

Application to Remove Two City-Owned Trees – 146 Stanley Avenue

Date: March 24, 2021

To: Etobicoke York Community Council

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

Wards: Ward 3 – Etobicoke-Lakeshore

SUMMARY

This report requests that City Council deny the request for a permit to remove two City-owned trees located at 146 Stanley Avenue. The application indicates the reasons for removal are due to the conflict with the proposed crane access for construction of a new home and driveway, the new driveway itself, and concerns that the weeping willow is damaging their existing foundation and driveway.

The subject trees are a weeping willow (*Salix babylonica*), measuring 58 cm in diameter and a multi-stemmed white birch (*Betula papyrifera*), measuring 15 cm, 14 cm, 10 cm, and 6 cm in diameter. The Tree By-laws do 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 146 Stanley 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 fronting 146 Stanley Avenue. The subject trees

are a weeping willow, measuring 58 cm in diameter and a multi-stemmed white birch measuring 15, 14, 10 and 6 cm in diameter. The request to remove these trees has been made to address concerns that the trees conflict with the proposed crane access for construction of a new home and driveway, the new driveway itself, and concerns that the weeping willow is damaging their existing foundation and driveway.

The arborist report that accompanied the application described the willow and the white birch to be in fair-good condition. The willow was described as having exposed roots, co-dominance at 5 m with included bark, and epicormic branches. The white birch was noted as having a union at the base.

Urban Forestry staff inspected the trees and at the time of inspection determined that they are healthy and maintainable. Through this inspection and review of the arborist report, staff have concluded that the removal of the subject trees are not permissible under the Tree By-law, *City of Toronto Municipal Code Chapter 813*.

There is an existing driveway on the east side of the property. The proposed new building is set back with the new driveway on the west side of the property in direct conflict with the trees.

Toronto's Tree By-laws do not provide direction to issue tree permits where injury or destruction of City trees is required for plans approved by Toronto Building. In situations where Toronto Building has issued a building permit that will lead to a request for the removal of City trees, Urban Forestry recommends that the permit be denied in order to retain the City trees. The Tree By-laws do not have a provision to remove trees for the purpose of construction access, including the use of a crane.

Tree roots are not physically capable of exerting enough force to lift or crack properly constructed and maintained infrastructure such as foundations and driveways. However, if proper drainage is not provided, heaving or cracking may occur as a result of water freezing and thawing, creating spaces that tree roots may grow into. The damage described here, can typically be repaired without requiring tree removal. Waterproofing of the foundation, if not already done, would prevent roots from growing in any existing cracks or other openings in the foundation. Roots cannot grow where there is no water or air. The driveway, if properly constructed and sealed, should prevent roots from growing into any existing cracks or other openings.

As a result of the above-noted findings and in support of protecting and growing the City's urban forest, a permit to remove the tree was denied by Urban Forestry. The applicant 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 applicants providing payment of the appraised value of the trees to be removed (\$4594.00 for the weeping willow and \$905.00 for the white birch), 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 applicant to provide five replacement trees for each tree being removed which can be achieved in a combination of on-site planting and cash-in-

lieu of planting. The applicant 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.

The weeping willow and white birch at 146 Stanley Avenue are a valuable part of the urban forest that provides numerous aesthetic, social and economic benefits to the property owner and local community. Toronto's urban forest provides \$55 million in environmental benefits every year including improved air quality through pollution removal, lower storm water management costs by reducing runoff, and carbon sequestration that lessens the impacts of climate change. Through shade and transpiration, increasing urban tree cover can mitigate exposure to extreme heat events. A higher density of trees in a neighborhood has been shown to significantly improve physical and mental health, such as reducing blood pressure and stress levels and promoting physical activity. Trees also make urban environments aesthetically more pleasing which raises property values.

Protecting the urban forest is a key strategy for building resiliency, as it continues to face increasing natural pressures such as storms and invasive pests. The 2013 ice storm resulted in the removal of over 3000 City-owned trees. The Emerald Ash Borer beetle has killed approximately 860,000 ash trees across the City. As a result, if the City aims to reach its canopy target of 40 per cent, it is imperative that the City protect healthy trees from injury and removal whenever possible. The improved condition and size of the urban forest will support the City of Toronto's goals to improve quality of life and well-being that enables a diverse, sustainable, innovative, growing and thriving city.

In accordance with the City Council-approved Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Private Tree By-law, the willow and white birch at 146 Stanley Avenue, as a valuable part of the urban forest, should not be removed.

CONTACT

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SIGNATURE

Kim Statham
Acting Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph showing City-owned willow and white birch at 146 Stanley Avenue; August 7, 2020.

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