



March 18, 2024

Re: Maintaining Tree Canopy until building permits are issued

Dear Ms. Allen & Councillor Kandavel,

The Cliffcrest Scarborough Village SW Residents Association (CSVSWRA) strongly supports the February 28, 2022 comments submitted by Urban Forestry with regards to (3291 Kingston Road, 2 Windy Ridge Drive and 4 Windy Ridge Drive), attached.

On November 30, 2022, CSVSWRA was granted 'Party Status' at the first Case Management Conference (CMC) of the Ontario Land Tribunal (OLT) Appeals: OLT-22-004294 & OLT-22-004295. The CSVSWRA, as we were advised, engaged legal counsel to ensure that we had a seat at the negotiation table. Additionally, the OLT, during the first CMC, directed that the CSVSWRA bring forward the concerns of the residents that were granted 'Participant Status' instead of their requested 'Party Status'. The OLT encouraged parties to come to an agreement during discussions.

Through out this process, the City did not engage with us as a Party, so **we were not privy to what may have been discussed with regards to the Tree Canopy and it's preservation.** *The Applicant* called evidence of a professional land use planner, Mr. Laveccia who stated a "few mature trees" will be removed.

However, available details indicate that there are 161 trees that will be impacted at this site, including more than 80 trees that are larger than 30cm diameter at breast height. Also, the property is part of a migratory bird route, and existing tree canopy within the property facilitates this migration and bird nesting. The TRCA 2012 Scarborough Shoreline Study, the TRCA January 2018 Natural Environment Technical Report, and the LGL November 19, 2021 Natural Heritage Impact Study confirm that there are several species at risk within and adjacent to the property.

In response to concerns raised by residents, among other items when preparing 'Minutes of Settlement' with the Applicant, CSVSWRA requested that,

"No trees or other vegetation will be removed until all approvals with respect to the development until the building permit or permits have been issued."

We do not understand why this reasonable request was denied by the Applicant.

Given the number of trees that will be impacted, we are respectfully requesting that you make enquiries to determine the feasibility of maintaining the tree canopy until building permits or permits are issued?

Could we also ask to ensure any tree and vegetation clearing is conducted within the timing restrictions noted and the provisions of the Migratory Birds Convention Act.

We would be happy to provide any additional information or meet with you to discuss further.

Sincerely,

Marina Tadenc on behalf of Board of Directors & Team
Cliffcrest Scarborough Village SW Residents Association

<https://cliffcrestscarboroughvillagesw.ca/about-us/>

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Parks, Forestry & Recreation
Janie Romoff, General Manager

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Memorandum

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DATE: February 28, 2022

TO: Paul Zuliani, Director, Community Planning, Scarborough District
Attention: Rory McNeil
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FROM: Janice Allen, Supervisor, Tree Protection & Plan Review, Scarborough District
Attention: Amanda Puopolo
Telephone: 416-338-5056 Email: Amanda.Puopolo@toronto.ca

**RE: Application for Approval of Plans: 3291 Kingston Rd/2-4 Windy Ridge Dr
Official Plan Amendment
Zoning By-Law Amendment Application No. 20 209863 ESC 20 OZ**

This memo acknowledges receipt of your revised Request for Comments circulated on January 12, 2022, regarding the above noted OPA and OZ applications which propose the development of an 11-storey residential building containing 309 dwelling units and a total GFA of 20,983.9 m². A total of 287 vehicle parking spaces and 233 bicycle parking spaces are proposed.

The information below represents comments from Urban Forestry TPPR (Tree Protection & Plan Review), with respect to the City Street Tree By-law and the Private Tree By-law, Municipal Code Chapter 813, Trees, Articles II and III. These comments do not include those of Urban Forestry's Ravine & Natural Feature Protection (RNFP) branch.

The following plans and reports were reviewed:

- Architectural Plans, prepared by RAW Design, revision dated December 9, 2021
- Civil Plans, prepared by Lithos Group Inc., revision no. 2, dated December 14, 2021
- Arborist Report, prepared by Jon Woodside Arborist, dated September 17, 2020 and revised October 22, 2021
- Tree Protection Plan, prepared by Adesso Design Inc., revision no. 8, dated December 15, 2021
- Landscape Plans, prepared by Adesso Design Inc., revision no. 8, dated December 15, 2021
- Toronto Green Standard Version 3- Checklist and Statistics Template

Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. Trees significantly enhance all new development and renewal projects, enhancing both the quality and value of our environment. The City's Official Plan recommends policies that have been adopted by City Council that call for an increase in the amount of tree canopy coverage. City Council has adopted the objective of increasing the existing 28 percent tree canopy coverage to 40 percent. The planting of large growing shade trees on both public and private lands should be an important

objective for all development projects. The early co-ordination of utilities and other infrastructure elements with the soil volume and air space required to permit the growth of large growing trees is particularly important. Suitable conditions for tree planting must be considered integral to the design, planning, and construction of all development projects.

Official Plan & Zoning Bylaw Amendment Application No. 20 209863 ESC 20 OZ:

Urban Forestry is not opposed in principle to development of this site, however at this time we do not support the Official Plan and Zoning By-law Amendment proposal, because aspects of the overall plan/concept for the site are, in Urban Forestry's opinion, inconsistent with parts of the City's Official Plan and council's objectives concerning tree canopy cover (summarized above), and do not demonstrate compliance with Tier 1 of TGS Version 3 (ecology section).

Specifically:

1. **At the earliest stages of design, special attention should be given to the retention and protection of existing (healthy) mature trees, located on City road allowance or private property, over the planting of new/replacement trees, as large mature trees provide significantly greater contributions (e.g. environmental, community benefits) than new or small trees.**
2. Tree by-laws to protect and preserve trees on City and private property have been established in order to attempt to retain as much crown cover as possible, particularly where development is concerned. **It is expected that retention and appropriate protection of existing trees will be considered when developing site plans, and whenever possible, buildings and driveways are to be diverted around trees. As proposed, this project would require the removal of all but three (3) By-Law protected trees on the subject site.** In total, it would require the removal of thirty-six (36) By-law protected privately owned trees, located on the subject site and two or three (inconsistent between plans) City street trees, located adjacent to Windy Ridge Dr., including a Silver maple tree of 101cm in diameter. In addition, it would require the injury of one (1) City street tree and three (3) private (neighbour/boundary) trees.
 - a) **Urban Forestry finds this unacceptable. Large-growing, long-lived shade trees, particularly those on City property and the outer edges of the site, should have every effort made for their retention.**
 - b) **Under this proposal, there is a net canopy loss, with at least 36 by-law protected trees being proposed for removal (in addition to dozens of undersized trees) and only 21 new trees being proposed. Significant changes need to be made to address this combined issue of excessive tree removal and insufficient tree replacement.**
3. Prior to approval of any zoning bylaw amendment application, the applicant should be required to demonstrate that they can comply with all elements of the city's Toronto Green Standards, including the parts of the ecology section, which pertain to existing and proposed trees.
4. Buildings and underground building structures (eg. parking garage) should be designed and built with sufficient setbacks from the property lines, proposed and existing public and private

roads, to allow for both the **retention of existing trees** and the satisfactory planting of large growing shade trees on private and/or city land as per the City of Toronto specifications.

5. The development of land should be designed and built from the earliest stages with sufficient soft landscape area in order to achieve or exceed the city's private and public (street) tree planting requirements, as defined under the Toronto Green Standard – Version 3, Tier 1 of the Ecology section.
 - a) Based on the Site Area of 5,970m², a total of 1,085m³ of soil volume is required. **As proposed, the applicant is not meeting this requirement.** Only areas where trees are proposed can be counted towards soil volume requirements. The current Soil Volume Plan exaggerates the overall calculations by including inappropriate areas that are either too narrow to support tree planting or where small trees only are proposed. Please review and revise, removing Soil Volume areas 2, 8, 9, 10, 11.
 - b) The Planting Plan focuses primarily on the planting of small, decorative trees, which do not provide anywhere near the same benefits of large-growing, long-lived shade trees (which should be the priority of any planting plan, especially where such a significant number of trees are proposed for removal).
6. Urban Forestry directs Community Planning to the following sections of the Official Plan, which support our position:

Section 3.1.1.13: The Public Realm

13. Sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities, by:

- a) **providing well designed and co-ordinated tree planting, landscaping, amenity spaces, setbacks, green infrastructure, pedestrian-scale lighting, street furnishings and decorative paving as part of street improvements;**
- b) **locating and designing utilities within streets, within buildings or underground, in a manner that will minimize negative impacts on the natural, pedestrian and visual environment and enable the planting and growth of trees to maturity;**

Section 3.1.1.16: The Public Realm

16. **The preservation, long-term growth and increase in the amount of healthy trees will be a priority for all development. Development proposals will demonstrate how the protection, provision and maintenance of trees and their growing spaces above and below ground will be achieved.**

If you require further information, please contact Amanda Puopolo, Urban Forestry Planner, at 416-338-5056 or by email at Amanda.Puopolo@toronto.ca.



Additional information about this corner in the neighbourhood:

A word from our future stewards: On October 24th, 2022 the students from St. Agatha Catholic School visited the Doris McCarthy Trail for a self guided tour created by CSVSWRA. In very close proximity to the top of the trail was a large sign indicating a proposed condo development. The students stopped to observe the trees and the impact the development could have for this small corner of the world. They were asked to submit their experiences about their school trip, which are captured in the 33 entries submitted by our future Stewards. **All 33 stories can be found by following this link:**

<https://cliffcrestscarboroughvillagesw.ca/data/documents/7-Letter-from-a-Concerned-Resident-our-futue-Stewards.pdf>

The link to the Memory Book: <https://www.bluffsmonitor.com/wp-content/uploads/flipbook/122/book.html>