Application to Injure and Remove City Trees – 44 Burton Road

Date: March 15, 2017
To: Toronto and East York Community Council
From: Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation
Wards: Ward 21 - St. Paul's

SUMMARY

This report requests that City Council deny the request for a permit to injure one (1) City-owned tree and remove one (1) City-owned tree located on a naturalized slope on the road allowance adjacent to 44 Burton Road. The application indicates that the reason for the requested injury and removal is to facilitate construction of an elevated platform encroaching on City property that would improve vehicular access to the parking garage at 44 Burton Road.

The subject tree proposed for injury is a Norway maple tree (Acer platanoides) measuring 24 cm in diameter. The subject tree proposed for removal is a Norway maple tree measuring 8 cm in diameter. Urban Forestry does not support the injury and removal of these trees as they are healthy and maintainable.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council deny the request for a permit to injure one (1) City-owned and remove one (1) City-owned tree located on a naturalized slope on the road allowance adjacent to 44 Burton Road.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

There is no decision history regarding this tree injury and removal permit application.
Urban Forestry received an application for a permit to remove four (4) City-owned trees and to injure one (1) City-owned tree as part of a proposal to construct an elevated platform encroaching onto a well-treed, naturalized slope on the road allowance adjacent to 44 Burton Road. The request to remove these trees has been made to address concerns that the current driveway alignment requires drivers to perform a difficult 90-degree turn in reverse to exit the garage. The elevated platform would provide space for vehicles to change direction and avoid this manoeuvre.

This initial application was denied by Urban Forestry due to the proposed removal of healthy trees and the proposed platform’s encroachment on the City road allowance that would eliminate space for tree planting and vegetation growth on a naturalized slope.

Following this denial, the applicant submitted a revised proposal with three different options to reduce the platform encroachment, each with a different encroachment distance. The option with the smallest encroachment distance was reviewed by Urban Forestry. Through a site inspection, Urban Forestry staff determined that one (1) City-owned Norway maple tree measuring 24 cm in diameter would require a permit to injure, and one (1) City-owned Norway maple tree measuring 8 cm in diameter would require a permit to remove in the revised application.

The arborist report submitted with the application describes the condition of both subject trees as fair. The arborist report states that no trees would require removal or injury under the revised design option with the smallest encroachment distance.

However, as noted above, a staff site inspection determined that one (1) City-owned Norway maple tree measuring 24 cm in diameter would require a permit to injure and one (1) City-owned Norway maple tree measuring 8 cm in diameter would require a permit to remove to facilitate work proposed in the revised application. Urban Forestry staff determined that both trees are healthy and maintainable both botanically and structurally. Construction activities would also potentially damage approximately twenty (20) additional City-owned Norway maple trees measuring 1 to 5 cm in diameter, through compaction or mechanical damage incidental to site works.

The proposed platform would not only reduce future tree planting space on a naturalized slope, it would also inhibit the growth of ground cover vegetation by blocking water and sunlight from reaching the ground. Trees and ground cover vegetation provide natural erosion control on sloping landforms. The elevated platform would therefore limit the ecological and hydrological function for the encroached portion of the slope.

The revised application to injure and remove the subject trees was denied by Urban Forestry. The owner is appealing this decision.
Should City Council approve this request for removal of the City-owned trees, in accordance with Section 813-10.B of City of Toronto Municipal Code Chapter 813, Trees, Article II, permit issuance must be conditional upon the owners providing payment of the appraised value of the tree to be removed ($1,346.00), agreeing to have the tree removed at their expense, as well as providing satisfactory replacement planting.

As a condition of permit issuance, the applicant is proposing to plant thirty (30) tree sapling replacement trees. However, given the reduction of planting space that would result from construction, and the density of the existing tree canopy, it would not be feasible to plant thirty (30) trees in the area where planting has been proposed. In this instance, it would be appropriate for the owner to provide five (5) replacement trees for the tree being removed which can be achieved in a combination of on-site planting and cash-in-lieu of planting. For all trees to be planted on City property, where property owners choose to plant replacement trees themselves, they are also required to provide a tree planting security deposit to cover the cost of removal, replacement and the cost of maintenance for a period of two years.

Trees improve the quality of urban life and contribute greatly to our sense of community. They help to soften the hard lines of built form and surfaces in an urban setting. Trees contribute to the overall character and quality of neighbourhoods. Studies suggest that social benefits such as crime reduction and neighbourhood cohesion can be attributed to the presence of trees.

The environmental benefits of trees include cleansing of air, noise and wind reduction, and protection from ultraviolet radiation. Trees reduce rainwater runoff thereby reducing soil erosion and lowering storm water management costs. They also contribute to moderation of temperature extremes and reduction of the urban heat island effect by providing shade during the summer.

Trees provide many economic benefits including the enhancement of property values. Homes with mature trees have higher value when compared to similar types of homes in similar locations without trees. Mature trees are associated with reduced home energy consumption. Air conditioning costs are lower in a home shaded by trees and heating costs are reduced when trees mitigate the cooling effects of wind in winter. Trees are a community resource which can make the city more attractive to investors, tourists and prospective residents thus contributing to growth and prosperity.

It is the goal of the City of Toronto to increase the city's tree canopy to 40 per cent. The loss of trees in the city due to the ice storm experienced in late December 2013, compounded with additional tree loss due to the presence of the Asian longhorned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The Norway maple trees at 44 Burton Road are a valuable part of the urban forest. With proper care and maintenance these trees have the potential to provide the property...
owner and the surrounding community with benefits for many more years. In accordance with the City Council-approved Strategic Forest Management Plan, Toronto’s Official Plan and the Tree By-law, this tree should not be removed.

CONTACT

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SIGNATURE

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 – Photograph showing existing driveway at 44 Burton Road in relation to naturalized slope

Attachment 2 - Photograph showing proposed area of encroachment marked with stakes and coloured twine
Attachment 1 - Photograph showing existing driveway at 44 Burton Road in relation to naturalized area
Attachment 2 - Photograph showing proposed area of encroachment marked with stakes and coloured twine