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Toronto, ON M8W 2Y2 LongBranchNATO@gmail.com**

Planning and Housing Committee (phc@toronto.ca)

June 25, 2021

RE: Expanding Housing Options in Neighbourhoods – Garden Suites – Proposals Report

We have read the proposal report and while we agree with the idea of Garden Suites leading to affordable housing, it should not be at the expense of equal importance being put on environmental concerns. Below are our comments which include of particular concern the devastating effects of Garden Suites, as they are currently being proposed, on our mature tree canopy.

This report is making recommendations with very little real consideration for what already exists on the lot. In the case of Long Branch, mature trees.

According to the City data released January 2020, Long Branch is the hardest hit Neighbourhood for Tree Canopy loss in all of Etobicoke York. Long Branch has experienced the greatest Tree Canopy loss (-43.4%) in all of Ward 3 and all of Etobicoke according to the 2018 Tree Canopy Study conducted by the City of Toronto

2009 - 2018 Toronto Tree Canopy change by Etobicoke-York Ward*

Ward	Neighbourhood	Number	2018	2009	Change	% change
3	Long Branch	19	15.00	26.50	-11.50	-43.4
3	New Toronto	18	15.25	8.70	6.55	75.3
3	Mimico	17	16.49	13.40	3.09	23.1
3	Alderwood	20	26.83	24.70	2.13	8.6
3	Stonegate-Queensway	16	43.40	32.20	11.20	34.8
3	Islington-CityCenter West	14	15.73	15.40	0.33	2.1
3	Kingsway South	15	42.55	46.90	-4.35	-9.3
Total Ward 3			25.04	23.97	1.06	4.4

The same study also determined:

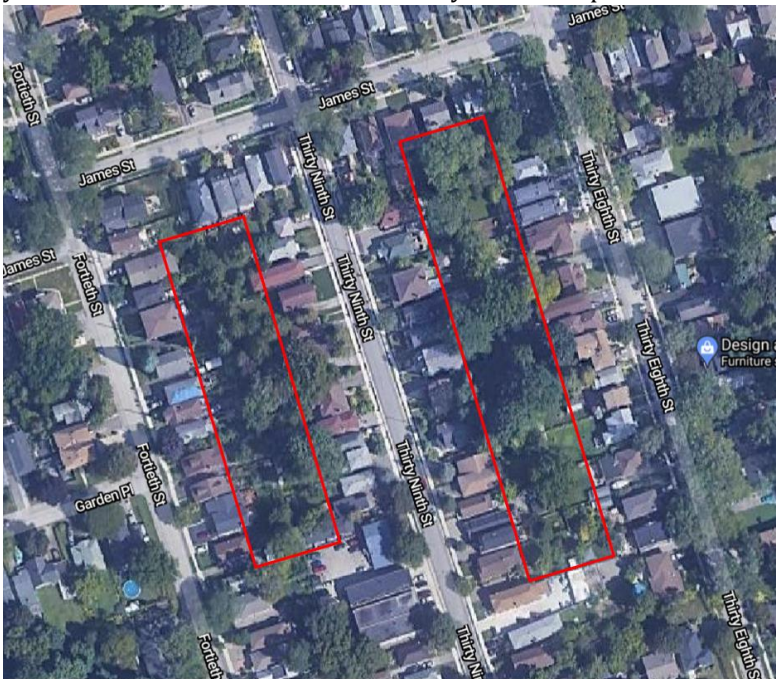
Tree mortality and tree cover loss are higher in areas where building permits indicate that **building renovation activities have occurred** (Steenberg et. al., 2018a; 2018b). This research leveraged Toronto’s open data program to investigate 15 years of building permit patterns and statistically test whether or not the presence and abundance of permits can be a predict of tree mortality. The findings of these papers suggest that **despite some preventative measures, such as tree protection zones**, renovation and other urban development and re-development activities can have a negative effect on Toronto’s tree population.ⁱ

The LBNA was very disappointed to find very specific information for Garden Suites about the height, footprint and inclusion of a basement, but no concrete assessment on how this will affect the mature tree canopy in a neighbourhood.

Long Branch has been the focus of development for several years for lot severances and we have watched our tree canopy be reduced by almost half, largely due to overdevelopment and construction in the neighbourhood. In 2019 Long Branch was a topic chosen by a University of Toronto Masters Student in Urban Forest Conservation's Capstone study assessing the effects of lot division on tree canopy. The study determined that:

- ***Of 40 severed lots there was a 55.7% of canopy loss between 2009 and 2018 and on the adjacent properties there was a 24% canopy loss between 2009 and 2018ⁱⁱ***

Through this study and the lived experience of Long Branch, it is obvious due to human nature, mature trees are often located on or near property lines. As such, the proposal of such a large foot print close to a property line for an as-of-right Garden Suite is not considering what is already on the land. In the case of Long Branch, mature trees 100 to 160 years old that are of such a size that they add to the public realm and are part of the culture of the neighbourhood.



Like severances, this is another form of overbuilding with the same effect.

While the Association agrees that there is potential to redevelop for Garden Suites on the foot print of existing rear yard garages, trees on adjacent properties and measures for existing trees need to be taken into account to ensure they survive and thrive. Technologies such as helical piles should be employed to ensure minimal impact to tree roots, the addition of basements should not be permitted in areas where it would affect mature trees, and there should be height restrictions to ensure healthy canopies are maintained. This would require substantial strengthening of the City of Toronto Municipal Code Chapter 813 Trees Bylaw to protect trees, which we see no mention of in this proposal.

Figure 1- Aerial shot from Google Maps - Thirty Eighth Street south of James. Large trees in the back yards are viewable from the street and part of the public realm. There are very few street trees or plantable space in the front. Permitting large Garden Suites would remove the only significant trees in the neighbourhood.

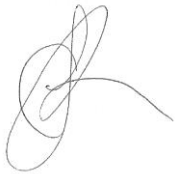
During the initial consultations, it was proposed that Garden Suites would be small. This is not reflected in the report where a basement and second story are permitted. This report proposes the garden suite could be between 60m² to 180m². This is a similar square footage to a newly built 4 bedroom home in Long Branch. That is much larger than what was expected or featured during the presentation where the “dream” Garden Suite was perceived to be much smaller and tucked into a back yard. This equates to another form of overbuilding similar to severances.

We wish to participate in further consultations about Garden Suites, where privacy and tree preservation are planned to be addressed more thoroughly. Considering the survey results revealed tree canopy concerns were of similar importance to the size, scale, privacy and shadowing, it is disappointing that size and scale is proposed without any substantive reference to tree protection. We hope our concerns will be heard and the next report will contain some

concrete solutions that will properly address mature tree protection in treed neighbourhoods like Long Branch. Particularly when the City has a stated goal to grow the tree canopy to 40%. This will never be achieved given how Garden Suites are currently being envisioned.

Finally, in the event that Garden Suites are permitted in Long Branch, provisions need to be made to factor in the Long Branch Neighbourhood Character Guidelines. Long Branch is one of the only neighbourhoods in Toronto that has Council approved Guidelines that ensure new development respects and reinforces the Neighbourhood Character. There needs to be a vehicle in that allows for these Guidelines to be applied within the garden suite framework.

Sincerely,



Christine Mercado
Chair,
Long Branch Neighbourhood Association

Cc

Mayor John Tory (mayor_tory@toronto.ca)

Giuliana Carbone, Community & Social Services (Giuliana.Carbone@toronto.ca)

Tracey Cook, Infrastructure & Development Services (tracey.cook@toronto.ca)

Carleton Grant, Municipal Licensing & Standards (Carleton.grant@toronto.ca)

Councilor Grimes (councillor_grimes@toronto.ca)

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ⁱ City of Toronto 2018 Tree Canopy Study page 224

ⁱⁱ Impact of Residential Intensification on Urban Forest in the Long Branch Neighbourhood, Toronto



Impact of Residential Intensification on Urban Forest in the Long Branch Neighbourhood, Toronto



Jackie De Santis, Master of Forest Conservation Student, U ofT

Internal supervisor: Dr. Danijela Puric-Mladenovic
External supervisors: Dr. Andy Kenney and Judy Gibson

December 10, 2019

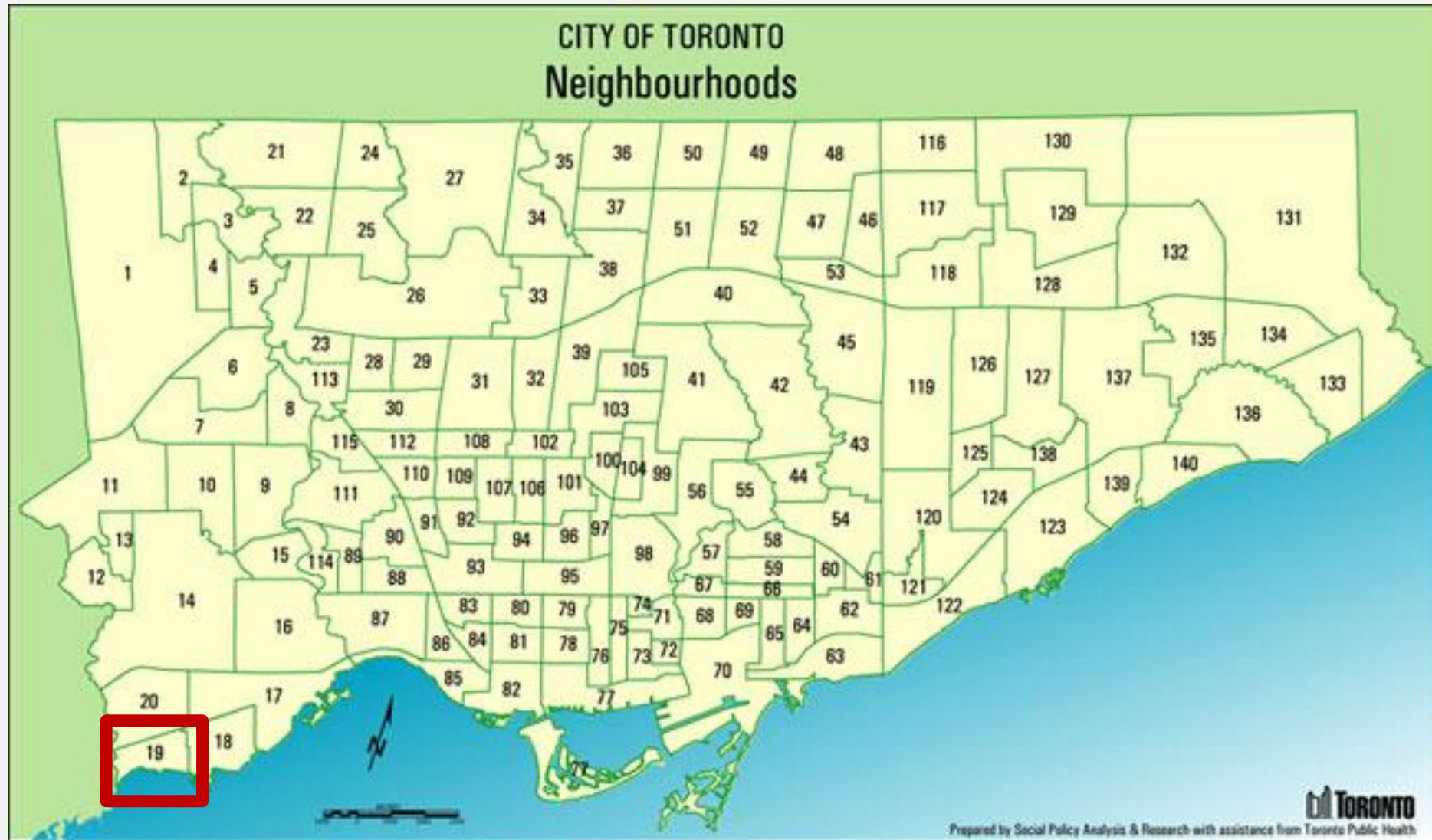
PLANNING RESILIENT, LIVABLE CITIES

An aerial photograph of a city neighborhood. In the foreground, there is a large body of water (a lake or bay) with a sandy beach and a pier extending into the water. The middle ground shows a dense residential area with many houses and trees. In the background, there are more trees and a road with a bridge. The overall scene is lush and green, suggesting a focus on urban sustainability and livability.

RESIDENTIAL
INTENSIFICATION

INCREASE TREE
CANOPY

STUDY SITE: LONG BRANCH



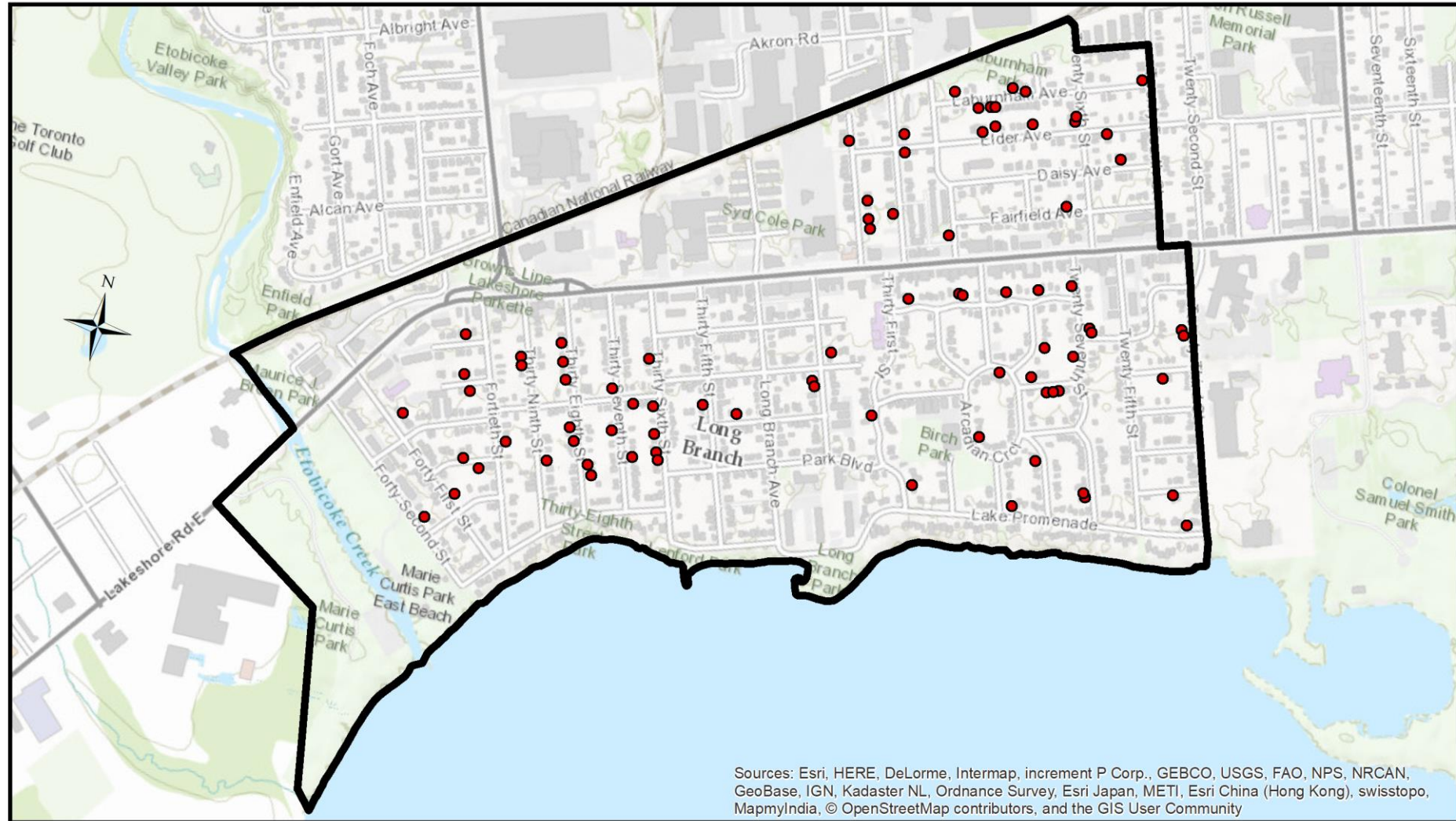


STUDY SITE: LONG BRANCH

60% of Toronto's forest resource is on private land

In Long Branch, approved development applications are contributing to tree removals

Lot severance applications for properties in Long Branch, Toronto (2012-2018)



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

1:18,000



- Development applications submitted
- Long Branch boundary

World Geodetic System 1984
WGS 1984 Web Mercator Auxiliary Sphere



Created by: Forests in Settled & Urban Landscapes group, Daniels Faculty of Architecture, Landscape, and Design, University of Toronto. Map made by Jackie De Santis, Masters of Forest Conservation (MFC) candidate using ArcMap 10.4.1 on August 22, 2019. Supervised by Judy Gibson, Vice Chair, LBNA and Dr. Danijela Puric-Mladenovic, Neighbourhood boundary retrieved from City of Toronto Open Data Library, ESRI Topographic BaseMap (2018). More information about the Neighbourhoods program can be found at <http://neighbourhoods.org/> and Forests in Settled & Urban Landscapes group <http://forests-settled-urban-landscapes.org/>

Canopy cover changes

Between 2009 and 2018



Objective 1:

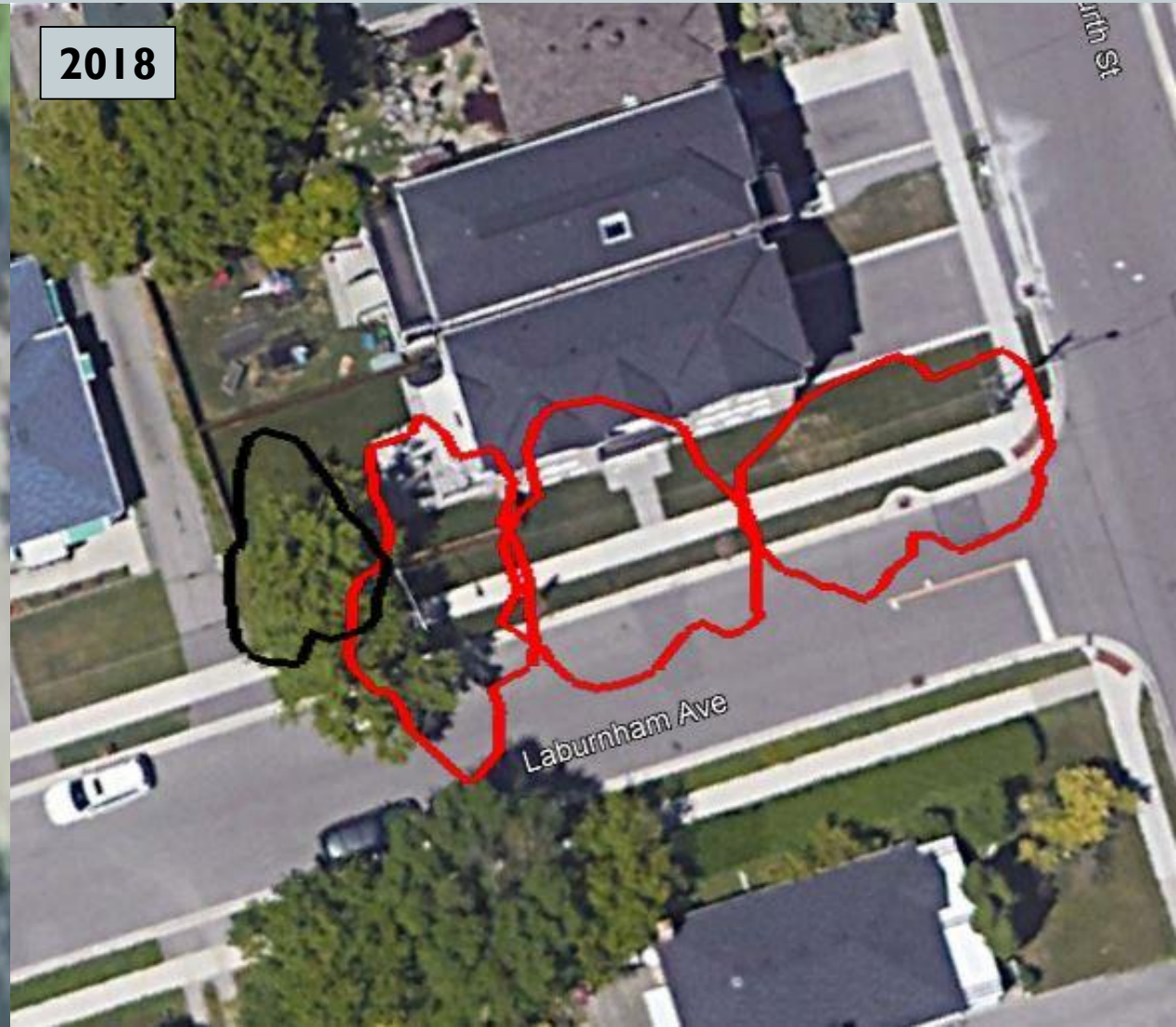
Measure the extent of canopy loss across individual properties approved for redevelopment

Example: 84 Twenty Fourth Street

2009

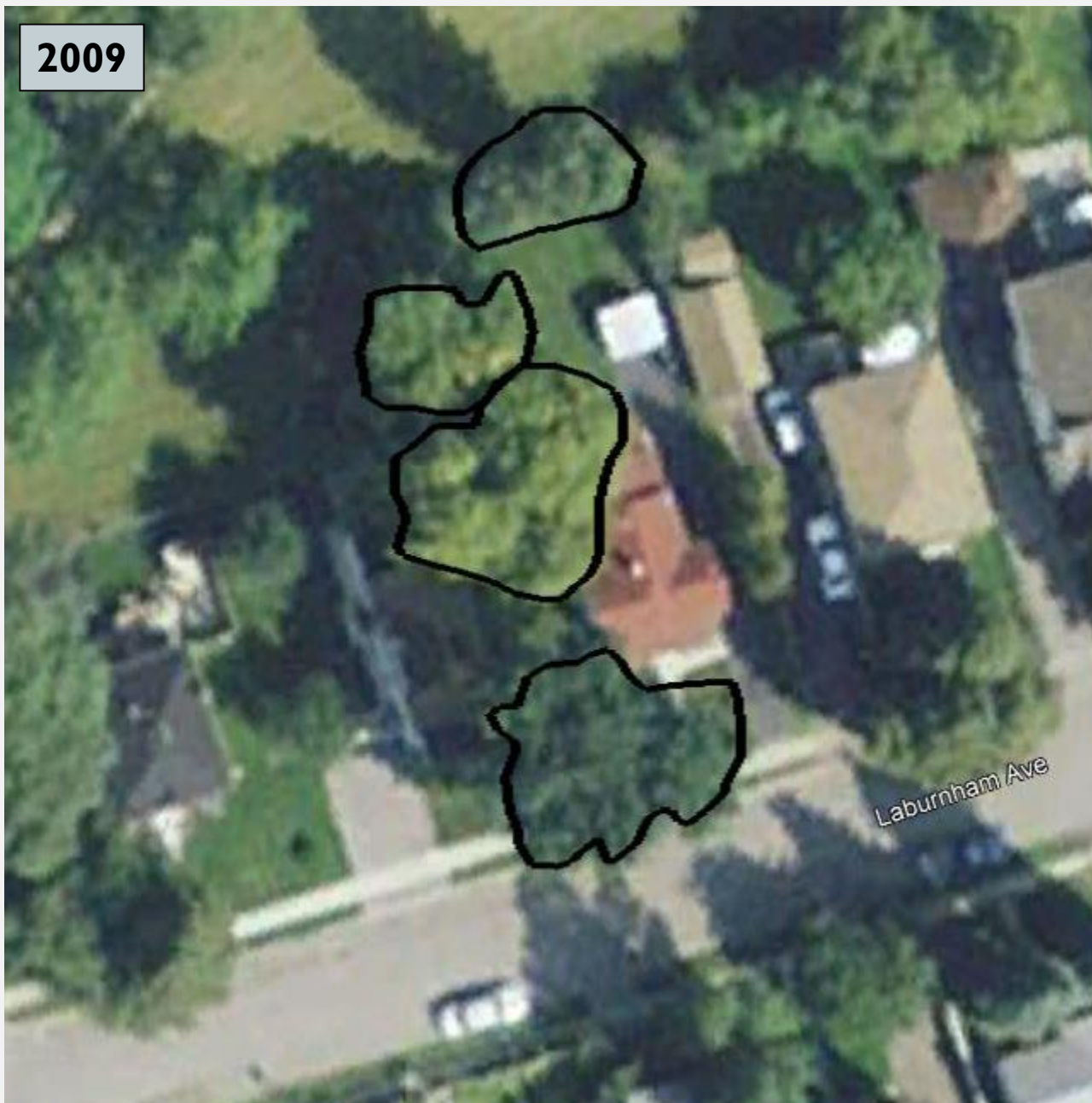


2018



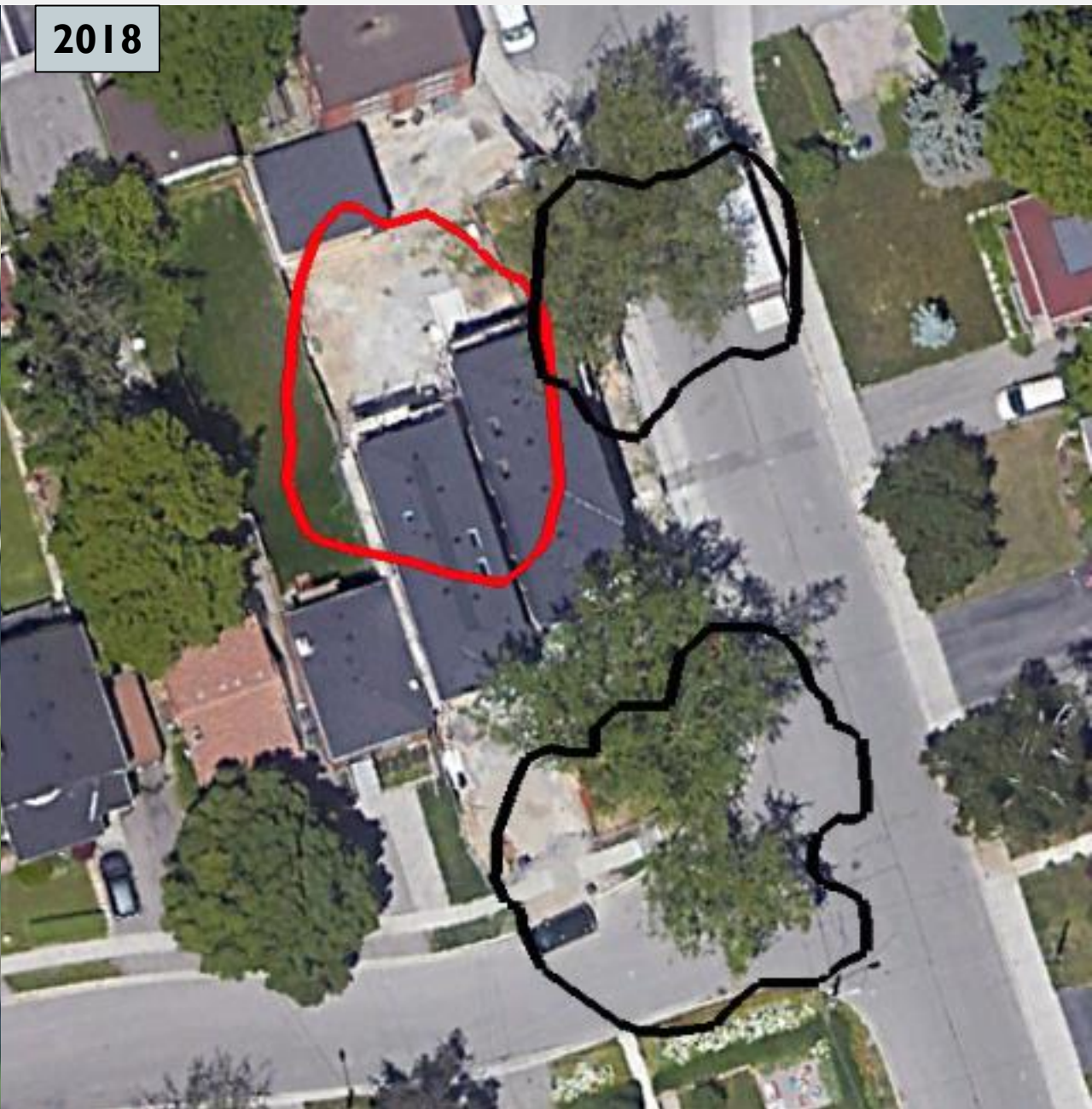
Objective 1: Results

Example: 88 Laburnham Avenue



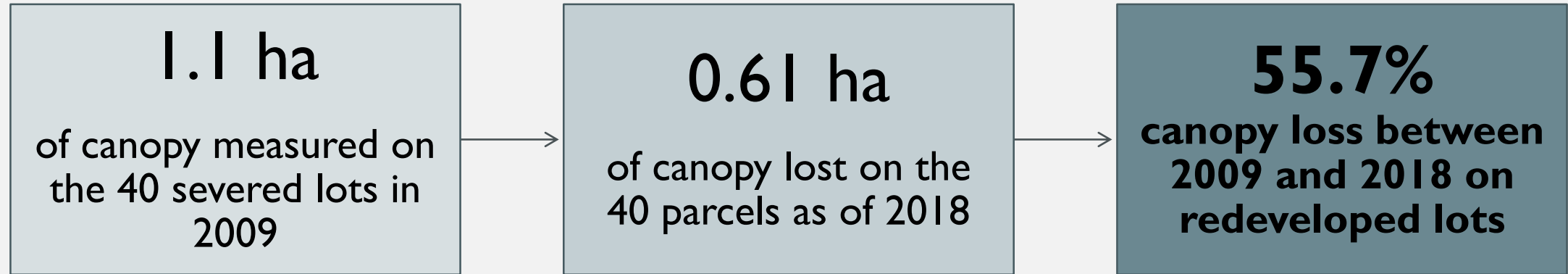
Objective 1: Results

Example: 2 Ash Crescent

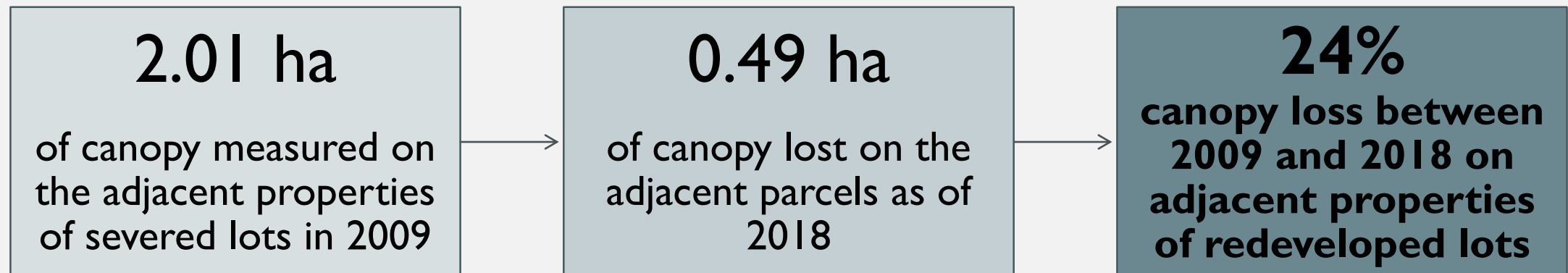


Objective 1:

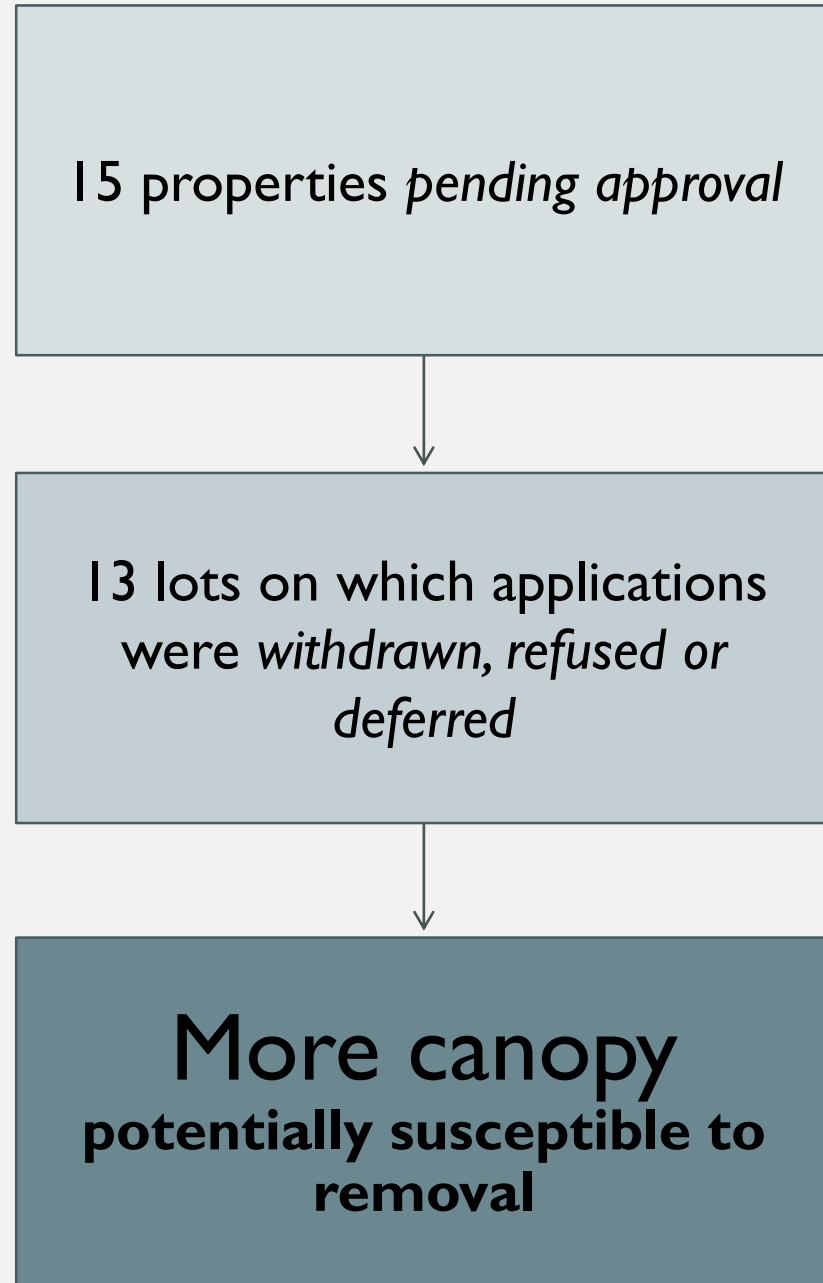
Canopy loss on redeveloped properties



Canopy loss on adjacent properties



Objective 1: Results





**RESIDENTIAL INTENSIFICATION
CONTRIBUTED TO CANOPY LOSS IN
LONG BRANCH**



Objective 2:

Assess the impact of development on trees on adjacent properties



- Tree condition:
 - Defoliation
 - Weak/yellowing foliage
- Further monitoring required



Objective 3:

Evaluate the annual quantity of development applications and approvals, and the role of the community

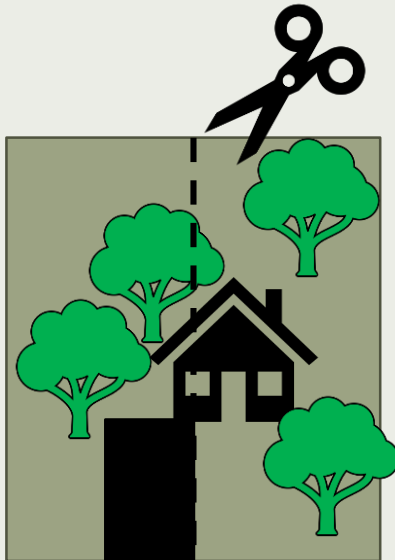


DEVELOPMENT APPLICATION PROCESS

TYPES OF DEVELOPMENT APPLICATIONS

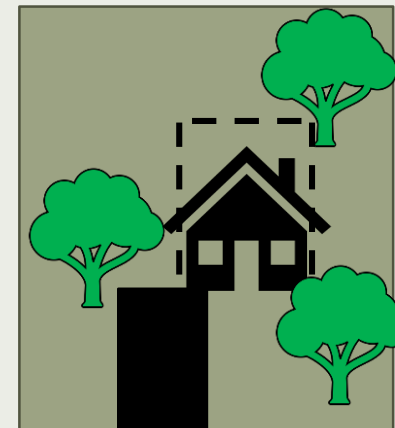
CONSENT

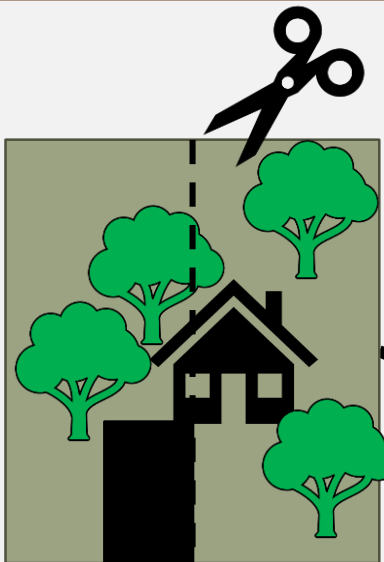
- Change a land configuration
- Allow the severance of property



MINOR VARIANCE

- Proposed project or development does not comply with rules of zoning bylaws





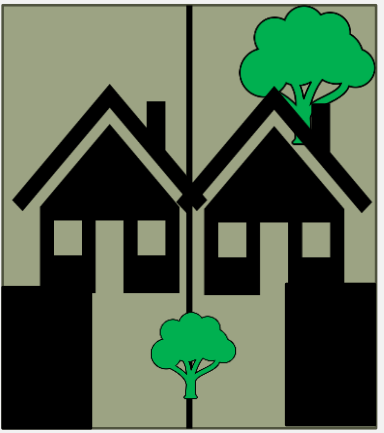
Applications



Committee of Adjustment (COA)

As of 2018
Urban Forestry

No



No action

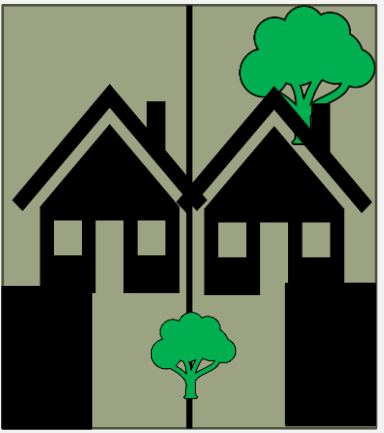
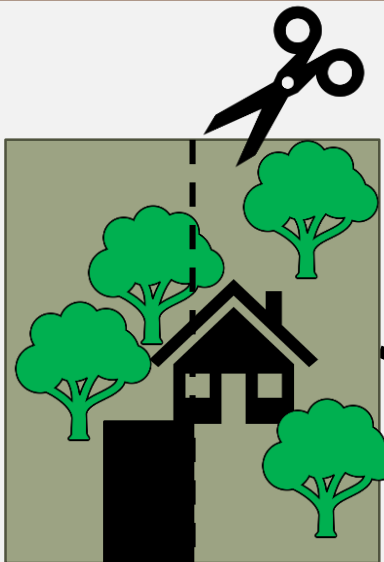
Yes

So what action can be taken?

The Long Branch Neighbourhood Association (LBNA)



- Active, engaged community
- Extensive time and resources dedicated to appealing development approvals



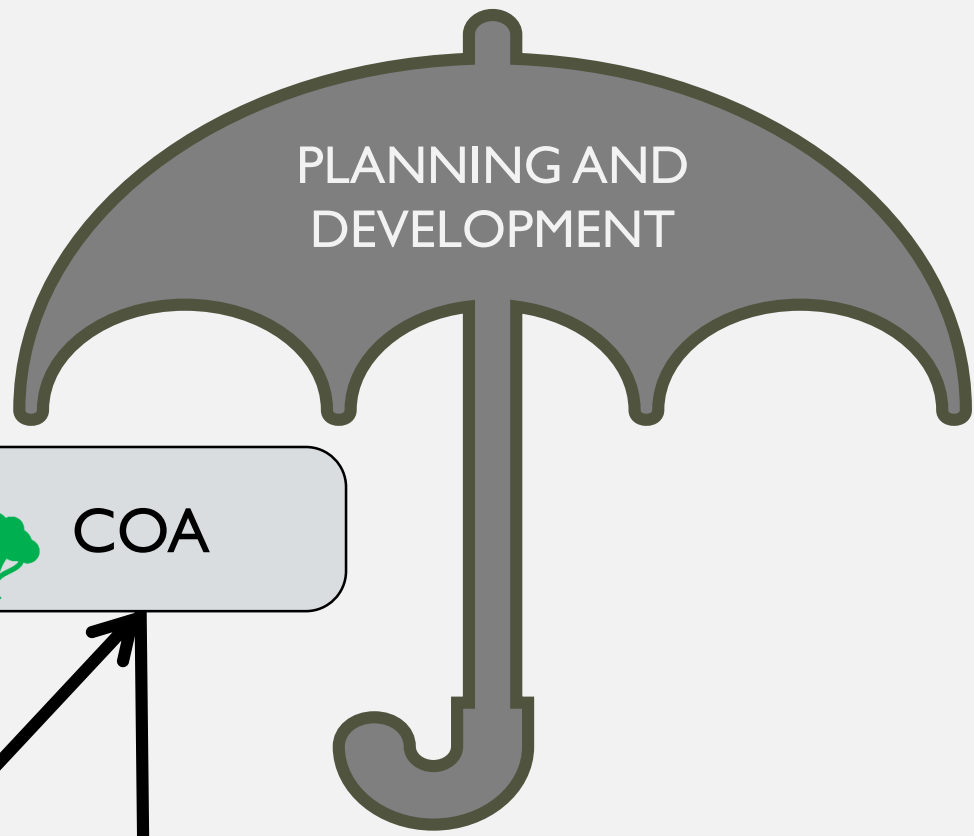
As of 2018
Urban
Forestry



No



COA



Applications

Community
appeals decisions

Yes

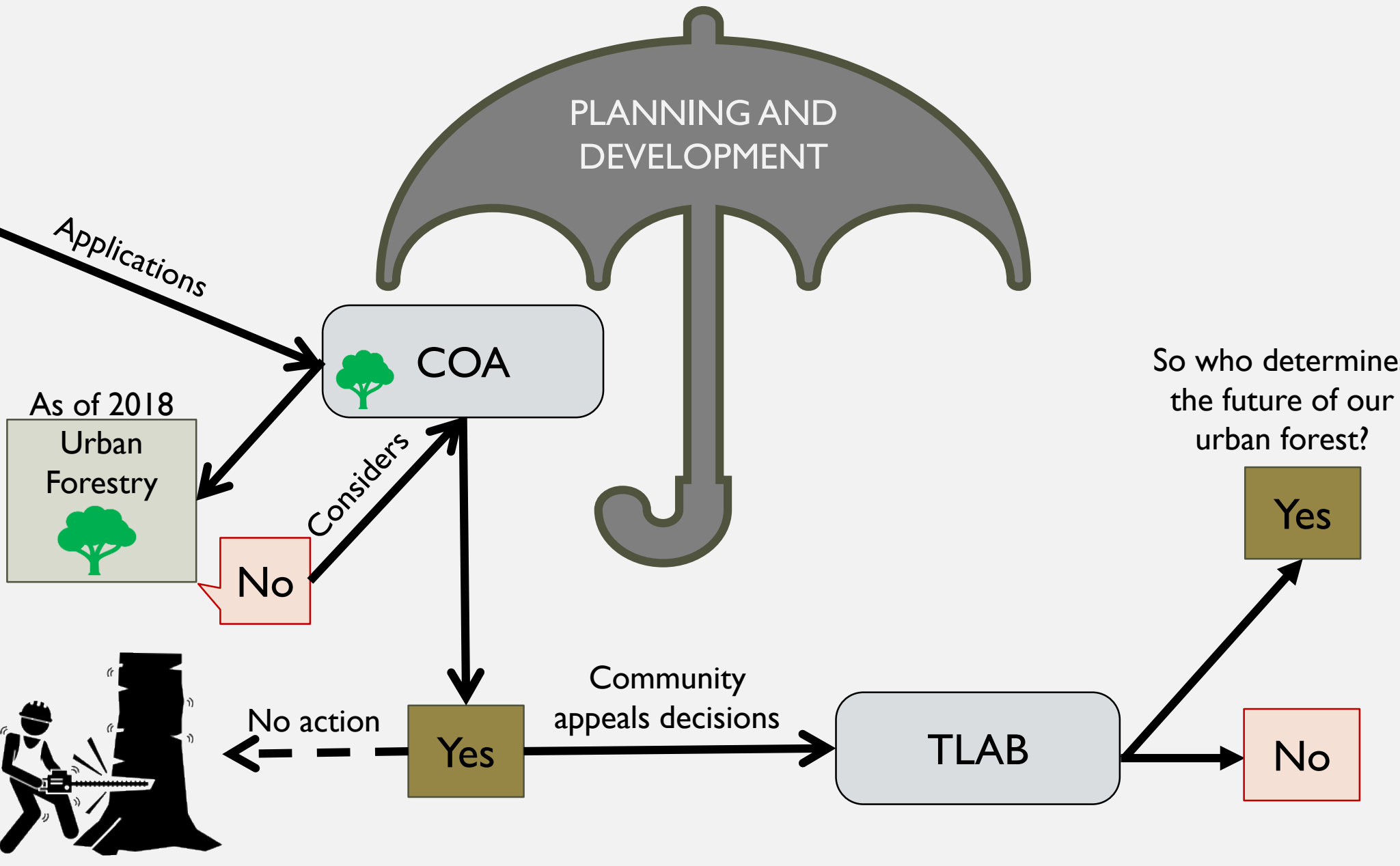
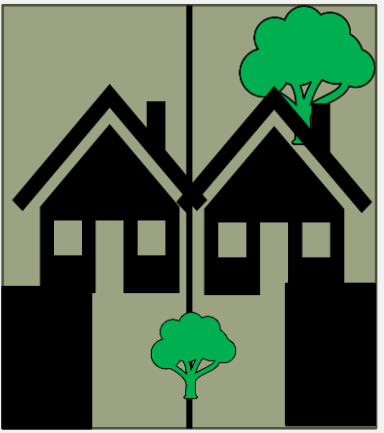
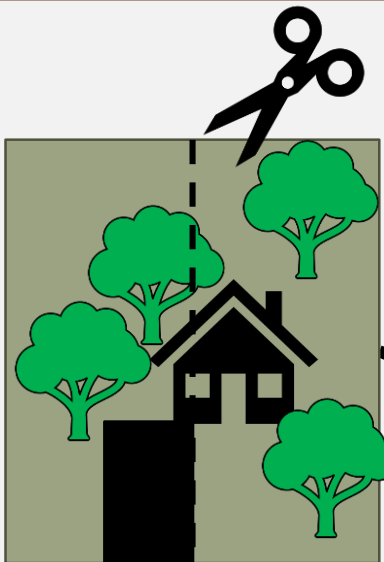
Toronto Local
Appeal Body
(TLAB)

Objective 3

Key steps in appeal process to TLAB

~ 100 Days							
20 days	5 Days*		30 – 60 Days			14 Days	30 Days
Appeal submission	Administrative and Adjudicative screening	Notice of Hearing	Parties/Participants and Expert Witnesses	Mediation	Hearing	Final Decision	Final Decision Review
Opportunity for TLAB appeal within 20 days of Committee Decision	Appeals are screened to ensure they meet the administrative and legal requirements	Once all the appeal information is verified, within 5 days of receiving the file, the TLAB will send a Notice of Hearing (Form 2) to the appellant, the applicant (if different than the appellant) and, in cases of minor variances, owners of neighboring properties within a 60-m radius of the application; it will include the time/date/location of the hearing which is approx. 100 days from the notice date	<p>Within 30 days from the Notice of Hearing, persons who wish to be Party or a Participant must file a notice (Form 4) and within 60 days they must file witness statements (Form 12 and Form 13)</p> <p>An appellant is automatically a party but additional parties can be elected; A party to a proceeding can bring/serve/file motions, be a witness, call witnesses, receive all documents, cross-examine witness, make submissions etc.</p> <p>A participant has a more limited role ; provide statement but cannot file motions</p> <p>Within 60 days of the Notice, an expert witness can be sourced to support a case, providing non-partisan opinion evidence (submit Form 6 and Form 14)</p>	Up until 15 days before the hearing date, mediation is available; Mediation provides an opportunity for parties to engage in discussions with a TLAB Member to try and resolve the dispute in an informal setting; if the dispute is resolved the hearing date can be changed into settlement hearing and if no resolution is reached the hearing date can move forward is scheduled	During the hearing, motions can be filed by the parties for adjournments, dismissal of a matter, a settlement hearing or directions on a procedure applicable to the case (Form 7 and Form 10).	A final decision or order is issued within 14 days of the final hearing date (however more complex cases could take longer)	A party may request a review of the final decision or final order made by the TLAB within 30 days
Appellant must submit the Notice of Appeal (Form 1) and Appeal Fee to the Manager & Deputy Secretary Treasurer of the Committee of Adjustment	If the TLAB finds administrative deficiencies* in the Form 1 submitted, the appellant has 5 days to fix the form; if the TLAB proposes a dismissal* of the appeal, the appellant will receive a Notice of the Proposed Dismissal (Form 16) and has 10 days to provide a written response	If the applicant makes any revisions or modifications to application heard by COA, must file an Applicant's Disclosure (Form 3) a maximum of 15 days following the issuance of the Notice of Hearing		A summons can be issued (Form 11) by a party to compel a witness to provide evidence at the hearing no later than 30 days before the time of attendance			

115 hours



PLANNING AND DEVELOPMENT

Applications

COA

As of 2018
Urban
Forestry

Considers

No

Yes

Community
appeals decisions

TLAB

So who determines
the future of our
urban forest?

Yes

No

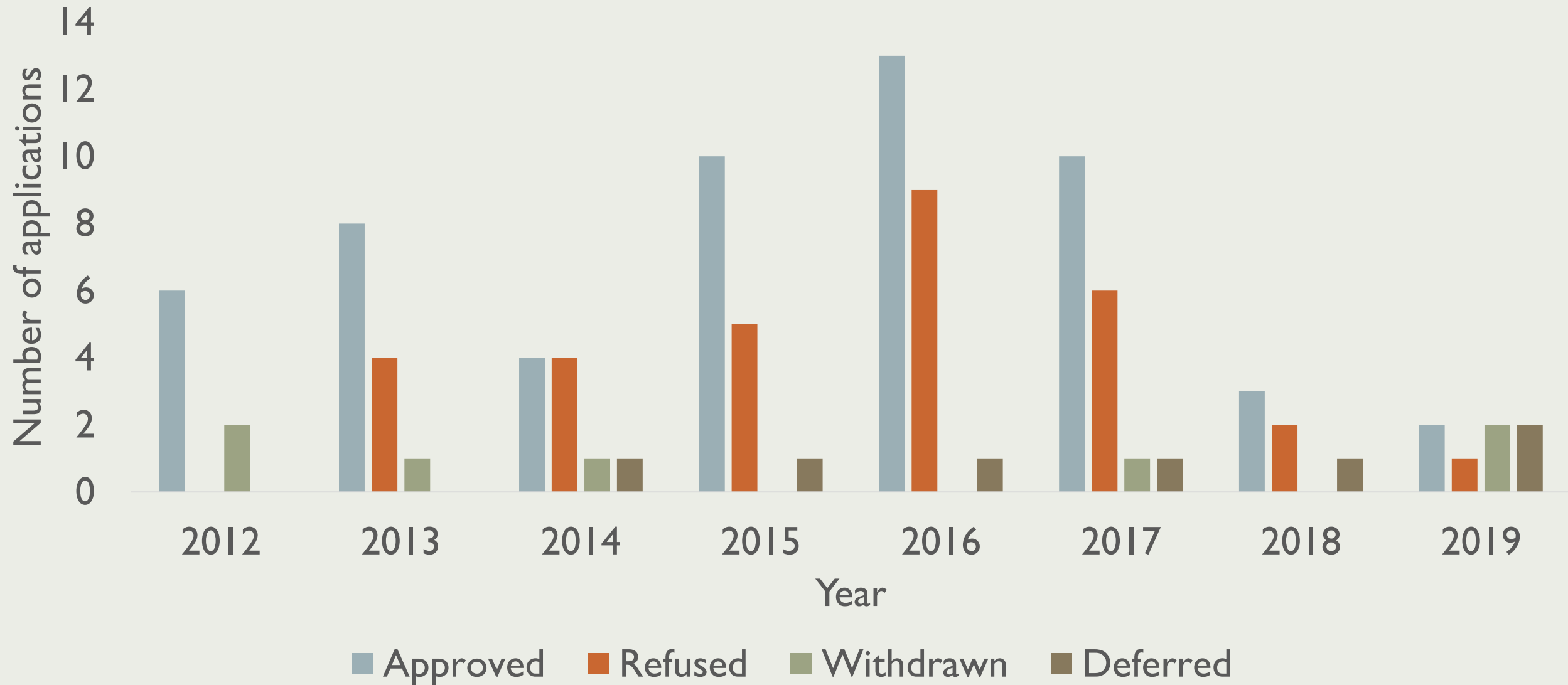
No action

STATUS OF DEVELOPMENT APPLICATIONS (2012-2019)

- TOTAL: 101 consent/related minor variance applications
 - 60 applications approved by COA and TLAB
 - 41 applications refused, deferred or pending

Objective 3

COMMITTEE OF ADJUSTMENT APPLICATIONS DECISIONS (2012-2019)



Communities with associations have better uptake of forestry initiatives

Higher income, higher urban forest cover

& more positive attitude towards urban trees

**WHAT ABOUT COMMUNITIES
WITH RESTRICTED RESOURCES?**

Income-based inequity in distribution of urban canopy

Other issues overshadow urban forest retention

An aerial photograph of a cityscape. In the foreground, a large body of water (likely a lake or river) is visible, with a sandy beach and a concrete dam or structure extending into the water. The middle ground shows a dense residential or commercial area with several tall apartment buildings and a mix of smaller structures. The background is dominated by a vast, green tree canopy, suggesting a park or a heavily wooded area. The overall scene is captured from a high angle, providing a comprehensive view of the urban and natural environment.

THE PIECEMEAL APPROACH TO LAND
USE PLANNING CONTINUES TO
THREATEN TREE CANOPY

ACKNOWLEDGEMENTS

