

City Clerk's Office

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Ref.: 18-PE25.1**

April 6, 2018

Mr. Ian Lord
Chair
Toronto Local Appeal Body
40 Orchard View Boulevard, Second Floor Suite 211
Toronto, Ontario
M4B 1R9

Dear Mr. Lord:

**Subject: Parks and Environment Committee Item 25.1
Tree Protection through the Committee of Adjustment Process (Ward All)**

City Council on March 26 and 27, 2018, adopted the following:

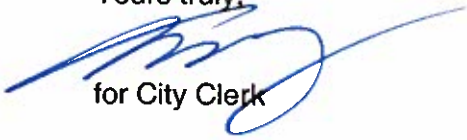
1. City Council direct the Chief Planner and Executive Director, City Planning to ensure that members of the Committee of Adjustment and the Toronto Local Appeal Body are provided with the most up-to-date Council policies, such as Council's new front yard parking pad restrictions, to ensure that members of these quasi-judicial bodies are aware of the decisions of City Council regarding tree and forestry issues.
2. City Council amend the criteria of Committee of Adjustment and Toronto Local Appeal Body Panels to include knowledge of, and/or background in, urban forestry and environmental planning.
3. City Council request the General Manager, Parks, Forestry and Recreation to provide annual training to Committee of Adjustment and Toronto Local Appeal Body members on tree By-law issues related to the Committee of Adjustment application process, and forestry issues to ensure that the members are educated regarding potential tree impacts with proposed front yard parking.
4. City Council direct that, as part of the requirements for a complete Committee of Adjustment application, applicants must submit a completed tree declaration form and include preliminary up-to-date coloured photos, a site plan outlining the "as-of-right" footprint, and tree details (diameter at breast height, tree species, and location) of all By-law protected trees located on site and within 6 metres of the site as part of the Committee of Adjustment application. All trees and tree protection zones must be identified on plans.
5. City Council require applicants, if approval has been granted for replacement trees, to provide photographic evidence of the replacement tree(s), two years post planting to the General Manager, Parks, Forestry and Recreation.

6. City Council direct that City staff conducting site visits to sites with tree protection barriers be provided with an information sheet summarizing the types of tree stressors (including, but not limited to, bark damage, exposed roots, pruning, and prohibition of building materials within the tree protection zone), and that City staff conducting site visits report any activity within the tree protection zones of By-law protected trees in a timely manner to 311 for follow up by Urban Forestry Enforcement and Compliance Staff.

7. City Council direct that 311 Toronto contact on-duty Parks, Forestry and Recreation staff when residents report damage to a tree that is occurring in progress, including tree protection barriers with urgent status.

8. City Council direct that the City of Toronto's "Tree and Ravine Protection Permits" website be updated to include information relating to tree replacement, such as Parks, Forestry and Recreation's Tree Planting Brochure.

Yours truly,



for City Clerk

M. Toft/wg

Attachment

Sent to: Chair, Toronto Local Appeal Body
Committee of Adjustment

c. City Manager

Parks and Environment Committee

PE25.1		Adopted		Ward:All
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Tree Protection through the Committee of Adjustment Process

City Council Decision

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7. City Council direct that 311 Toronto contact on-duty Parks, Forestry and Recreation staff

Recreation's Tree Planting Brochure.

Committee Decision Advice and Other Information

The Director, Urban Forestry, the Manager, Tree Protection and Plan Review, and the Acting Manager, Urban Forestry Policy and Planning, gave a presentation on Tree Protection through the Committee of Adjustment Process.

Origin

(December 13, 2017) Report from the General Manager, Parks, Forestry and Recreation

Summary

The purpose of this report is to provide a response to the motion adopted by City Council at its December 13, 14, and 15, 2016 meeting, requesting that the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor, the Chief Building Official and Executive Director, Toronto Building, and the Chief Planner and Executive Director, City Planning, undertake a review of the Committee of Adjustment consent and minor variance review process as it relates to tree protection.

This report will comment on the existing processes Urban Forestry undertakes to review and comment on Committee of Adjustment applications, highlight potential process improvements concerning development impacts to trees, outline how tree protection is addressed through the Ontario Building Code permit review and issuance process, and provide information on training and education for City staff administering the City's tree protection By-laws and the Committee of Adjustment review process.

Background Information (Committee)

(December 13, 2017) Report from the General Manager, Parks, Forestry and Recreation on Tree Protection through the Committee of Adjustment Process

(<http://www.toronto.ca/legdocs/mmis/2018/pe/bgrd/backgroundfile-111717.pdf>)

(February 23, 2018) Presentation from the General Manager, Parks, Forestry and Recreation on Tree Protection through the Committee of Adjustment Process

(<http://www.toronto.ca/legdocs/mmis/2018/pe/bgrd/backgroundfile-112920.pdf>)

Speakers

Councillor Paula Fletcher