

Application to Remove Two City-Owned Trees - 191 Kane Avenue

Date: May 14, 2020

To: Etobicoke York Community Council

From: Director, Urban Forestry, Parks, Forestry and Recreation

Wards: Ward 5 - York South-Weston

SUMMARY

This report requests that City Council deny the request for a permit to remove two City-owned trees located at 191 Kane Avenue. The application indicates the reason for removal is to accommodate a new driveway entrance within the City-owned right-of-way resulting from recent Committee of Adjustment approvals to construct a new detached dwelling with an attached garage.

The subject trees are one Colorado blue spruce (*Picea pungens*), measuring 8 cm in diameter and one Norway spruce (*Picea abies*), measuring 37 cm in diameter. The Tree By-law does not support the 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 remove two City-owned trees located at 191 Kane Avenue.

FINANCIAL IMPACT

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

DECISION HISTORY

There is no decision history regarding this tree removal permit application.

COMMENTS

Urban Forestry received an application for a permit to remove two City-owned trees located on the City-owned right-of-way in front of 191 Kane Avenue. The subject trees are one Colorado blue spruce measuring 8 cm in diameter and one Norway spruce measuring 37 cm in diameter. The request to remove these trees is to accommodate a new driveway entrance within the City-owned right-of-way resulting from recent Committee of Adjustment (COA) approvals to construct a new detached dwelling with an attached garage.

Urban Forestry reviewed the minor variance application submitted to the COA and provided comments recommending denial of the variances due to the impacts to bylaw-protected trees. The applicant was advised that any application to injure and/or remove a City-owned tree may be denied by Urban Forestry regardless of COA approval. The Committee of Adjustment approved the minor variance on the condition that the applicant submit an application for a permit to injure or remove the City-owned tree(s), as per *City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets*.

The arborist report that accompanied the application assessed the trees to be in fair condition. Urban Forestry staff inspected the trees at the time of inspection determined that both trees are healthy and maintainable both botanically and structurally.

When reviewing applications for tree removal, Urban Forestry staff are guided by City policies and by-laws including the *City of Toronto Municipal Code Chapter 813, Article II*, more commonly referred to as the City Tree By-law. The City Tree By-law does not have a mechanism that would allow the removal of the subject tree based on the concerns stated in the tree removal permit application.

A permit to remove these trees was denied by Urban Forestry. The owner is appealing this decision.

Should City Council approve this request for permission to remove these 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 trees to be removed (\$3,898.00), agreeing to have the trees removed at their expense, as well as providing satisfactory replacement planting. In this instance, it would be appropriate for the owner to provide ten replacement trees, which can be achieved in a combination of on-site planting and cash-in-lieu of planting. The owner will also be 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 for all trees to be planted on City property.

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 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 long horned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The spruce trees at 191 Kane Avenue 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, these trees should not be removed.

CONTACT

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SIGNATURE

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 - Figure 1: Staff photograph of the subject City-owned trees at 191 Kane Avenue

Attachment 1 - Figure 1: Staff photograph of the subject City-owned trees at 191 Kane Avenue

