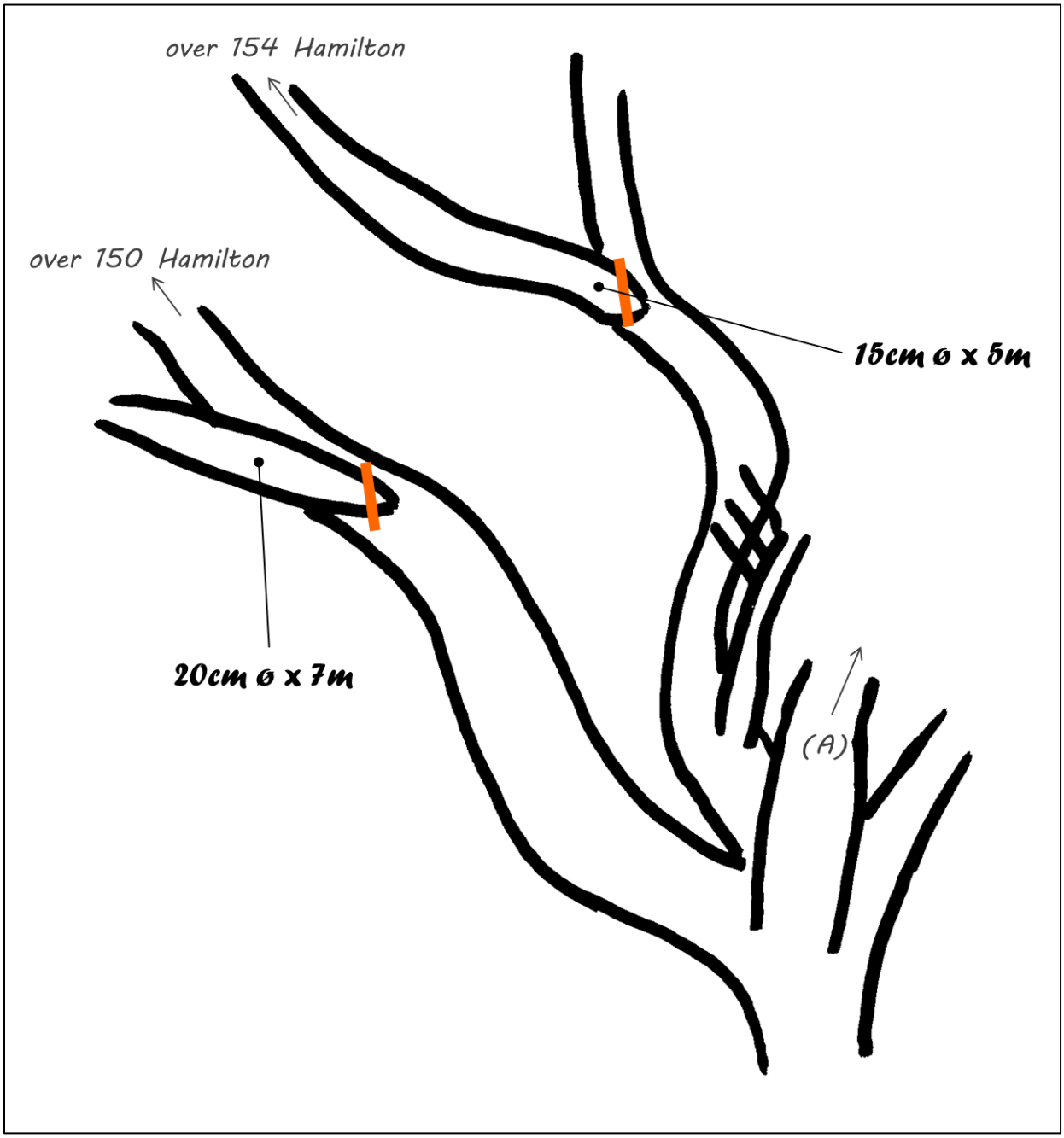


Figure 5: Schematic of proposed removal cuts on other limbs, showing approximate branch sizes.

Limitations of Assessment

It is our policy to attach the following clause regarding limitations. We do this to ensure that the client is aware of what is technically and professionally realistic in assessing and retaining trees.

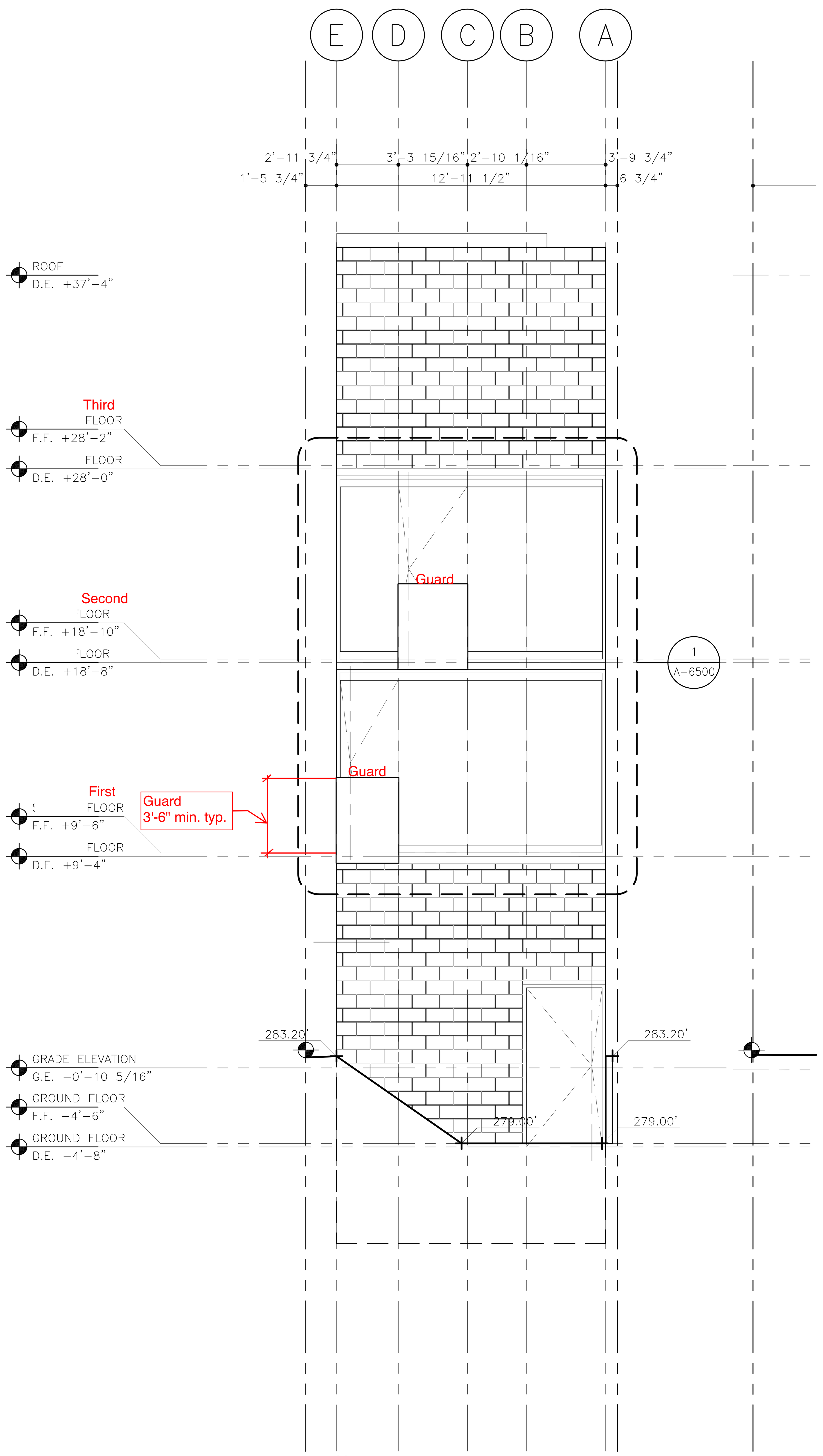
The assessment(s) of the tree(s) presented in this report has been made using accepted arboricultural techniques. These may include, among other factors, a visual examination of: the above-ground parts of the tree(s) for visible structural defects, scars, external indications of decay such as fungal fruiting bodies, evidence of pests or pathogens, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of property and people. Except where specifically noted, the tree(s) was not cored, probed, climbed or assessed using any advanced methods, and there was no detailed inspection of the root crown(s) involving excavation.

Notwithstanding the recommendations and conclusions made in this report, it must be recognized that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site or weather conditions, or general seasonal variations. Weather events such as wind or ice storms may result in the partial or complete failure of any tree, regardless of assessment results.

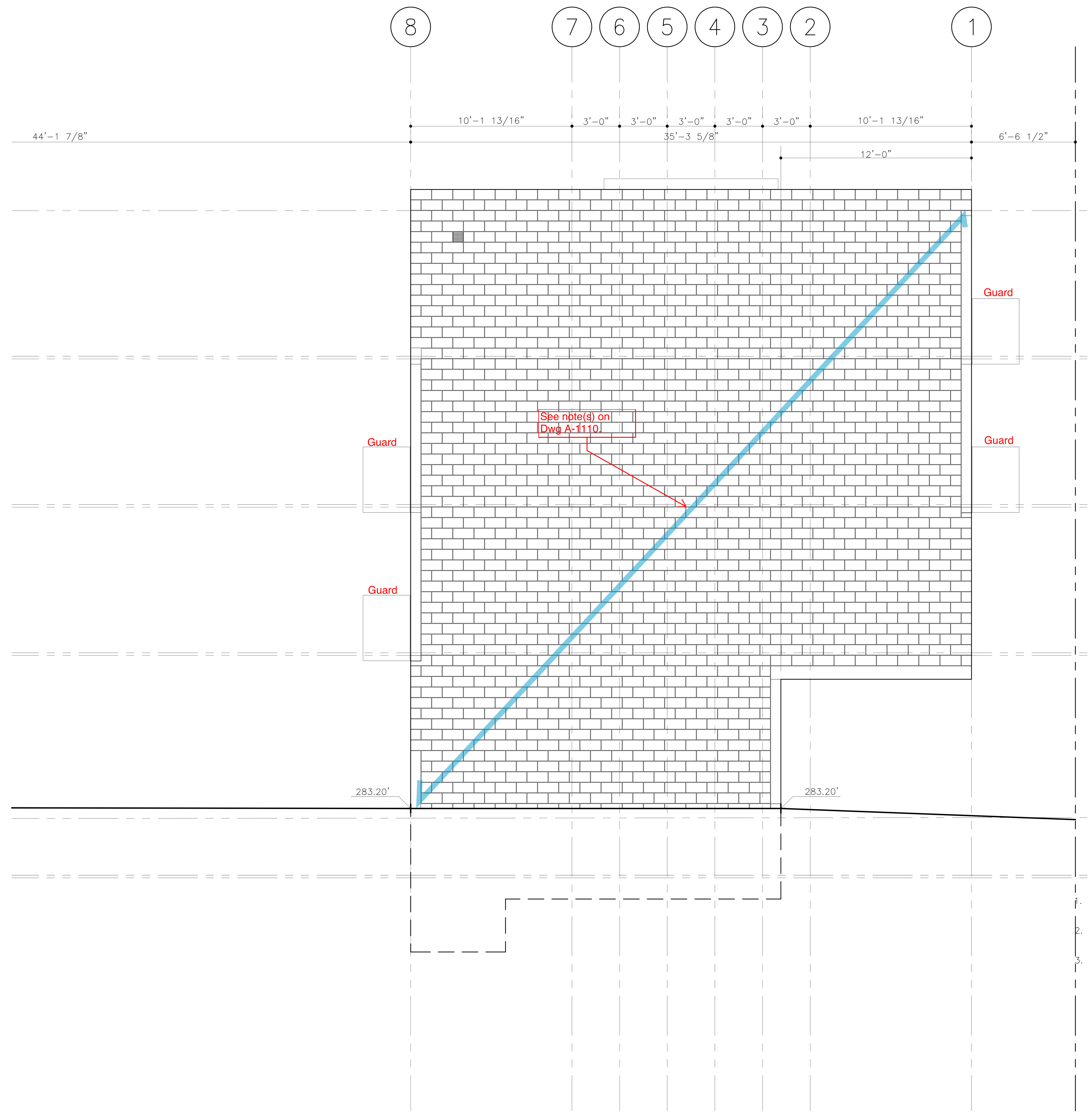
While reasonable efforts have been made to accurately assess the overall condition of the subject tree(s), no guarantee or warranty is offered, expressed or implied, that the tree(s) or any of its parts will remain standing or in stable condition. It is both professionally and practically impossible to predict with absolute certainty the behaviour of any single tree or its component parts, regardless of the assessment methodology implemented. Inevitably, a standing tree will always pose some level of risk. Most trees have the potential for failure under adverse weather conditions, and the risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the tree(s) should be re-assessed periodically. The assessment presented in this report is only valid at the time of inspection.

TAB 3



1 EAST ELEVATION
A-1800 1/4" = 1'-0"



2 NORTH ELEVATION
A-1800 1/4" = 1'-0"

NOTES

1. ALL EXPOSED EXTERIOR WOOD SHALL BE PAINTED PA-04.
2. ALL EXPOSED EXTERIOR STEEL SHALL BE PAINTED PA-05.
3. ALL EXPOSED EXTERIOR CONCRETE MASONRY UNITS SHALL BE PAINTED PA-05.

Refer to all notes, building notes, and attachments issued with approved drawings, permit.

Refer to attached structural drawings for all structural elements. Architectural drawings to be read in conjunction with attached structural drawings.

TORONTO Building
PERMIT REVIEWED FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE

12 298044 BLD 00

ZONING	Fitzpatrick, Sean	07/Feb/2014
O.B.C.	Simon, Arturo	17/Jan/2014
FIRE SERVICES		
O.B.C. (S)		

Stamp & Seal of Professional Engineer. Documents stamp and seal by the Engineer is generally an acceptance that professional knowledge, diligence and responsibility, applicable statues, standards, codes and regulations have been followed.

Drawing Issue Record

02	2012-1224	ISSUED FOR CONSTRUCTION PERMIT
03	2013-0402	REISSUED FOR CONSTRUCTION PERMIT
05	2013-1220	REISSUED FOR CONSTRUCTION PERMIT

LICENSED PROFESSIONAL ENGINEER
G. KIPPING
90345539
PROVINCE OF ONTARIO

Architect
G TECTS ARCHITECTURE P.C.
178 DELANCEY STREET
NEW YORK, NY 10002 USA

Structural Engineer
BLACKWELL BOWICK PARTNERSHIP, LTD.
19 DUNCAN STREET, 405
TORONTO, ON M5H 3H1 CANADA

Lighting Consultant
LIGHTFIELD INC.
518 FORT WASHINGTON AVENUE
NEW YORK, NY 10033 USA

Geotechnical Engineer
PATRIOT ENGINEERING LTD.
80 NASHDENE ROAD, 62
TORONTO, ON M1V 5E4 CANADA

Surveyor
ERTL SURVEYORS
1234 REID STREET, 10
RICHMOND HILL, ON L4B 1C1 CANADA

TORONTO Building RECEIVED 16/Jan/2014

Project Name
HAMILTON DEVELOPMENT
154 HAMILTON STREET
TORONTO, ON M4M 2E2 CANADA

Project Number
2011-0003

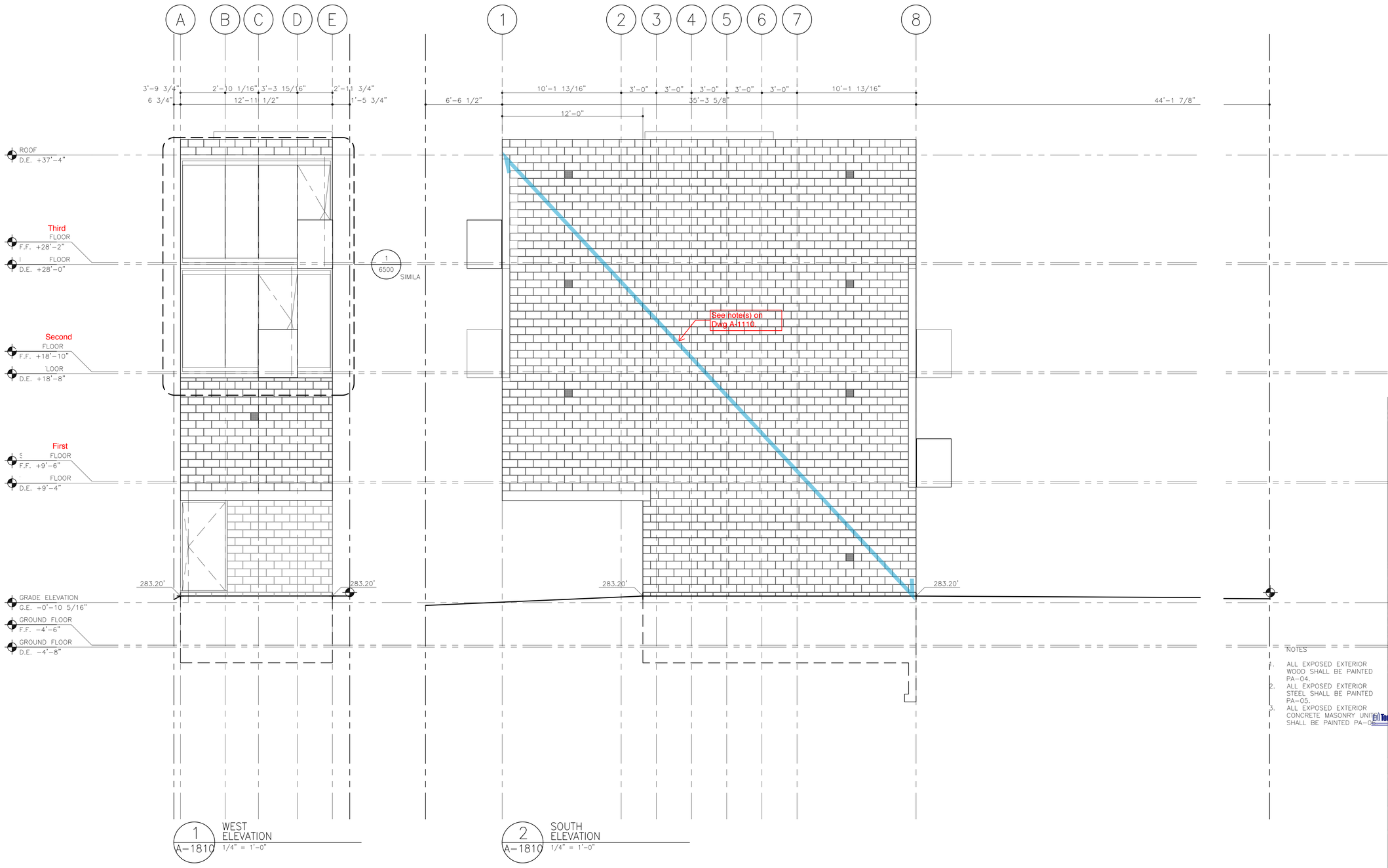
Date
2012-0601

Scale
1/4" = 1'-0"

Drawing Title
BUILDING ELEVATIONS

Drawing Number
A-1800

G TECTS
178 DELANCEY STREET
NEW YORK, NY 10002 USA
212 414 2300 212 414 2301
office@gtects.com www.gtects.com



1 WEST ELEVATION
A-1810 1/4" = 1'-0"

2 SOUTH ELEVATION
A-1810 1/4" = 1'-0"

NOTES

1. ALL EXPOSED EXTERIOR WOOD SHALL BE PAINTED PA-04.
2. ALL EXPOSED EXTERIOR STEEL SHALL BE PAINTED PA-05.
3. ALL EXPOSED EXTERIOR CONCRETE MASONRY UNITS SHALL BE PAINTED PA-02.

Refer to all notes, building notes, and attachments issued with approved drawings, permit.

Refer to attached structural drawings for all structural elements. Architectural drawings to be read in conjunction with attached structural drawings.

TORONTO Building
PERMIT REVIEWED FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE

12 298044 BLD 00

ZONING	Fitzpatrick, Sean	07/Feb/2014
O.B.C.	Simon, Arturo	17/Jan/2014
FIRE SERVICES		

O.B.C. (S)

Stamp & Seal of Professional Engineer. Documents stamp and seal by the Engineer is generally an acceptance that professional knowledge, diligence and responsibility, applicable statues, standards, codes and regulations have been followed.

Drawing Issue Record

D2	2012-1024	ISSUED FOR CONSTRUCTION PERMIT
D3	2013-0402	REISSUED FOR CONSTRUCTION PERMIT
D5	2013-1220	REISSUED FOR CONSTRUCTION PERMIT

LICENSED PROFESSIONAL ENGINEER
G. KIPPING
90345539
PROVINCE OF ONTARIO

Architect
G TECTS ARCHITECTURE P.C.
178 DELANCEY STREET
NEW YORK, NY 10002 USA

Structural Engineer
BLACKWELL BOWICK PARTNERSHIP, LTD.
14 DUNCAN STREET, M5G
TORONTO, ON M5H 3H1 CANADA

Lighting Consultant
LIGHTFIELD INC.
518 FORT WASHINGTON AVENUE
NEW YORK, NY 10033 USA

Geotechnical Engineer
PATRIOT ENGINEERING LTD.
60 NASHDENE ROAD, U8
TORONTO, ON M1W 5E4 CANADA

Surveyor
EXTL SURVEYORS
1234 REID STREET, 1D
RICHMOND HILL, ON L4B 1C1 CANADA

TORONTO Building RECEIVED 16/Jan/2014

Project Name
HAMILTON DEVELOPMENT
154 HAMILTON STREET
TORONTO, ON M4M 2E2 CANADA

Project Number
2011-0003

Date
2012-0601

Scale
1/4" = 1'-0"

Drawing Title
BUILDING ELEVATIONS

Drawing Number
A-1810

G TECTS
178 DELANCEY STREET
NEW YORK, NY 10002 USA
212 431 2300 212 431 2301
office@gtects.com www.gtects.com