

## **Application to Remove Two Private Trees – 3 Jainey Place**

**Date:** May 27, 2021

**To:** North York Community Council

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

**Wards:** Ward 8 – Eglinton-Lawrence

### **SUMMARY**

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This report requests that City Council deny the request for a permit to remove two privately owned trees located at 3 Jainey Place. The application indicates that the reasons for removal are to address a conflict with plans to re-landscape the backyard and with the footprint of a proposed rear basement walkout, both as a result of a proposed lot severance.

The subject trees are one Norway maple (*Acer platanoides*) measuring 66 cm in diameter and one honey locust (*Gleditsia triacanthos*), measuring 72 cm in diameter. The Private Tree By-law does not support the removal of these trees as they are healthy and maintainable.

### **RECOMMENDATIONS**

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

1. City Council deny the request for a permit to remove two privately owned trees located at 3 Jainey Place.

### **FINANCIAL IMPACT**

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

### **DECISION HISTORY**

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There is no decision history regarding this tree removal permit application

### **COMMENTS**

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Urban Forestry received an application for a permit to remove two privately owned trees located at 3 Jainey Place.

A proposal to sever 3 Jainey Place into two lots, 3A and 3B, went before the North York Committee of Adjustment panel on October 15, 2020. The consent received preliminary approval by the Committee of Adjustment, but has been appealed to the Toronto Local Appeal Body (TLAB).

The subject trees are one Norway maple measuring 66 cm in diameter located at the rear of what is proposed to become 3A Jainey Place, and one honey locust measuring 72 cm diameter located at the rear of what is proposed to become 3B Jainey Place. The request to remove the Norway maple has been made due to a conflict with plans to re-landscape the backyard at 3A Jainey Place. The request to remove the honey locust tree has been made to address a conflict with the footprint of the proposed rear basement walkout at 3B Jainey Place.

The arborist report that accompanied the application describes the Norway maple tree to be in fair-poor condition with a somewhat imbalanced canopy, some large deadwood, a southern leader that has vertical spiraling cracks and sections of peeling bark. Numerous branches with frost crack damage and scarring are also noted in the report. The arborist report describes the honey locust tree to be in good condition, with deadwood and sucker growth within the canopy, and a washing line girdling stem.

Urban Forestry staff inspected the trees and, at the time of inspection, determined that the Norway maple and honey locust trees are both healthy and maintainable. Urban Forestry has assessed the Norway maple tree to be in good condition, with a full healthy canopy.

Removal of the Norway maple is not required for the proposed dwelling at 3A Jainey Place to be built. The landscaping plan can be revised to retain the tree.

Shifting the walkout to the opposite (south) side of the rear of the proposed new dwelling at 3B Jainey Place would allow the honey locust tree to be retained. However a permit to injure the tree would be required. The applicant declined the request by Urban Forestry to revise the plans for 3B Jainey Place.

Urban Forestry assessed the consent and associated minor variance requests prior to the Committee of Adjustment hearing. Urban Forestry did not object or request approval conditions because the tree removals were not due to the consent or any of the variances requested.

As a result of the above-noted findings and in support of protecting and growing the City's urban forest, permits to remove the trees were denied by Urban Forestry. The applicant is appealing this decision.

As required under *Section 813-19, of City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a Notice of application sign was posted on the subject property for the minimum 14-day period in order to provide an opportunity for comment by the community. Four comments objecting to the removal of the trees were received in response to the application.

Should City Council approve these requests for tree removal, in accordance with *Section 813-20 of City of Toronto Municipal Code Chapter 813, Trees, Article III*, permit issuance must be conditional upon the provision of satisfactory replacement planting. As a condition of permit issuance, the applicant is proposing to plant three replacement trees. However, in this instance it would be appropriate for the applicant to provide ten replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting.

The Norway maple and honey locust trees at 3 Jaaney Place are a valuable part of the urban forest that provide 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 neighbourhood 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 Norway maple and honey locust trees at 3 Jaaney Place, as a valuable part of the urban forest, should not be removed.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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Attachment 1 - Figure 1: Staff photograph showing honey locust tree at 3 Jainey Place, February 25, 2021.

Attachment 2 - Figure 2: Staff photograph showing Norway maple tree at 3 Jainey Place, October 15, 2020

Attachment 1 - Figure 1: Staff photograph showing honey locust tree at 3 Jaaney Place, February 25, 2021





Attachment 2 - Figure 2: Staff photograph showing Norway maple tree at 3 Jainey Place, October 15, 2020

