

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

Urban Forestry
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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

**77 Thirty Fifth St– (File No.:B0084/A0789/A0788/18EYK.
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 defer this application until the applicant/owner provides Urban Forestry with the necessary information to confirm whether the following bylaw protected tree(s) can be adequately protected.

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

Tree No. 1 and 2



One privately owned red oak tree measuring 86 cm in diameter and one Norway maple tree measuring 76 cm in diameter 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/variances, Urban Forestry requests the consent/variances 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 Private Tree Protection.

Advisory Comments

1. Any application to injure and/or remove a City owned tree may be denied by Urban Forestry regardless of Committee of Adjustment approval. Should the applicant wish to appeal a denial by Urban Forestry, the matter may be referred to City Council through Community Council for consideration.
2. 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.
3. 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