

## **55 Balsam Avenue – Application to Injure Private Trees**

<b>Date:</b>	December 7, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Jason Doyle, Acting Director, Urban Forestry, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 32 – Beaches – East York
<b>Reference Number:</b>	P:\2011\Cluster A\PFR\TE01-0111-AFS#13011

### **SUMMARY**

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The report requests that City Council approve the request to injure four (4) privately-owned trees located at 55 Balsam Avenue. The property is currently vacant. This request has been made to allow construction of a new two-storey dwelling at 55 Balsam Avenue.

Construction of the new dwelling will encroach within the minimum required tree protection zones of the subject trees, as defined in the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees.

The applicant has worked with staff since 2007 to modify the proposed above-ground structure in order to minimize potential impacts to the trees, and has provided a satisfactory arborist report and tree preservation plan outlining protection measures that will be implemented to protect the trees during construction. Urban Forestry is satisfied that if the tree protection measures are implemented as proposed, construction of the new dwelling will have minimal impact on the health of the subject trees.

### **RECOMMENDATIONS**

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

1. City Council approve the request to injure four (4) privately-owned trees located at 55 Balsam Avenue to facilitate the construction of a new dwelling.

## **Financial Impact**

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

## **COMMENTS**

An application for a permit has been received from the property owner of 55 Balsam Avenue for a permit to injure two (2) red oak trees with diameters of 59 cm and 118 cm, one (1) twin-stemmed red oak tree with diameters of 76 cm and 94 cm, and one (1) 39 cm diameter white oak tree. All trees are located on the private property of 55 Balsam Avenue.

Inspection of the trees by City staff revealed that they are in fair to good condition. Due to the number, size and location of the existing trees to be preserved, the entire property at 55 Balsam Avenue is considered a tree protection zone. Therefore, special protective measures are required to accommodate construction activity. Staff have worked with the applicant's agents since 2007 in order to preserve trees protected under City by-laws. Previous requests for removal of private trees were denied by Urban Forestry. The latest revision reflects significant changes to minimize injury and will contribute to the protection and longevity of the existing four (4) trees.

The number of piers that will support the dwelling have been reduced, the total lot coverage has been reduced, and the two slabs on grade and the stepped concrete grade beam have been eliminated from the plans. The entire soil surface will be covered with a continuous layer of ¾ inch thick sheets of plywood. This layer will protect roots from physical injury, protects the soil from contamination, and reduces soil compaction. Each tree trunk will be wrapped continuously with six layers of natural burlap and by placing and tying eight foot long 2"x4"s around the trunk of the trees. The proposed structure will be constructed predominantly above ground level utilizing helical-pier technology, with only a small conventional foundation utility space at the north side of the property against the existing brick wall, which will accommodate underground utilities for the proposed dwelling. The exact location of each of the helical piers will be verified by using hydrovac excavation with low pressure to a depth of 1.2 metres, and to the full diameter of the piers.

In order to increase water infiltration to the root systems, an automatic drip irrigation system will be installed over the entire soil surface and under the proposed structure. The steeply pitched roof is designed to eliminate the necessity to remove any large limbs from the trees. The new driveway/parking surface will be located within the existing surface area of the driveway, and will consist of permeable pavers. The existing sub-base granular material will remain undisturbed.

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 days posting period. The posting serves to notify the community of the application and to provide an opportunity for objection to the application. One (1) letter of objection was received in response to the posting.

It is not possible to maintain full protection zones for the trees and accommodate the proposed structure. If the application to injure trees is denied, the owner will not be able to construct a dwelling on the property.

The existing trees are significant and are a valuable part of the urban forest. The intent of the by-law is to ensure responsible development, and to ensure every effort is made to retain significant, healthy trees. Through extensive negotiations and revisions to the plans, it appears that the owner is able to construct a new dwelling, while preserving the trees. Urban Forestry supports the application to injure four (4) trees.

## **CONTACT**

Mark Ventresca, Supervisor TPPR Toronto/East York District, 416 392-7390, E-mail: mventre@toronto.ca

## **SIGNATURE**

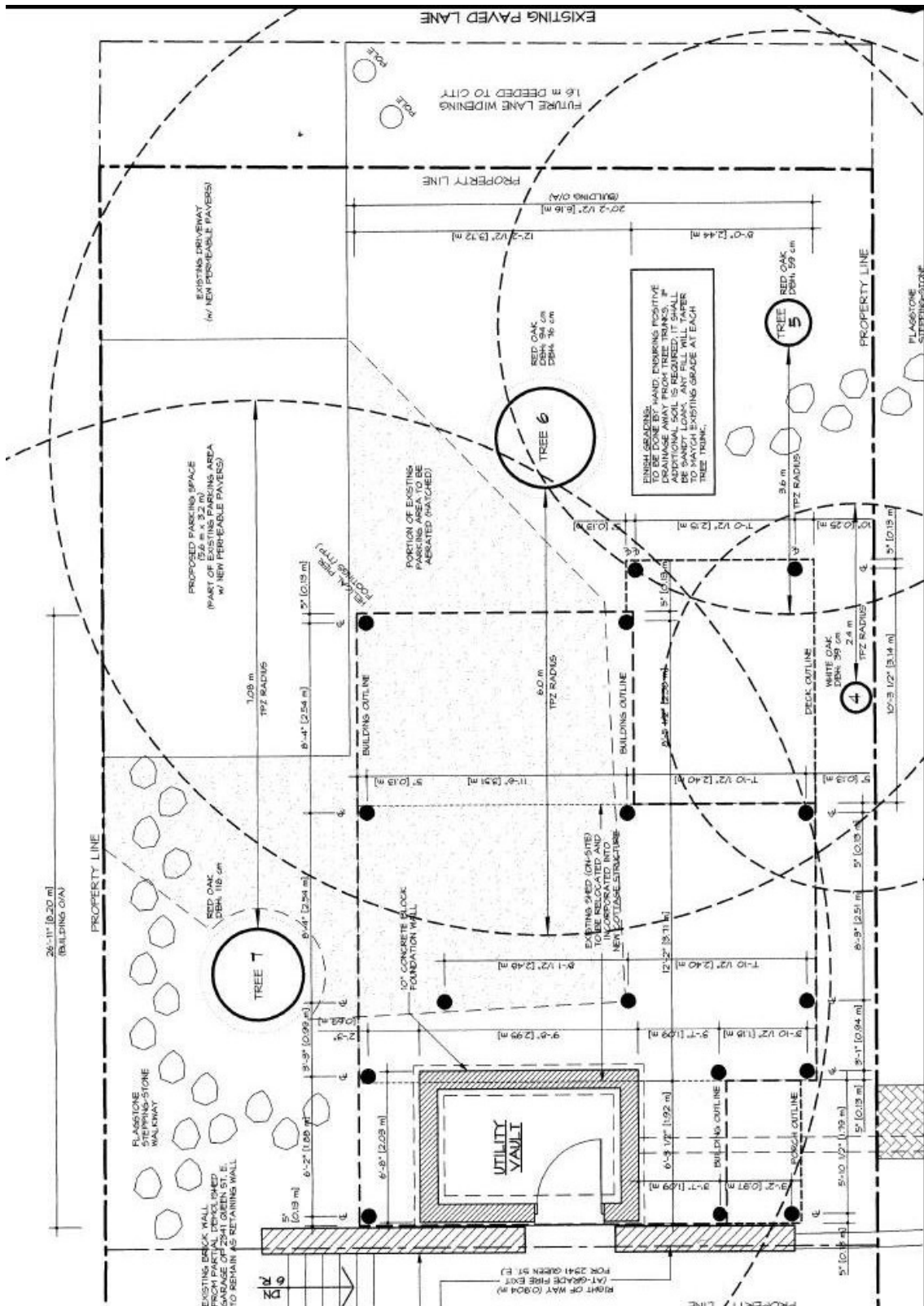
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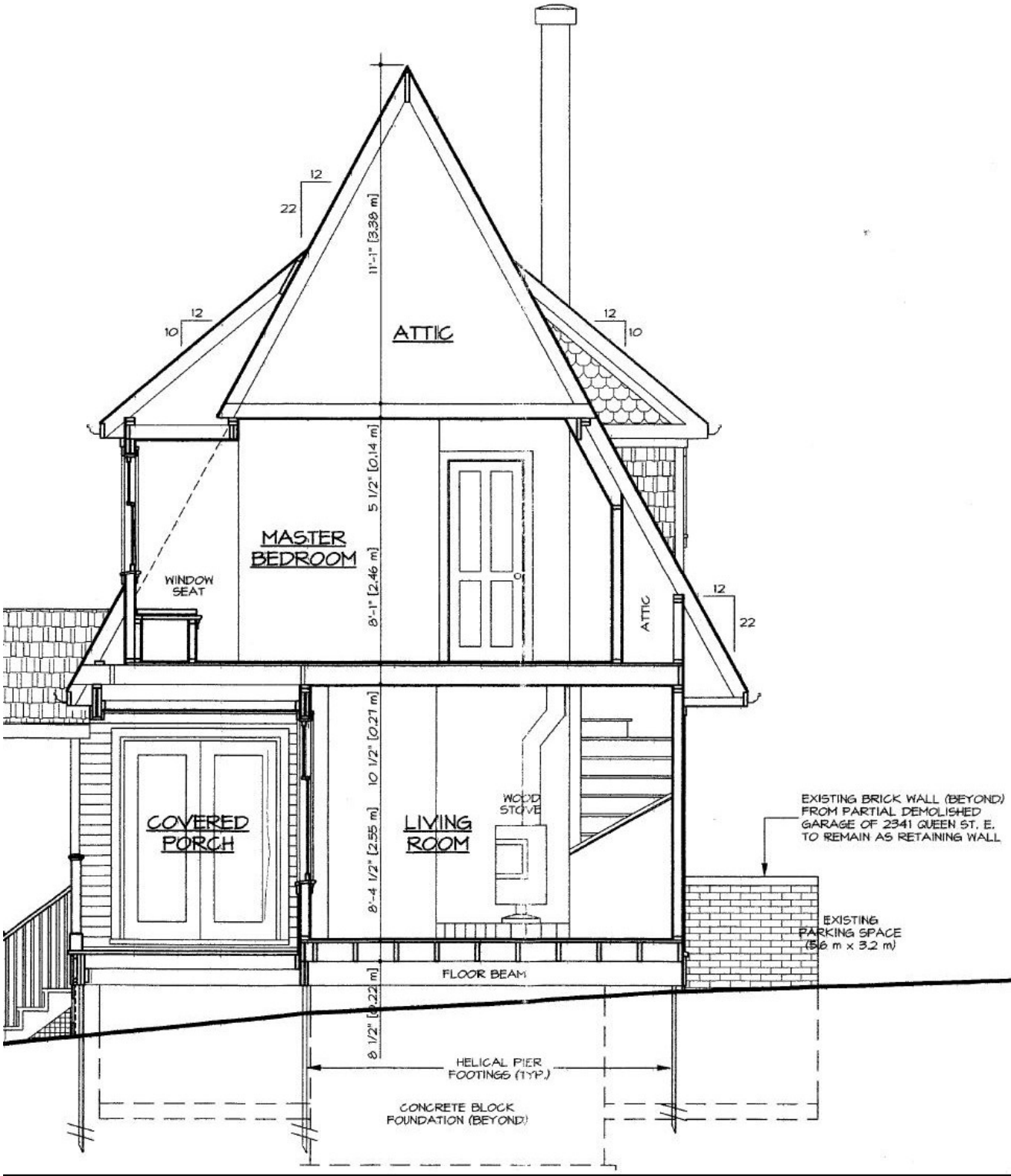
Jason Doyle  
Acting Director of Urban Forestry

## **ATTACHMENTS**

Attachment No. 1 – Photo of the Trees  
Attachment No. 2 – Tree Protection Plan  
Attachment No. 3 – Section Plan  
Attachment No. 4 – Letter of Objection









06/28/2010 18:14 FAX 4166910286

→ Jetmir Balashi 002

40 Balsam Avenue,  
Toronto, Ontario,  
M4E 3B4,  
June 28, 2010

Urban Forestry Services,  
50 Booth Avenue,  
Toronto, Ontario,  
M4M 2M2,  
Sent by fax: 416-392-7277

Attention Jetmir Balashi

I am writing in regard to the notice about the possible injury and destruction of the trees located at 55 Balsam Avenue. My husband and I have lived at our present home since 1978 and in the Beach all of our lives. We certainly have a vested interest in our community. I want to express my opposition to this application. Two of the oaks located on this lot are very mature trees and two are not quite as old. They greatly add to the tree canopy and the beauty of our street. As everyone is aware they remove carbon dioxide from the atmosphere. They reduce the energy consumption to cool the surrounding homes by providing shade and also positively impact the property values of all homes in their vicinity.

In the City of Toronto document "Change is in the Air" released in March of 2007, it states that one of the objectives is to double the city's tree canopy to 34% by 2020. Mayor Miller was also quoted "We have trouble maintaining and keeping alive the trees that we plant now. We don't have the funds for that"

After our conversation on the phone you advised me that the owners of the vacant lot at 55 Balsam Avenue intends to build a two storey structure with a steeply pitched roof on helical piers. I realize, that although this would mean there would be no excavation for a basement, heavy equipment would have to be on the site to facilitate the installation of the piers. Oak trees are extremely sensitive and intolerant of construction disturbance. The parameters specified on the City of Toronto website would indicate that this small lot, of 50.59 feet by 34.06 feet is entirely located within a tree protection zone. Construction above grade would also impact the branches. The structure would also cause reduced water infiltration to the root system.

According to information on the Urban Forestry section of the City of Toronto website: -  
"Tree roots stabilize a tree and also absorb oxygen out of the soil. Tree roots absorb air, water and nutrients from the soil and convey these elements to the rest of the tree. All of these are essential for the trees growth and overall health. Tree roots also store starches that are produced during the growing season. If a tree's roots are damaged then the tree will become stressed, its health will decline and it will die" The injuries that those trees are likely to incur as a consequence of the proposed construction activity would be such as to risk mortal injury to the trees.

I am not an expert on trees, however, Andrew Millward, PhD., of Ryerson University is and in "A report prepared for Toronto Parks & Trees Foundation" on April 1, 2010, stated: -  
"For many broadleaf deciduous trees, up to ninety percent of their root system can be found in the first metre of soil; under optimal conditions roots can expand as far as two to three times past the canopy dripline (Craul, 1999). Therefore, soil disturbance as a result of construction, vehicle traffic, bicycle, and foot traffic can have an important impact on

06/28/2010 18:14 FAX 4166910286

→ Jetmir Balashi 003

the root systems of trees”

Therefore based on all of this information I would request that you deny this application and that no construction of any sort should take place on this lot.

Sincerely yours,

A handwritten signature in cursive script that reads "Jacqueline Martin".

Jacqueline Martin