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September 8th, 2020

To: Anita Macleod, Manager & Deputy Secretary-Treasurer City Planning, Community Planning – Toronto East York District
From: Nicholas Trevisan, Supervisor, Tree Protection and Plan Review – South District
Re: **File No. A1304/19TEY 251 Dunvegan Rd - Minor Variance Application**

Urban Forestry staff have reviewed the application and recommend that the Committee of Adjustment panel:

- **Deny variance no. #4. Chapter 10.20.40.20.(1), By-law 569-2013**

The maximum permitted building length for a detached house is 17.0 m. The new detached house will have a building length of 44.04 m in the basement, 26.84 m on the ground floor and 24.55 m on the second storey. The approval of this variance will result in removal or intolerable injury to healthy bylaw protected private trees.

- **Deny variance no #5. Chapter 10.20.40.30.(1), By-law 569-2013**

The maximum permitted building depth for a detached house is 19.0 m. The new detached house will have a building depth of 39.48 m in the basement, 26.22 m on the ground floor and 23.94 m on the second storey. The approval of this variance will result in removal or intolerable injury to healthy bylaw protected private 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:

2. 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.

Additional Information

As outlined, approval of the requested variances regarding construction of a new two-storey detached house will result in removal or intolerable injury to healthy bylaw protected private trees.

Tree No. 28

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Privately-owned Red oak tree measuring 110 cm in diameter protected by Chapter 813 Article III Private Tree Bylaw.

Tree No. 26



Privately-owned Red oak tree measuring 105 cm in diameter protected by Chapter 813 Article III Private Tree Bylaw.

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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 remove/injure a City owned tree may be denied 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 tpprsouth@toronto.ca or call 416-392-7391.



Nicholas Trevisan
Supervisor, Tree Protection and Plan Review - South District

cc: Forestry File
Committee of Adjustment

