

Parks, Forestry & Recreation
Janie Romoff, **General Manager**

Urban Forestry
Etobicoke York District
399 The West Mall
Toronto, Ontario M9C 2Y2

Max Dida
Supervisor, Tree Protection & Plan Review
Tel: 416 394-8551
Fax: 416 394-8935

DATE: January 30, 2019

TO: Barbara Bartosik, Manager & Deputy Secretary-Treasurer
City Planning, Community Planning - West District
2 Civic Centre Court
Tel: 416 394-8063

FROM: Max Dida, Supervisor, Tree Protection and Plan Review - West District

**74 Thirty Eighth St– (File No.:B0071/A0656/A0655/18EYK.
Severance/Minor Variance/Permission Application**

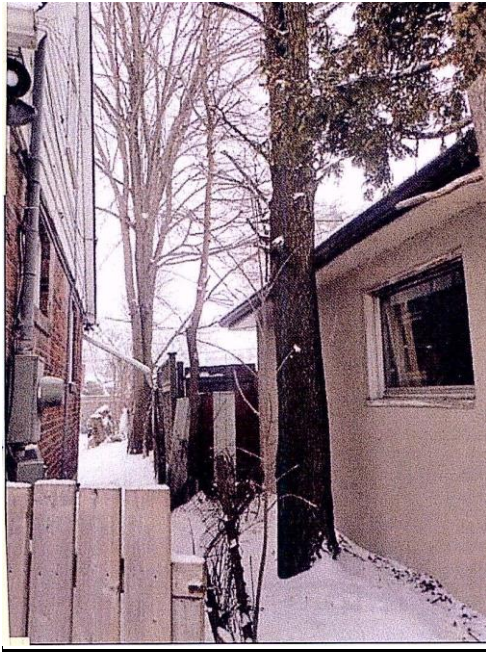
Urban Forestry staff have reviewed the application and provide the following recommendation:

- Urban Forestry requests that the Committee of Adjustment panel deny consent/variance no. B0071/A0656/A0655/18EYK.due to impacts to bylaw protected tree(s).

As outlined, approval of the requested variances may result in construction that requires the removal of the following healthy bylaw protected tree(s):



Two privately owned Siberian elm trees measuring 41 cm and 41 cm in diameter protected by MC 813, Article III Private Tree Bylaw



One privately owned Siberian elm trees measuring 32 cm in diameter located on the north neighbouring property protected by MC 813, Article III Private Tree Bylaw

Urban Forestry understands that the Committee panel considers in its deliberations the application's adherence to the City of Toronto's Official Plan (OP). The policies within the OP strive to balance economic, social and environmental factors. The OP contains policies relating specifically to the protection, preservation and enhancement of trees, including the following:

Section 3.4: The Natural Environment – Policy 1.d)

To support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly, based on:

d) preserving and enhancing the urban forest by:

- i) providing suitable growing environments for trees;
- ii) increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and
- iii) regulating the injury and destruction of trees;

If despite Urban Forestry's recommendation, the Committee of Adjustment panel approves the requested consent/minor variance, Urban Forestry requests the consent/minor variance be subject to the following conditions:

1. Submission of a complete application for a permit to injure or remove a privately owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article III Trees on Private land.

Advisory Comments

1. Approval of the consent/minor variances listed in the subject Committee of Adjustment application does not preclude the applicant from obtaining the necessary tree removal/injury permits from Urban Forestry.

2. All bylaw protected trees located on site and within 6 m of the site (12 m within the ravine protected area) must be protected in accordance with the City's *Tree Protection Policy and Specifications for Construction near Trees*. No excavation, grade changes, cutting of tree roots, extensive pruning to the tree's canopy or movement or storage of equipment/construction material/excavated soil is permitted within the minimum tree protection zones of trees unless prior authorization has been obtained from Urban Forestry.

If approved, applicants must provide Urban Forestry with a copy of the Committee of Adjustment Final & Binding Letter or the Toronto Local Appeal Body decision. A clearance letter will be issued once the required conditions are fulfilled. For additional information please forward inquiries to tpprwest@toronto.ca or call **(416) 338-6596**.

(Original signed by)

Max Dida

Supervisor, Tree Protection and Plan Review - West District

cc: Forestry File Committee of Adjustment

cc: Forestry File

Committee of Adjustment