

Date: April 9, 2025

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: **A0130/25EYK, 14 Restever Gt Minor Variance Application**

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

Deny variances:

2. Section 10.5.40.60.(1)(C), By-law 569-2013

A platform without main walls attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required rear yard setback 2.5 m.

The proposed platform will encroach 3.22 m into the required rear yard setback.

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

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

Additional Information

As outlined, approval of the requested variances may result in construction of driveway, installation of the utilities that requires the removal of the following bylaw protected trees:



(Svetlana Verbitsky/Urban Forestry file Photo)

Two privately-owned silver maple trees measuring 95 cm and 114 cm in diameter protected by MCC 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;

Advisory Comments

1. Any application to remove a City owned tree and any application to injure a City tree that is not supported by Urban Forestry 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 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