

Max Dida
Supervisor, Tree Protection and Plan Review

Etobicoke Civic Centre
399 The West Mall, Main
Floor
Toronto, Ontario M9C 2Y2

Tel: 416-394-8551
Fax: 416-394-8935
Max.Dida@toronto.ca

May 27, 2020

To: Barbara Bartosik, Manager & Deputy Secretary-Treasurer City Planning, Community Planning – Etobicoke York District
From: Max Dida, Supervisor, Tree Protection and Plan Review – West District
Re: **File No. B0073/19EYK, A0647/19EYK, A0648/19EYK, 75 Thirty Eighth St- Minor Variance or Consent to Sever Application**

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

- Urban Forestry requests that the Committee of Adjustment panel deny the consent due to impacts to cancelation of planned City tree and the permanent loss of viable planting space.

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

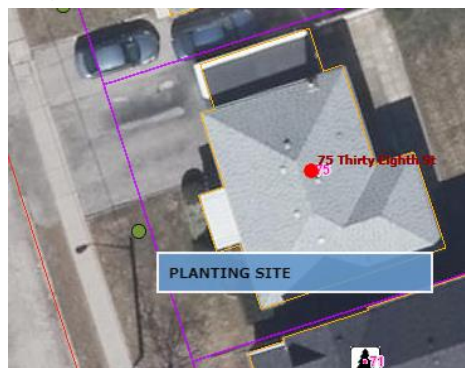
- 1) Submission of a complete application for a permit to injure or remove a City owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets.

Additional Information

As outlined, approval of the requested consent may result in construction that requires the permanent loss of viable planting space:



(Google maps photo taken July 2019)



(iView, City of Toronto)

City-owned
planned planting
site protected by
MCC 813, Article
II Street 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;

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