TORONTO

STAFF REPORT
ACTION REQUIRED

2489 Bayview Avenue - Application to Remove Private Trees

Date:	January 26, 2011
To:	North York Community Council
From:	Jason Doyle, Acting Director, Urban Forestry, Parks, Forestry and Recreation
Wards:	Ward 25 – Don Valley West
Reference Number:	P:\2011\Cluster A\PFR\NY04-021611-AFS#13264

SUMMARY

The report requests City Council approval for the request to remove seven (7) healthy privately-owned trees located in the rear yard of 2489 Bayview Avenue. This request has been made to allow for the renovations and additions to existing heritage structures and the construction of a new one-storey Actor's Conservatory Building in place of an existing outdoor pool and cabana. The construction and renovations are being reviewed under Site Plan Control Application No. 10238276 NNY 25 SA.

The seven (7) trees in question are in fair to good health with diameters from 34 cm to 46 cm and consist of one (1) red pine, one (1) Austrian pine and five (5) Douglas fir trees. The trees are located in the rear courtyard in close proximity to the proposed one-storey Actor's Conservatory Building. The retention of the subject trees is not possible given the extent of the required excavation for the new building.

Urban Forestry is in support of the removal of the subject trees conditional on receipt of a replanting plan to the satisfaction of the General Manager of Parks, Forestry and Recreation, and in accordance with an approved Landscape Plan submitted for Site Plan Control approval.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council approve removal of seven (7) privately-owned trees located at the rear of 2489 Bayview Avenue.

Financial Impact

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

ISSUE BACKGROUND

At its meeting of July 6, 7 and 8, 2010, City Council essentially approved construction and alterations to the heritage property and buildings. However, Site Plan Approval is required, and the proposal is currently being reviewed by City Planning and various Divisions.

City Council, at its meeting of July 6, 7, and 8, 2010, adopted Member Motion MM51.16, titled "2489 Bayview Avenue, Canadian Film Centre, Windfields Estate, Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement".
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.MM51.16.

In adopting this motion, Council also adopted the report dated June 16, 2010, from the Acting Director, Policy and Research, City Planning, titled "2489 Bayview Avenue, Canadian Film Centre, Windfields Estate, Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement".
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PB35.4

COMMENTS

An application has been received requesting permission to remove a total of 23 privately-owned trees. This request has been made to allow for the renovations and additions to existing heritage structures and the construction of a new one-storey Actor's Conservatory Building in place of an existing outdoor pool and cabana. This report only addresses seven (7) of the noted trees as a result of their fair to good botanical and structural condition. The trees in question range in diameter from 34 cm to 46 cm and include one (1) red pine, one (1) Austrian pine and five (5) Douglas fir trees. The trees are situated in the rear courtyard along the perimeter of the existing pool to be removed. The trees are located in close proximity to the proposed building and excavation to facilitate construction of the building foundation will necessitate removal of the trees

The General Manager of Parks, Forestry and Recreation is authorized to issue a permit for the remaining trees that were included in the application due to their poor condition.

As required under *Section 813-17, of City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a 'Public Notice' sign was posted on the subject property for the minimum 14-day posting period. The posting serves to notify the community of the applicant's intention to remove the trees and provide an opportunity for objection to the application. No letters of objection to the removal of the trees were received in response to the posting by the December 15, 2010, deadline. Four (4) letters of objection were received after the noted deadline.

In consultation with the Ward Councillor, it was determined that a staff report should be submitted to North York Community Council for the February 2011 meeting to obtain a decision regarding permit issuance.

The applicant has submitted a Landscape Plan proposing a total of 65 trees to compensate for the loss of the trees proposed for removal. Urban Forestry is working in conjunction with City Planning to ensure the revised Landscape Plans are submitted for further review and approval as part of the current Site Plan Control Application No. 10238276 NNY 25.

The intent of the Private Tree By-law is to preserve significant trees on private property where possible, and to ensure a sustainable urban forest in the City. It is not meant to stop development, but to try and use a balanced approach when planning construction. In this instance, it is not possible to protect and retain the seven trees noted above. The replacement planting proposed is satisfactory to Urban Forestry.

CONTACT

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SIGNATURE



Jason Doyle
Acting Director of Urban Forestry

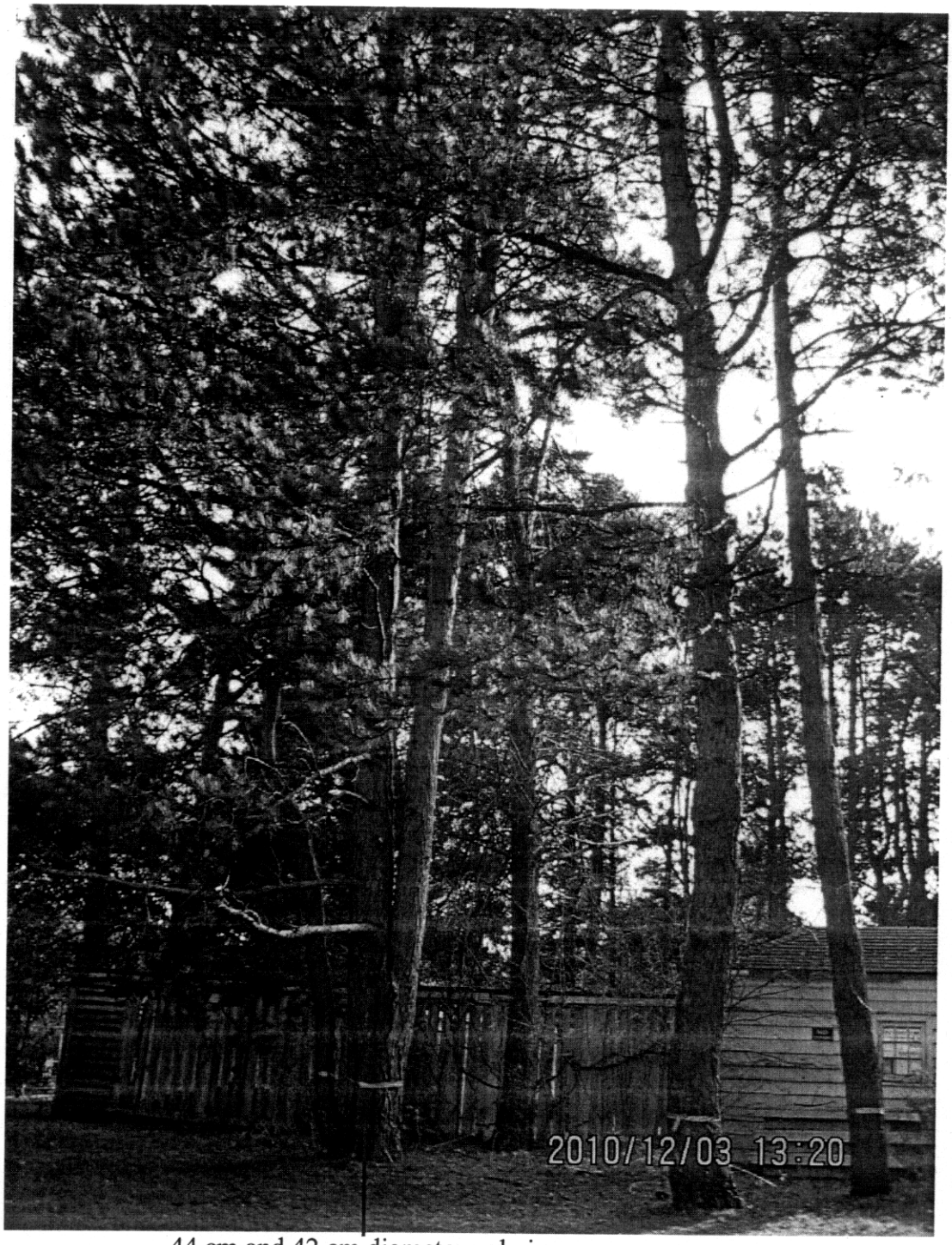
ATTACHMENTS

Attachment Nos. 1 – to 4 - Photos of the Subject Trees
Attachment Nos. 5 to 8 – Letters of Objection

Attachment 1

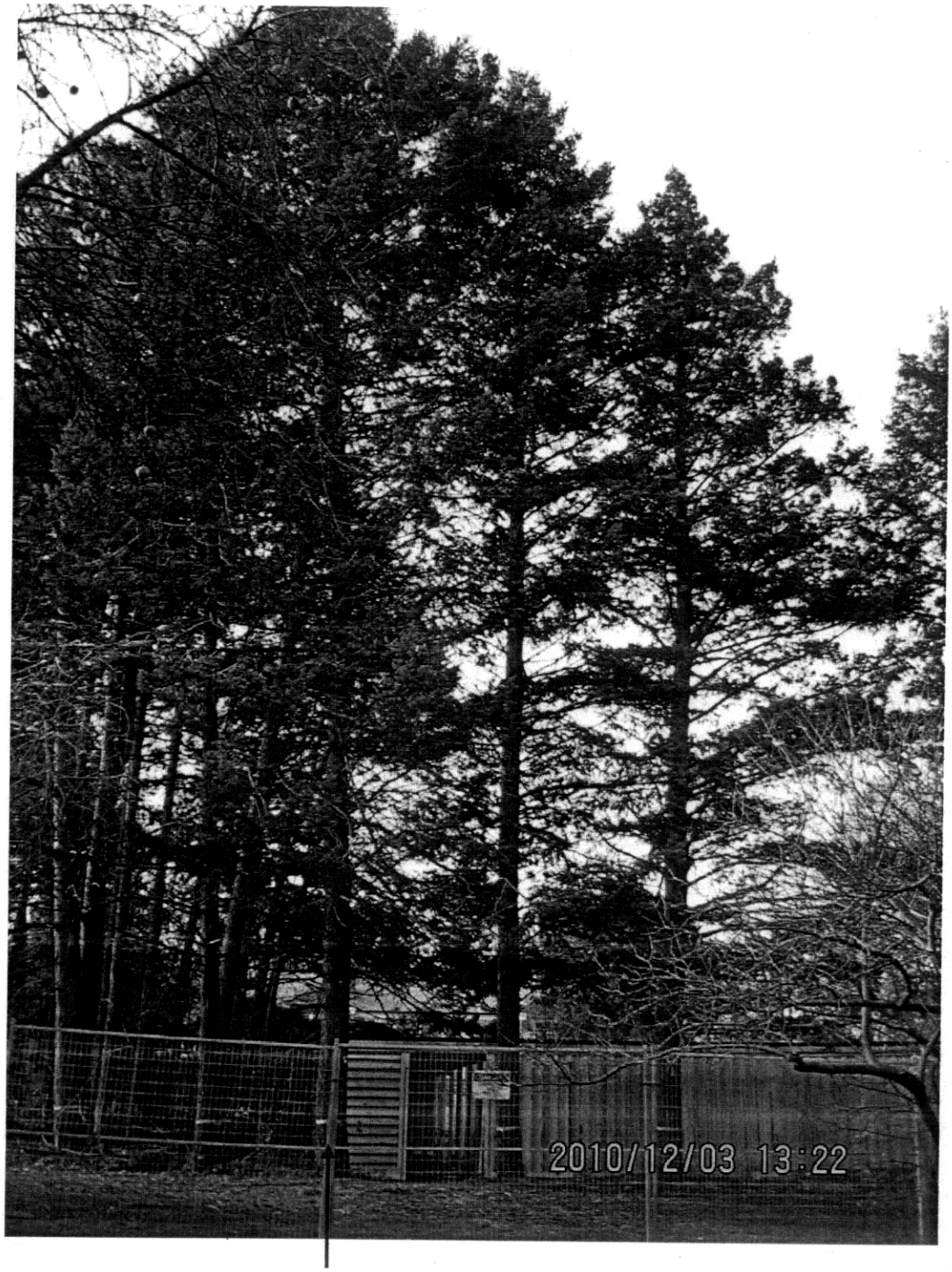


39 cm diameter Douglas fir 49 cm diameter Austrian pine 34 cm diameter Douglas fir

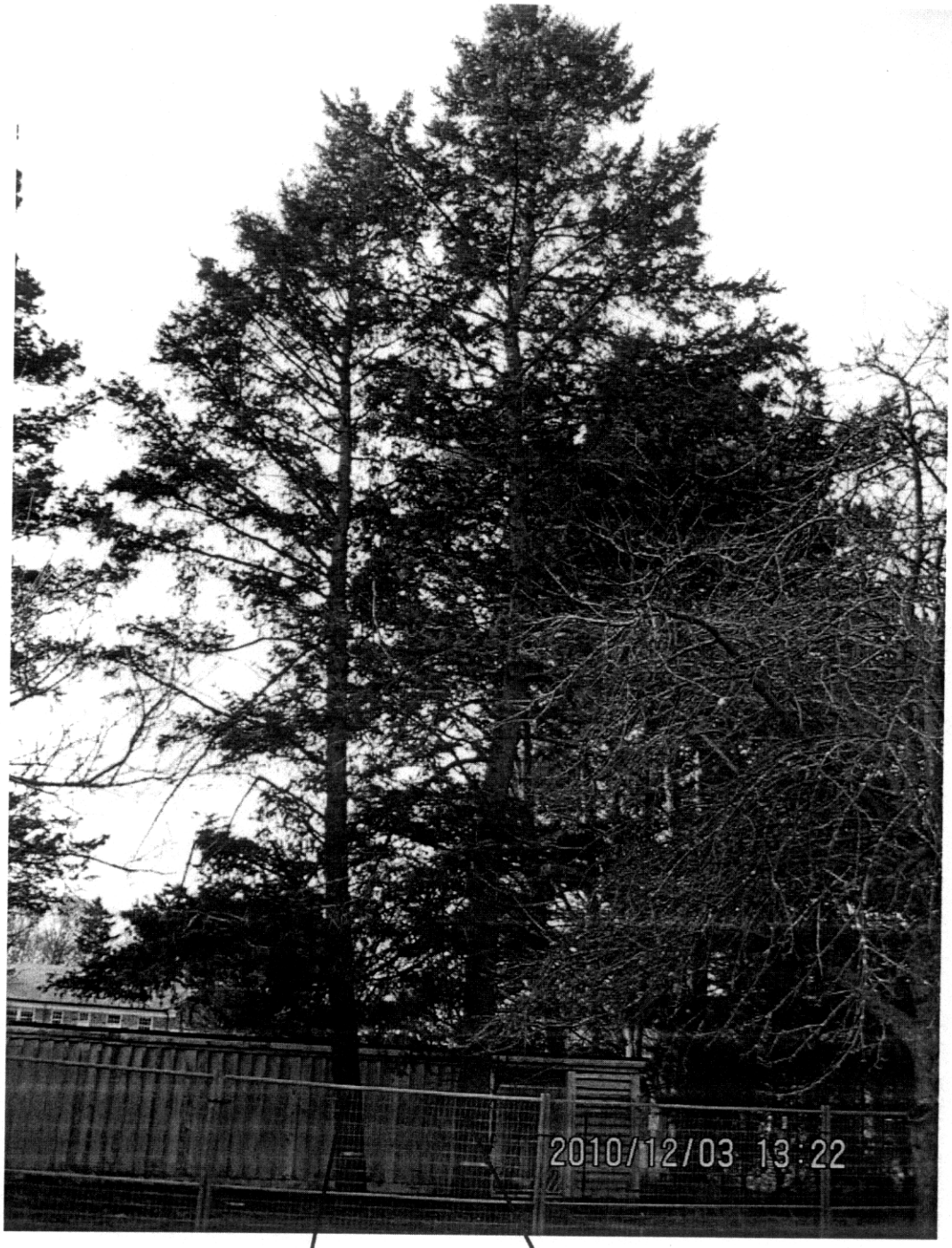


44 cm and 42 cm diameter red pine

Attachment 3



45 cm diameter Douglas fir



44 cm diameter Douglas fir 46 cm diameter Douglas fir