

# Memorandum to the City of Markham Committee of Adjustment

August 11, 2020

**File:** A/042/20  
**Address:** 3 Talisman Cres – Markham, ON  
**Applicant:** Shiyu Zhao & Hao Zhang  
**Agent:** Rockim Design Inc.  
**Hearing Date:** Wednesday September 2, 2020

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following requirements of the “Residential One – (R1)” zone under By-law 1229, as amended, as it relates to a proposed two-storey detached dwelling. The variance requested is as follows:

**a) Infill By-law 99-90, Section 1.2 (vi):**

to permit a maximum floor area ratio of 49.50%, whereas the By-law permits a maximum floor area ratio of 45.0%.

## **BACKGROUND**

### **Property Description**

The 749.57 m<sup>2</sup> (8,068.50 ft<sup>2</sup>) subject property is located on the east side of Talisman Crescent, north of Ramona Boulevard, east of Main Street Markham North, and west of Paramount Road. There is an existing one-storey detached dwelling located on the subject property. The property has an approximate lot frontage of 18.36 m (60.24 ft) and an approximate lot area of 749.57 m<sup>2</sup> (8,068.30 ft<sup>2</sup>). Mature vegetation, including seven trees exist throughout the property, all of which have canopies that overhang onto neighbouring properties. Two of these trees are located within the interior side yard on the south side of the existing dwelling, and have canopies that span approximately 18.29 m (60.0 ft) which is confirmed by the arborist report submitted by the applicant.

The property is located within an established residential neighbourhood comprised of a mix of one and two-storey single detached dwellings with mature vegetation, which is a predominant characteristic along Talisman Crescent. The surrounding area can be described as one that is undergoing a transition with newer dwellings being developed as infill developments.

### **Proposal**

The applicant is proposing to demolish the existing one-storey detached dwelling and construct a two-storey detached dwelling with a finished basement. The plans submitted in support of the variance application propose gross floor areas of the first and second storeys of approximately 171.87 m<sup>2</sup> (1,849.99 ft<sup>2</sup>) and 164.47m<sup>2</sup> (1,770.34 ft<sup>2</sup>), respectively, for a combined gross floor area of approximately 336.34 m<sup>2</sup> (3,620.33 ft<sup>2</sup>). The variance requested proposes a two-storey detached dwelling with a combined floor area of 337.28 m<sup>2</sup> (3,630.45 ft<sup>2</sup>). The additional 0.93 m<sup>2</sup> (10.1 ft<sup>2</sup>) would account for any minor errors in construction.

### **Official Plan and Zoning**

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The subject property is designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings. Section 8.2.3.5 of the 2014 Official

Plan outlines development criteria for the “Residential Low Rise” designation with respect to height, massing and setbacks. This criteria is established to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, infill development is required to meet the general intent of these development criteria. Regard shall also be had for retention of existing trees and vegetation, the width of proposed garages and driveways and the overall orientation and sizing of new lots within a residential neighbourhood.

#### Zoning By-Law 1229

The subject property is zoned “Residential One (R1)” under By-law 1229, as amended, which permits one single detached dwelling per lot.

#### Residential Infill Zoning By-law 99-90

The subject property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure the built form of new residential construction will maintain the character of existing neighbourhoods. It specifies development standards for building depth, garage projection, garage width, floor area ratio, height, yard setbacks and number of storeys. The proposed development does not comply with the Infill By-law requirements with respect to maximum floor area ratio.

#### **Zoning Preliminary Review (ZPR) Undertaken**

The applicant completed a ZPR on March 10, 2020 to confirm the initial variance required for the proposed development. Upon review of the original proposal, Planning and Urban Design staff recommended that the proposed dwelling be alternatively sited to preserve one of the two mature trees in the interior side yard which was found to be in good condition. The submitted arborist report identified that the other tree in the interior side yard was in poor condition and warranted removal. To preserve the one tree, staff received revised plans siting the proposed dwelling further to the east from Talisman Crescent to provide additional spacing for the tree.

Revised plans were received by the City of Markham on July 28, 2020, confirming a new floor area ratio of 49.36%, which is a reduction from the applicant's initial proposal of 52.0%. The applicant has not conducted a ZPR for the revised drawings. Consequently, it is the applicant's responsibility to ensure that the application has accurately identified the appropriate variance request to the By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the building permit review process, further variance application(s) may be required to address the non-compliance.

#### **COMMENTS**

The *Planning Act* states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

### **Increase in Maximum Floor Area Ratio**

The applicant is requesting a maximum floor area ratio of 49.50%, whereas the By-law permits a maximum floor area ratio of 45.0%. The variance will facilitate the construction of a two-storey detached dwelling with a maximum floor area of 337.28 m<sup>2</sup> (3,630.45 ft<sup>2</sup>), whereas the By-law permits a dwelling with a maximum floor area of 306.62 m<sup>2</sup> (3,300.41 ft<sup>2</sup>). This is an increase of approximately 30.66 m<sup>2</sup> (330.04 ft<sup>2</sup>).

Floor area ratio is a measurement of the interior square footage of the dwelling as a percentage of the net lot area however; it is not a definitive measurement of the mass of the dwelling. While variances are not precedent setting and are evaluated on their own individual merits and site characteristics, staff do consider other surrounding developments to assist in the evaluation of the character of an area. It is the opinion of staff that the proposed gross floor area is similar to other recent infill developments, and is in keeping with the intended scale and character of the transitioning neighbourhood. Staff are of the opinion that the proposed floor area ratio of 49.50% will not adversely impact neighbouring properties, and generally maintains the intent of the By-law and Official Plan.

### **Tree Protection & Compensation**

The applicant submitted an arborist report and tree protection plan in support of the application (Appendix "D"), which has assessed the condition of the trees on the property, and proposes the removal of the following two trees to facilitate the construction of the new dwelling:

- Tree One (T1): One Manitoba Maple tree assessed as dead, located within the rear yard; and
- Tree Three (T3): One Silver Maple tree assessed as poor, located within the southern interior side yard.

An applicant's ability to use the existing vegetation and, or proposed vegetation to "soften" the new development within an established community is factored into staff's assessment. Staff are of the opinion that the alternative siting of the dwelling, as identified earlier in this report and shown in Appendix "B", provides for a more appropriate development of the subject property as it will preserve an existing mature tree in good condition within the interior side yard. Operations staff have requested that the appropriate tree compensation be provided for the proposed removal of Tree Three (T3), and staff recommend that the tree protection and compensation conditions provided in Appendix "A" be adopted in any decision of approval.

### **Metrolinx Requirements**

Metrolinx provided comments on this application on April 6, 2020 (Appendix "C"), as the subject property is within the limits of the railway's buffer area of 300.0 m (984.25). Metrolinx has requested that the Owner provide confirmation that warning clauses are inserted into development, and offers of Purchase and Sale or Lease agreements, as alterations or expansions to the existing rail facilities may affect the living environment of the residents within the vicinity. Metrolinx has also requested that an environmental easement for operational emissions be registered on title against the subject residential dwelling in favour of Metrolinx. Staff recommend a condition of approval be added requiring the applicant to satisfy Metrolinx's requirements prior to the issuance of a building permit as provided for in Appendix "A".

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of August 11, 2020. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

## **CONCLUSION**

Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request meets the four tests of the *Planning Act* and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the By-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please see Appendix "A" for conditions to be attached to any approval of this application.

## **APPENDICES**

Appendix "A" – Conditions of Approval

Appendix "B" – Plans

Appendix "C" – Metrolinx Comments

Appendix "D" – Arborist Report & Tree Protection Plan

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



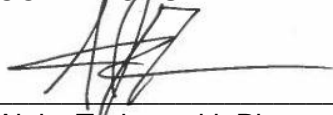
Stephen Corr, Senior Planner, East District

## **APPENDIX "A"**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/042/20**

1. The variances apply only to the proposed development as long as it remains.
2. That the variances apply only to the subject development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report and received by the City of Markham on March 11, 2020, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. That the Tree Assessment and Preservation Plan prepared by Allans Landscaping, dated April 16, 2020, as amended on June 10, 2020 (Appendix "D"), be reviewed and approved by the City, in accordance with the City's Streetscape Manual (2009), as amended, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Director of Operations that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
4. That tree replacements be provided and/or tree replacement fees be paid to the City for the removal of Tree #3 in accordance with the Arborist Report prepared by Allans Landscaping, dated April 16, 2020 as amended on June 10, 2020 (Appendix "D"), and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation Technician or Director of Operations.
5. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation Technician or Director of Operations.
6. That the applicant satisfies the requirements of Metrolinx, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix "C" to this Staff Report, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:



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Aleks Todorovski, Planner, Zoning and Special Projects

**APPENDIX “B”**

**PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/042/20**

## Appendix B

File: 20.110552.000.00.MNV

Date: 08/27/20 MMDDYY

SURVEYOR'S REAL PROPERTY REPORT – PART 1  
PLAN OF  
LOT 45  
REGISTERED PLAN 4877  
CITY of MARKHAM  
REGIONAL MUNICIPALITY OF YORK

## LEGEND

×100.56	Denotes existing Grade
F.F.	Finished First Floor
T.W.	Top Of Foundation Wall
B.S.	Top Of Basement Slab
U/SF	Underside Of Footing
SW	Swale Elevation
←	Direction Of Drainage
▽	Man Door Location
▼	Drive-In Overhead Door
R.	Riser
WOB	Walkout Basement

## SITE DATA

Lot Area	749.57 Sq.m
Propose building area	
Ground floor area	131.84 Sq.m
Garage area	40.03 Sq.m
Wood deck	15.48 Sq.m
Conc. porch	4.18 Sq.m
Second floor area	164.47 Sq.m
Net Lot area	681.35 sq.m
Total gross floor area	336.34 sq.m (49.36%)
Lot Coverage (incl. deck+porch)	176.05 Sq.m

**GENERAL NOTES:**  
This drawing, as an instrument of service, is provided by and is the property of the DESIGNER. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the DESIGNER of any variations from the supplied information. The Designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., engineering information shown on this drawing. Refer to the appropriated engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirement of authorities having jurisdiction. This drawing is not to be scaled.

## REVISIONS

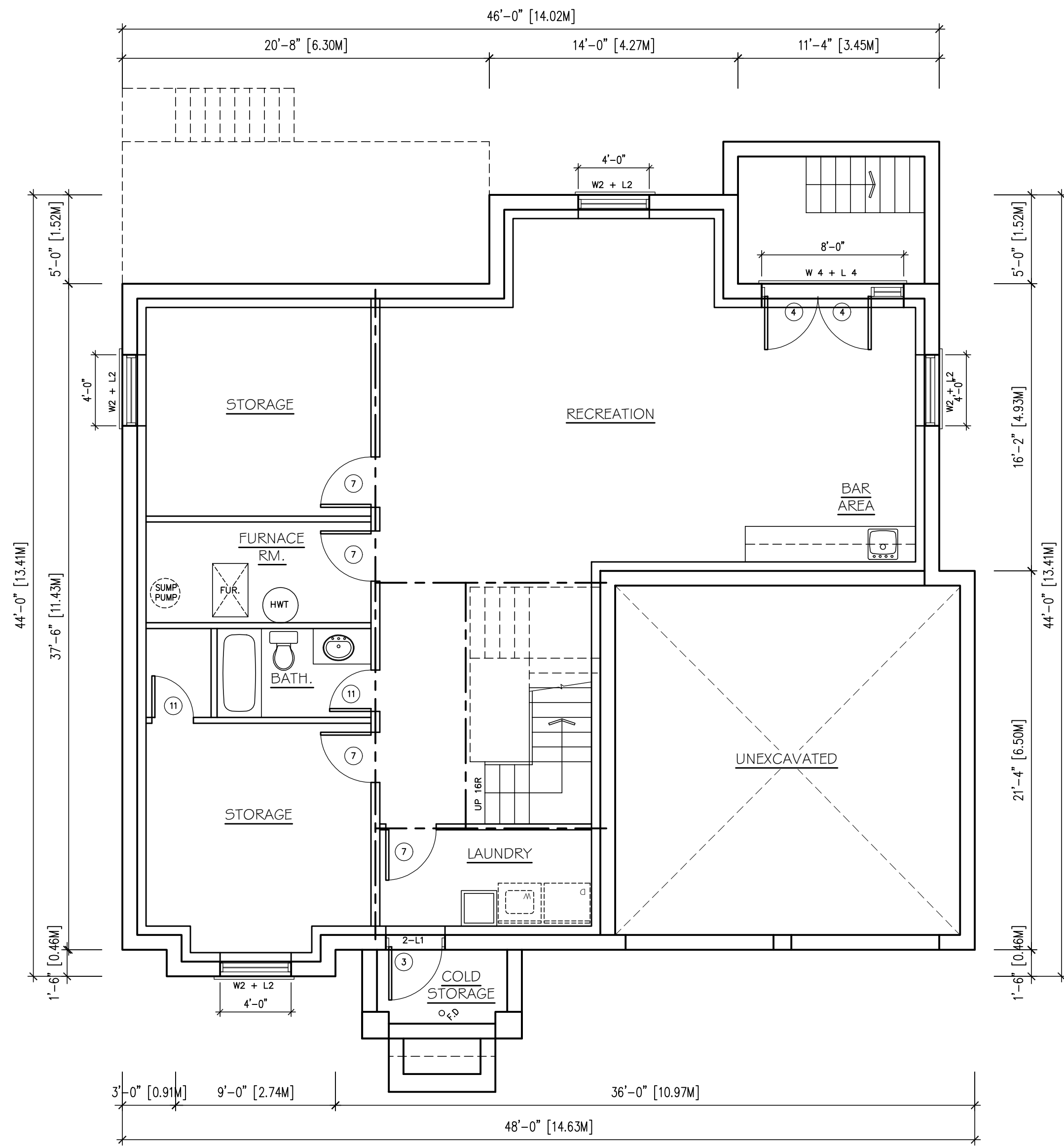
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PROJECT  
**PROPOSED  
DWELLING BUILDING**  
  
3 TALISMAN CRESCENT  
MARKHAM, ON

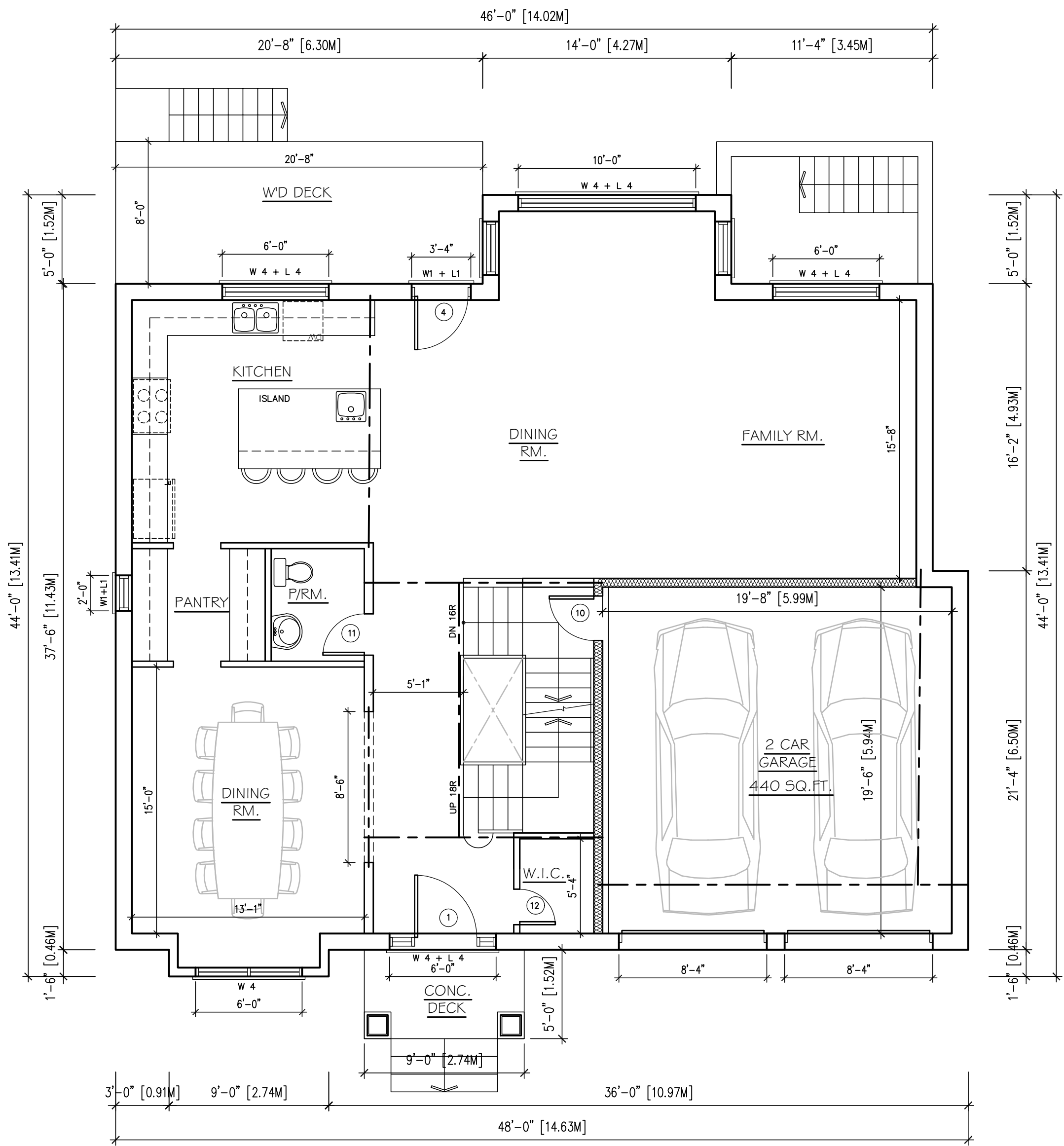
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**SITE PLAN**

DRAWN BY R.K.	DRAWING NUMBER <b>A0.1</b>
CHECKED BY R.K.	
SCALE 1:150	
DATE FEB., 2020	
PROJECT NUMBER	





1 BASEMENT FLOOR PLAN  
A1.1 SCALE: 3/16"=1'-0"



2 GROUND FLOOR PLAN  
A1.1 SCALE: 3/16"=1'-0"

**GENERAL NOTE:**  
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No.	ISSUED FOR	DATE
No.	REVISIONS	DATE

DRAWING TITLE:  
FLOOR PLANS

PROJECT: PROPOSED  
DWELLING BUILDING  
  
3 TALISMAN CRESCENT  
MARKHAM, ON

**RockIM**  
DESIGN INC.  
ARCHITECTURAL PARTNER  
TEL 847-486-2767 rockkim22@gmail.com

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Required unless design is exempt under 31.3.1 of the building code

QUALIFICATION INFORMATION

Rock Kim 36340

Signature Date FEB. 24, 2020

Required unless design is exempt under 31.3.1 of the building code

REGISTRATION INFORMATION

Rockim Design 45379

Firm Name BCKJ

SCALE: AS NOTED

DRAWN: R.K.

CHECKED BY:

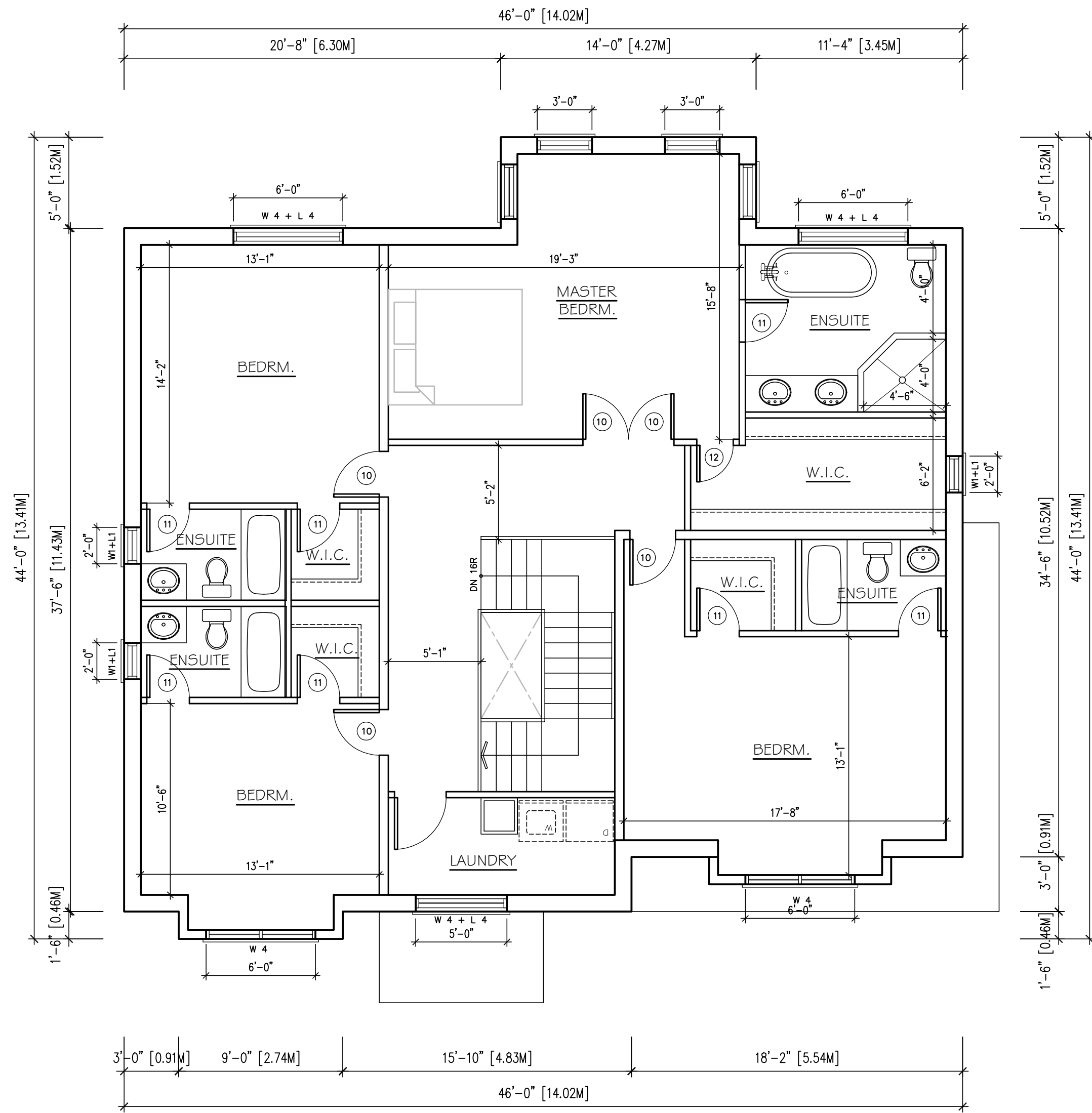
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DATE: FEB. 24, 2020

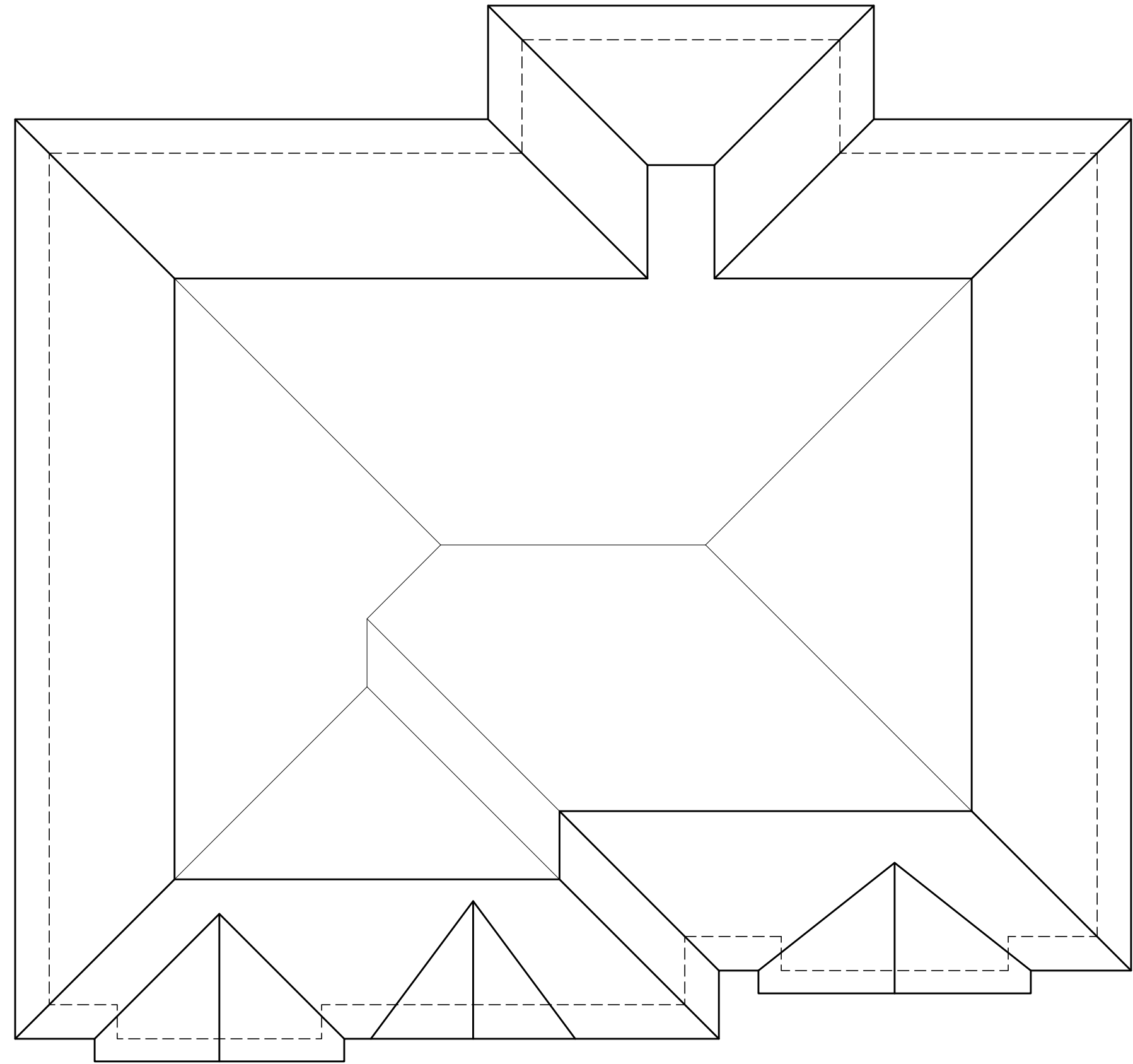
DRAWING No.

A1.1





1 SECOND FLOOR PLAN  
A1.2 SCALE: 3/16"=1'-0"



2 ROOF PLAN  
A1.2 SCALE: 3/16"=1'-0"

**GENERAL NOTE:**  
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No.	ISSUED FOR	DATE
No.	REVISIONS	DATE

DRAWING TITLE:

FLOOR PLAN  
ROOF PLAN

PROJECT: PROPOSED  
DWELLING BUILDING

3 TALISMAN CRESCENT  
MARKHAM, ON

**RockIM**  
**DESIGN INC.**  
ARCHITECTURAL PARTNER  
TEL 847-486-2767 rockkim22@gmail.com

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Required unless design is exempt under 3.1.3.1 of the building code

QUALIFICATION INFORMATION

ROCK KIM 36340

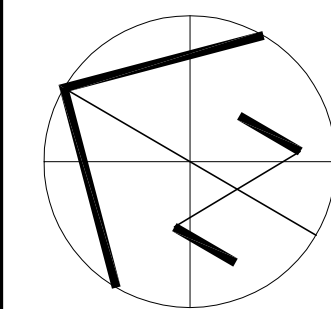
Signature Date

Required unless design is exempt under 3.1.3.1 of the building code

REGISTRATION INFORMATION

ROCKIM DESIGN 45379

Firm Name



SCALE:

AS NOTED

DRAWN:

R.K.

CHECKED BY:

FILE NO:

DATE:

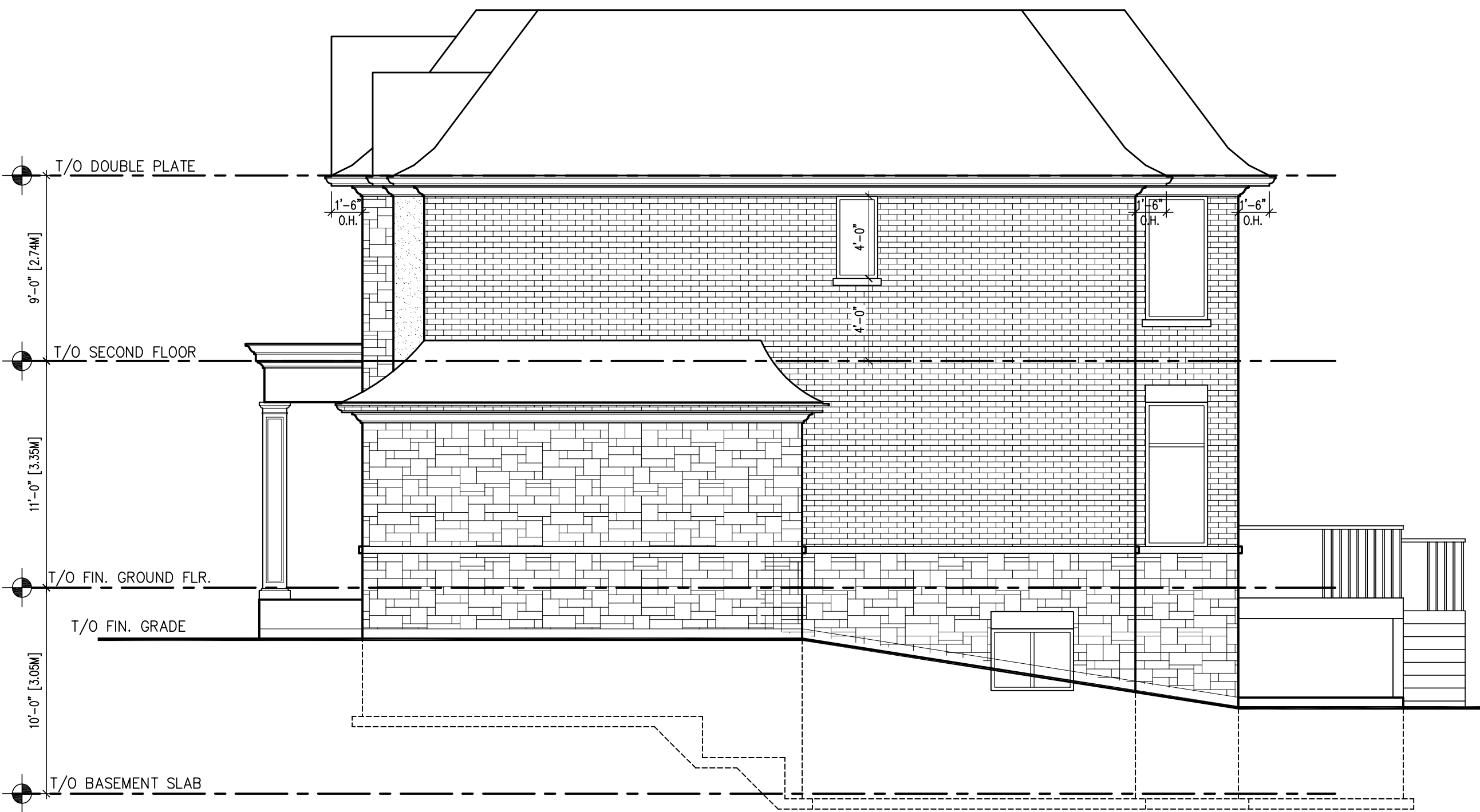
FEB. 24, 2020

DRAWING No.

A1.2



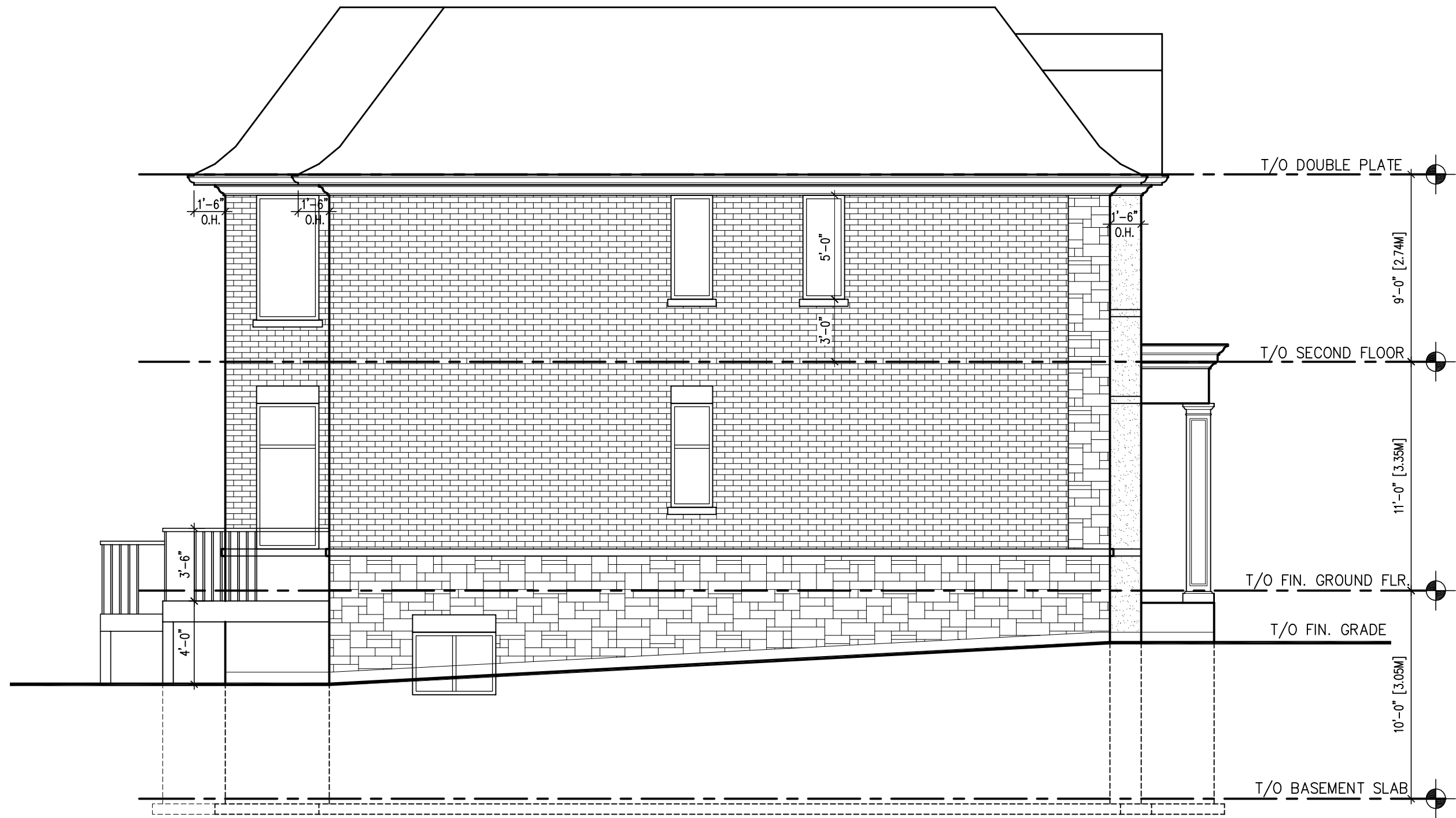
1 WEST SIDE ELEVATION  
A2.1 SCALE: 3/16"=1'-0"



2 SOUTH SIDE ELEVATION  
A2.1 SCALE: 3/16"=1'-0"



3 EAST SIDE ELEVATION  
A2.1 SCALE: 3/16"=1'-0"



4 NORTH SIDE ELEVATION  
A2.1 SCALE: 3/16"=1'-0"

**GENERAL NOTE:**  
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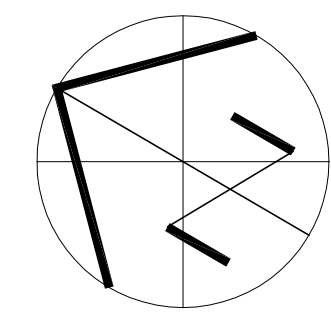
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No.	REVISIONS	DATE

DRAWING TITLE:  
ELEVATIONS

PROJECT: PROPOSED  
DWELLING BUILDING  
  
3 TALISMAN CRESCENT  
MARKHAM, ON

**RockIM**  
DESIGN INC.  
ARCHITECTURAL PARTNER  
TEL 847-486-2767 rockkim22@gmail.com

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
Required unless design is exempt under 3.2.5.1 of the building code  
Name: ROCK KIM 36340 BCMA  
Signature: [Signature] Date: FEB. 24, 2020  
**REGISTRATION INFORMATION**  
Required unless design is exempt under 3.2.4.1 of the building code  
Firm Name: ROCKIM DESIGN 45379 BCMA



SCALE: AS NOTED  
DRAWN: R.K.  
CHECKED BY:  
FILE NO:  
DATE: FEB. 24, 2020

DRAWING No.

A2.1

**APPENDIX “C”**  
**METROLINX COMMENTS**

**CAUTION:** This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hello Justin,

Further to the Variance Application dated March 23<sup>rd</sup>, 2020 for 3 Talisman Crescent, Markham, I note the subject site is within 300 metres of Metrolinx's Uxbridge Subdivision which carries Stouffville GO Train service, I further note that the subject application is to accommodate a residential development. We have no objections to the proposed development and my comments below are regarding the forthcoming site plan application;

\*Prior to the issuance of Site Plan Approval, the Owner shall provide confirmation to Metrolinx that the following warning clause is inserted in all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right-of-way:

**Warning:** Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

\*Prior to the issuance of Site Plan Approval, the Owner shall grant Metrolinx an Environmental Easement for operational emissions, registered on title against the subject residential dwelling in favour of Metrolinx.  
I have attached our Environmental Easement language as a reference.

Should you have any questions, please contact myself.

Thank you,

**Terri Cowan**

Third Party Projects Officer

Third Party Projects Review | Capital Projects Group

Metrolinx | 20 Bay Street, Suite 600 | Toronto, Ontario | M5J 2W3

T: 416-202-3903 C: 416-358-1595



### **Form of Easement**

WHEREAS the Transferor is the owner of those lands legally described [insert legal description] (the "**Easement Lands**");

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting or releasing thereon or otherwise affecting the Easement Lands at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations (herein collectively called the "**Operational Emissions**").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of each party hereto, if more than one person, shall be joint and several.

Easement in gross.

**APPENDIX “D”**  
**ARBORIST REPORT & TREE PROTECTION PLAN**

# Tree Protection Arborist Report

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**Address:** 3 Talisman Crescent, Markham, ON L3P 2C8  
**Visit Date:** April 12th, 2020  
**Report Date:** April 16th, 2020  
**Arborist:** Jinning Li (I.S.A Certified Arborist # ON-1294A)  
**Phone:** 647-286-3938  
**Email:** allanli.landscape@gmail.com

Preface	.....P1
Tree protection inventory table	.....P2
Site plan and existing tree Numbering	.....P3-P4
Tree condition and protection methods in details	.....P5-P7
The Inventory tree pictures	.....P8-P18
Tree Protection Policy and Specifications for Construction Near Trees	.....P19-P27



# Tree Protection Arborist Report

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## Preface

Dear Sir /Madam

The report is the tree protection plan of 3 Talisman Crescent in Markham city. By the rules and regulations of city tree protection in construction near the trees, we reported the plan which included all tree protection details in this property area and adjacent neighbors trees within 6 m within the property line. There are a total of 10 trees in the tree protection plan, six trees belong to the property owner, one common tree, three neighbors trees, the amount of the 10 trees, one trees that need to be removed as T3. The tree is poor condition or dying, And there is not enough areas of TPZ measurements of 4.8m . the new house foundation and replacement of the new driveway excavation open line. The course of action is the removal of the one tree during limited trees located. The biggest tree, T1 in the front yard is a silver maple. The PTZ is 5.4m. The tree is protected as the city tree protection policy. Show as page 5-page 7. the requirement: [tree protection policy and specifications for construction near the tree]. The berries are made by 2"x4" solid wood frame covering with plastic oranges snow fence in sediment berries as city requirement. There is a dangerous dead Manitoba tree to be removed in the backyard soon as possible. The rest of the six trees need to be protected by solid berries as a 2"x 4" wood frame covered with plywood in 19 mm or 3/4" hoarding as a sediment protection fence. The details as the following statement:

# Tree Protection Arborist Report

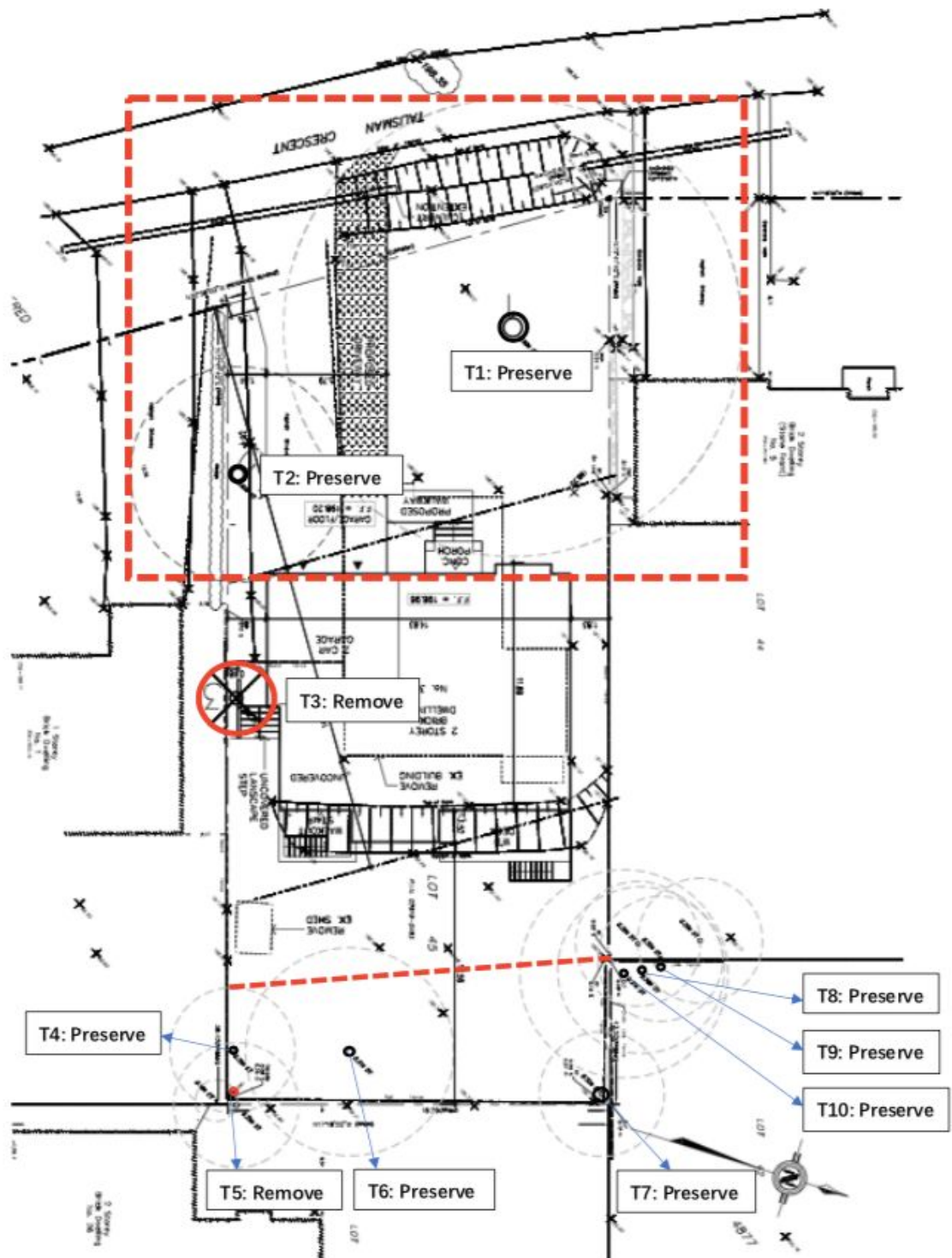
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## 1. The table of tree inventory at 3 Talisman Crescente

Tree No.	common name	Botanical name	DBH	Location	Condition	TPZ	Ownership	Course of action
T1	Silver maple	Acer saccharinum	90 CM	Front yard	Good	5.4 M	Owner	preserve
T2	Silver maple	Acer saccharinum	66 CM + 60 CM	Side of drive way	Good	4.2M	Owner	preserve
T3	Silver maple	Acer saccharinum	70 CM	Side of drive way	poor	4.2 M	Owner	remove
T4	white cedar	Thuja occidentalis	25 CM	Back yard	Fair	1.8 M	Owner	preserve
T5	Manitoba maple	Acer negundo	20 CM	Back yard	Dead	1.8 M	Owner	Remove
T6	Black cherry	Prunus serotina	31 CM	Back yard	Good	2.4 M	Owner	preserve
T7	Manitoba maple	Acer negundo	25 CM	Back yard	Good	1.8 M	common tree	preserve
T8	Siberian elm	Ulmus American	20 CM	Back yard	Good	1.8 M	Neighbor tree	preserve
T9	Siberian elm	Ulmus American	31 CM	Back yard	Good	2.4 M	Neighbor tree	preserve
T10	Siberian elm	Ulmus American	28 CM	Back yard	Good	1.8 M	Neighbor tree	preserve

# Tree Protection Arborist Report

## 3. Tree protection plan on site showing



# Tree Protection Arborist Report

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## 4. Tree condition details:

**T1** is a Silver maple. DBH 90cm. It is a healthy tree. The tree canopy is 50' and the height is about 60'. It is located in the front yard, the tree trunk has no cracks or any damage or rotten, the crown has no dead, no broken, no disease or rotten branches or limbs. The PTZ is enough distance to new house construction. The course of action is preserving it. Since it is located in the front yard, the hoarding berries are made by the solid wood frames (2"x4") covered with a plastic orange snow fence. The sediment berries fence is 4' height. Details as the city requirement as TREE PROTECTION POLICY AND SPECIFICATION FOR CONSTRUCTION NEAR TREE.

**T2** is a Silver maple. It is a double trunks structure. One trunk is 60cm. Another trunk is 66cm, the bottom of the trunk diameter which just below the fork is 90cm. The tree is 70' in height, the tree canopy is 60'. The one trunk leans towards the south side neighborhood in 60 degrees. and another one to the north side. The tree crown drip line is over the roof of the old house. The course of action is to preserve the tree. PTZ is 4.2M.

**T3** is a silver maple. The DBH is 70cm, there are three main branches. Each in diameter 42cm, 31cm, 26cm; The tree height is 65' and the tree canopy measurement is 55', the tree is located in the front yard which is growing between two houses and beside the wood fence. Almost the same situations as T2, T3 has no enough area in PTZ 4.2m (14') in measuring the distance of the house wall to the tree trunk. Almost the same as the T2 and the new house foundation excavation should seriously damage the tree root anchors or transport systems. It shows dead limbs, the trunk bottom has a lot of holes. The course of action is removing the tree and owners willing to pay the tree to destroy the fee for the new house building.

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**T4** is white cedar, DBH is 25 cm, the white cedar is 26' in height, and the tree canopy is 9'. It is located in the back yard and along the south side of a 4' height old wood fence, it is in good condition, it has no dead, broken, disease limbs or leaves. The PTZ of the tree is 1.8 m, the tree protection fence is made by the solid wood frame with plywood in 4' height. The course of action is to preserve the white cedar. The tree protection detail follow as [TREE PROTECTION POLICY AND SPECIFICATIONS FOR CONSTRUCTION NEAR TREE]

**T5** is a Manitoba maple, DBH is 20 cm, it is located in the backyard. Just in the corner of the southeast 4' height old wood fence. It is a dead tree, the course of action is to remove it as soon as possible.

**T6** is black cherry, it is located in the backyard, the DBH is 31cm, it is in good condition. It has no dead, broken, disease, or even a no broken landing one on the tree crown, the trunk of the tree no cracks, no damage, PTZ of the tree is 2.4m, the course of action preserves the good tree. And the protection fence as city policy recommendations by a solid wood frame with a plywood sediment fence. Detail as TREE PROTECTION POLICY AND SPECIFICATIONS FOR CONSTRUCTION NEAR TREE]

**T7** is a Manitoba maple, the DBH is 26cm, It is a common tree which is growing in the northeast corner of the 4' height old wood fence. The tree is in fair condition, and the tree just fully in the limbs may need to be thinning. There are no dead, broken, no disease branches or limbs on the tree crown. Some vines are cleaned up in tree crowns. PTZ of the Manitoba maple is 1.8 m. The course of action is to preserve the tree. The tree protection berries of sediment fence follow the city protection policy in construction near the tree. The tree protection fence by solid wood: such as 2"x 4" wood frame covered with plywood in 19 mm or 3/4" hoarding as a sediment protection fence in PTZ area. The details as the following requirements:[TREE PROTECTION POLICY AND SPECIFICATIONS FOR CONSTRUCTION NEAR TREE].

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**T8, T9, T10** are all the neighborhood trees in the northside. According to the 6 m in this property line to the neighborhood, there are three more as Siberian elms. They are located in the neighborhood yard, near the 6' height wood fence on their property and they are separated. The DBH: T8 is 21cm; T9 is 31cm, T10 is 28cm: there are in good condition, no dead, no broken, no disease branches on the tree crown. The course of the act preserves the three elm trees. Due to the back yard wood fence in 6' high, and the trees in the neighborhood yard, they are separated by the fence and do not need that tree protection measurements in those three trees. may only to put on 3"-5" landscaping mulch near the tree in the owner fence side to prevent from the compact the soil as shown on a tree protection plan.

**Tree inventory pictures of 3 Talisman Crescent**



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# Tree Protection Arborist Report

## 7. Tree Protection Policy and Specifications for Construction Near Tree

### A. Tree Protection Plan Details

The following diagrams provide details for tree protection barriers and sediment protection barriers:

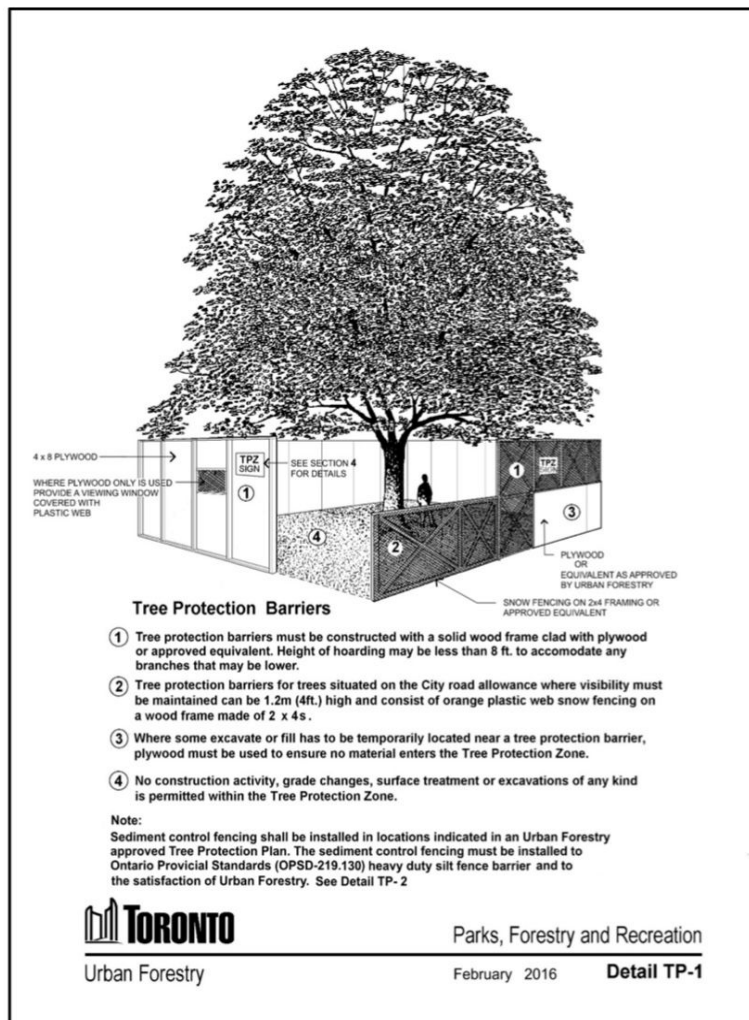


Figure 4: Urban Forestry Detail TP-1

# Tree Protection Arborist Report

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## B. PTZ minimum protection distance require details

Trunk Diameter (DBH) <sup>1</sup>	Minimum Protection Distances Required <sup>2</sup> City-owned and Private Trees
<10cm	1.2 m
10- 29 cm	1.8 m
30 <sup>3</sup> – 40 cm	2.4 m
41 – 50 cm	3.0 m
51 – 60 cm	3.6 m
61 – 70cm	4.2 m
71 – 80cm	4.8 m
81 – 90 cm	5.4 m
91 – 100 cm	6.0 m
>100 cm	6 cm protection for each 1 cm diameter

Table 1: Minimum Tree Protection Zone (TPZ) Determination

# Tree Protection Arborist Report

## C. Diagram showing how to determine tree protection zone

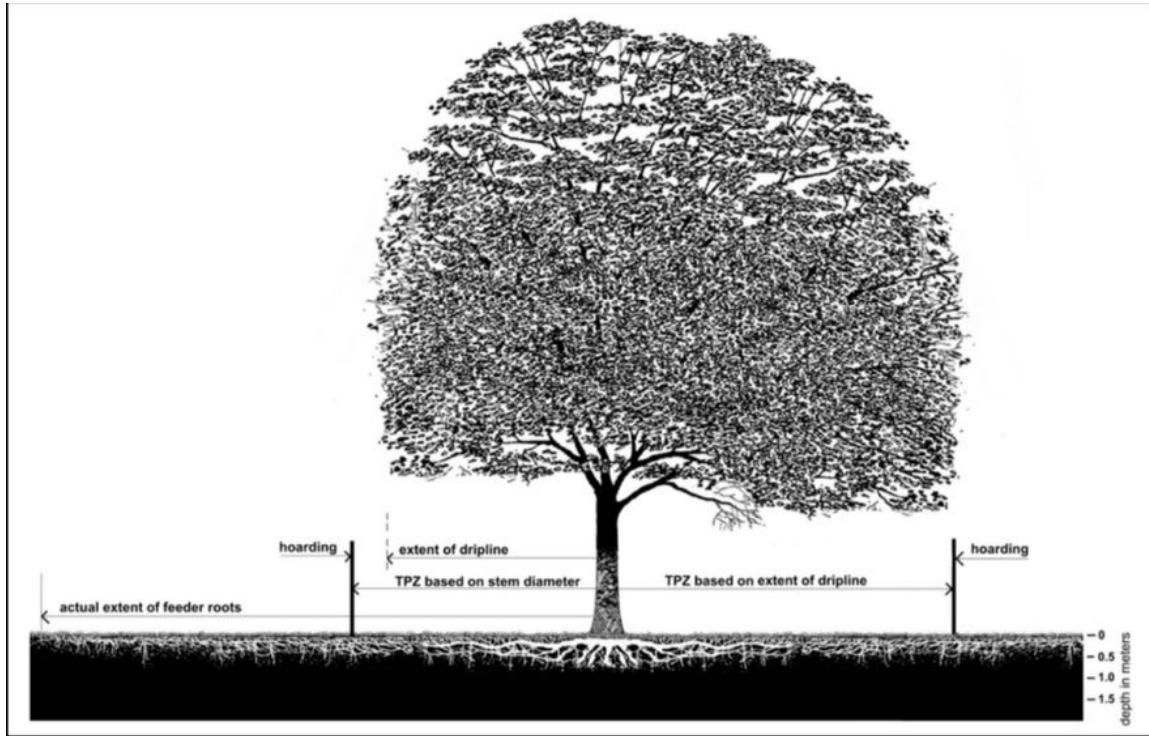


Figure: Minimum Tree Protection Zone (TPZ) Determination

Except where authorized by Urban Forestry, any activity which could result in injury or destruction of a protected tree or natural feature, or alteration of grade within a Ravine and Natural Feature Protection (RNFP) area, is prohibited within a TPZ, including, but not limited to, any of the following examples:

- demolition, construction, replacement or alteration of permanent or temporary buildings or structures, parking pads, driveways, sidewalks, walkways, paths, trails, dog runs, pools, retaining walls, patios, decks, terraces, sheds or raised gardens
- installation of large stones or boulders

# Tree Protection Arborist Report

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- altering grade by adding or removing soil or fill, excavating, trenching, topsoil or fill scraping, compacting soil or fill, dumping or disturbance of any kind
- storage of construction materials, equipment, wood, branches, leaves, soil or fill, construction waste or debris of any sort
- application, discharge or disposal of any substance or chemical that may adversely affect the health of a tree e.g. concrete sluice, gas, oil, paint, pool water or backwash water from a swimming pool
- causing or allowing water or discharge, to flow over slopes or through natural areas
- access, parking or movement of vehicles, equipment or pedestrians
- cutting, breaking, tearing, crushing, exposing, or stripping tree's roots, trunk, and branches.
- nailing or stapling into a tree, including attachment of fences, electrical wires or signs
- stringing of cables or installing lights on trees
- soil remediation, removal of contaminated fill
- excavating for directional or micro-tunneling and boring entering shafts

The above-mentioned prohibitions are for area(s) designated as a TPZ. If possible, these prohibitions should also be implemented outside the TPZ in areas where tree roots are located. The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the dripline.

## **D. Tree and site protection measure**

# Tree Protection Arborist Report

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The following are examples of specific tree and site protection measures that may be required by Urban Forestry:

- Plywood tree protection hoarding (minimum 19mm or 3/4"), or equivalent barriers, as approved by Urban Forestry, shall be installed in locations as detailed in an Urban Forestry approved Tree Protection Plan. Tree protection barriers must be made of 2.4m (8ft) high plywood hoarding or equivalent as approved by Urban Forestry. Height of hoarding may be less than 2.4m (8ft), to accommodate tree branches that may be lower, or as approved by Urban Forestry. Within a City road allowance where visibility is a consideration, 1.2m (4ft) high orange plastic web snow fencing on a 38 x 89mm (2"x 4") frame should be used. The detail on tree protection barrier construction is shown in Figure 4 in section 7 of this document

- In specific situations where the required full minimum tree protection zone (TPZ) cannot be provided, a horizontal (on grade) root protection, designed by a qualified professional such as arborist or landscape architect, may be considered, subject to approval by Urban Forestry. Urban Forestry's objective is zero soil compaction within the tree protection zone, therefore best efforts must be made to achieve this objective using materials and best practices available that minimize the vertical loading and spread the loading horizontally.

- Any area designated for stockpiling of excavated soil must be outside of TPZs and be enclosed with sediment control fencing. Sediment control fencing shall be installed in the locations as indicated in an Urban Forestry approved Tree Protection Plan. The sediment control fencing must be



# **Tree Protection Arborist Report**

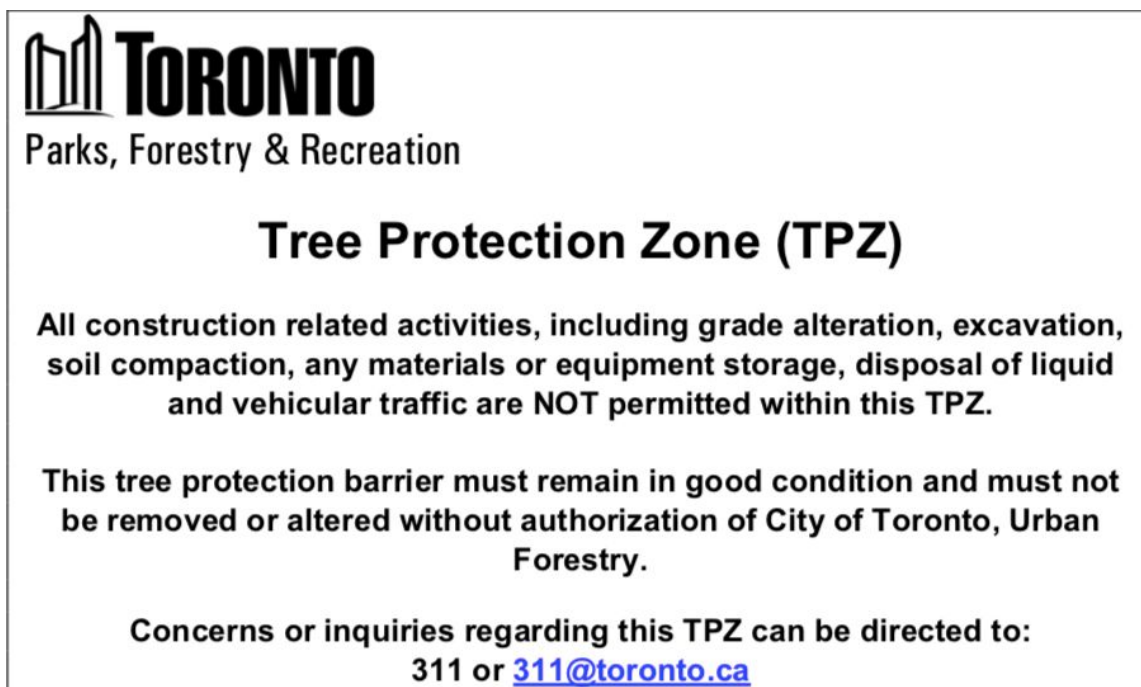
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installed to Ontario Provincial Standards (OPSD-219.130 – see Section 7, Figure 5) and to the satisfaction of Urban Forestry. When feasible, the sediment control fencing can be attached to the tree protection barrier as shown in Figure 6. Sediment control fencing near trees shall be constructed as per detail shown in Figure 6 of this document

# Tree Protection Arborist Report

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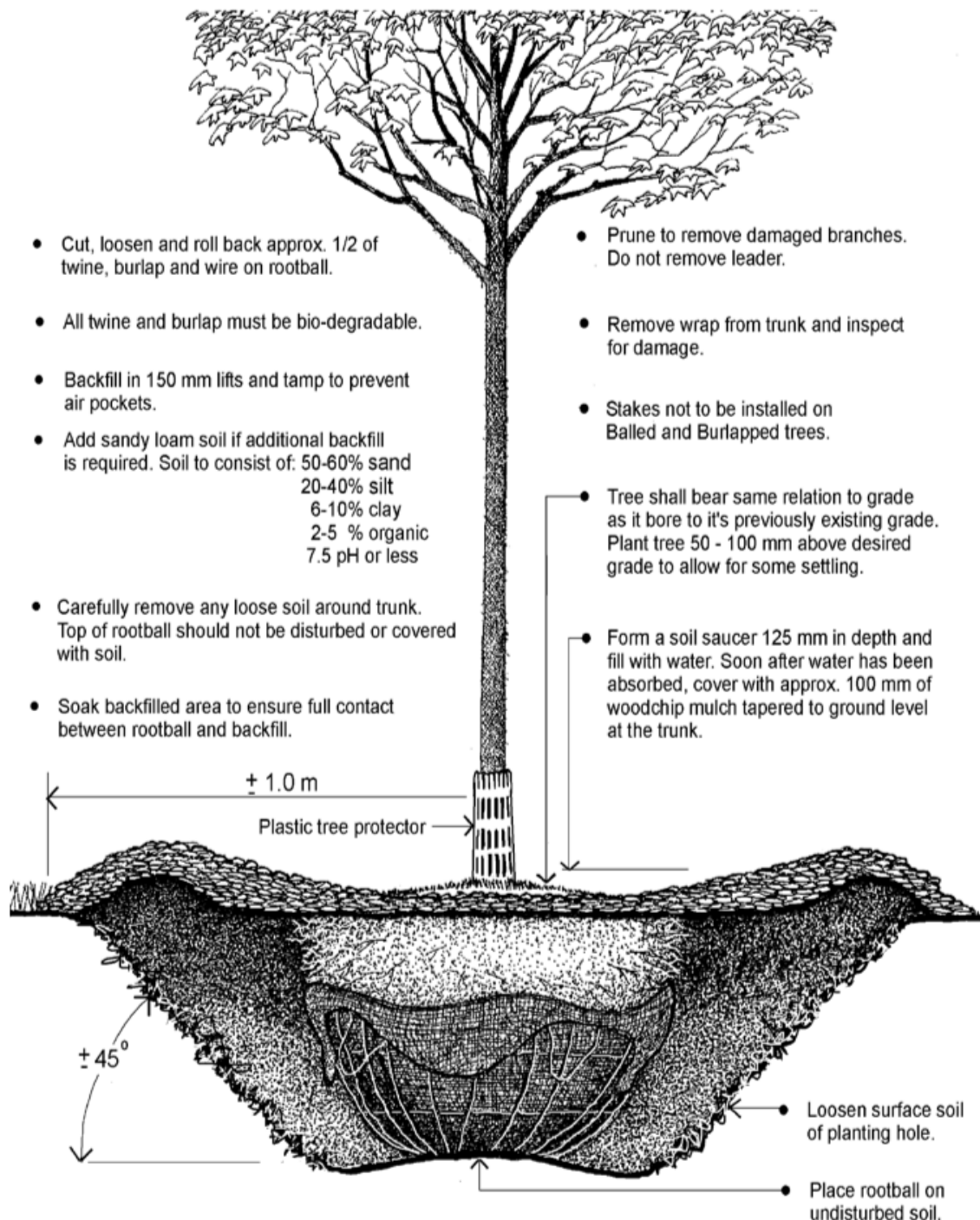
## E. Tree Protection Signage



A sign that is similar to the illustration above may be required to be mounted on all sides of a tree protection barrier for trees protected by the Street Tree By-law and the Private Tree By-law. The sign should be a minimum of 40cm x 60cm and made of white corrugated plastic board or equivalent material. The sign may also be acquired from Urban Forestry Tree Protection and Plan Review (TPPR) district service counters.

# Tree Protection Arborist Report

## F. Replanting plan diagram to showing how to correctly planting a new tree on site



# Tree Protection Arborist Report

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## Tree Protection and Plan Review (City-owned and Private Trees)

### North York District

5100 Yonge Street, 3<sup>rd</sup> Floor  
Toronto, ON, M2N 5V7  
Telephone: 416-395-6670  
Fax: 416-395-7886  
[tppnorth@toronto.ca](mailto:tppnorth@toronto.ca)

### Etobicoke York District

399 The West Mall, Main Floor, North Block  
Toronto, ON, M9C 2Y2  
Telephone: 416-338-6596  
Fax: 416-394-8935  
[tpprwest@toronto.ca](mailto:tpprwest@toronto.ca)

### Scarborough District

150 Borough Drive, 5<sup>th</sup> Floor  
Toronto, ON, M1P 4N7  
Telephone: 416-338-5566  
Fax: 416-396-4170  
[tppreast@toronto.ca](mailto:tppreast@toronto.ca)

### Toronto and East York District

50 Booth Avenue, 2<sup>nd</sup> Floor  
Toronto, ON, M4M 2M2  
Telephone: 416-392-7391  
Fax: 416-392-7277  
[tpprsouth@toronto.ca](mailto:tpprsouth@toronto.ca)

## Ravine and Natural Feature Protection

### General Enquiries

Telephone: 416-392-2513  
Fax: 416-392-1915  
Email: [rnf@toronto.ca](mailto:rnf@toronto.ca)

### Office Location

18 Dyas Road, 1<sup>st</sup> Floor  
Toronto, ON, M3B 1V5

Areas regulated under Ravine and Natural Feature Protection By-law can be viewed using the [City's mapping tool](#) available at [www.toronto.ca/trees](http://www.toronto.ca/trees).