

Application to Remove a Private Tree – 522 Fairlawn Avenue

Date: May 27, 2021

To: North York Community Council

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

Wards: Ward 8 – Eglinton-Lawrence

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned tree located at 522 Fairlawn Avenue. The application indicates the reason for the removal is to accommodate the installation of a swimming pool with surrounding hardscape.

The subject tree is a honey locust (*Gleditsia triacanthos*), measuring 35 cm in diameter. The Tree By-laws do not support the removal of this tree as it is 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 one privately owned tree located at 522 Fairlawn 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 one privately owned tree located at 522 Fairlawn Avenue. The subject tree is a honey locust measuring 35 cm in

diameter. The request to remove this tree is to accommodate the installation of a swimming pool with surrounding hardscape.

The plans show both the pool and the overall landscape design and configuration conflict with the subject tree. Correspondence from the applicant stated that the proposal had been designed to keep as many trees as possible to make this a responsible application. Urban Forestry had requested revisions to the plans in order to accommodate the subject tree, however the applicant indicated a preference to proceed with the plans as submitted.

The arborist report that accompanied the application describes the tree to be in good condition.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable.

Private trees that are proposed for removal due to construction of accessory landscaping and structures, including swimming pools, are not considered "as-of-right" development and as such there is no obligation under the Tree By-law to issue a tree removal permit. Subsequently, a permit to remove a tree may be denied by Urban Forestry in accordance with tree by-laws.

Through this inspection and review of the arborist report, staff have concluded that the removal of the subject tree is not permissible under the Tree By-law, City of Toronto *Municipal Code Chapter 813*. 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.

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. No comments were received in response to the application to remove the tree in question.

Should City Council approve this request 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 provide cash in lieu of replanting three replacement trees. However, in this instance it would be appropriate for the applicant to provide five replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting.

The honey locust tree at 522 Fairlawn Avenue is 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 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 honey locust tree at 522 Fairlawn 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 the subject honey locust tree at 522 Fairlawn Avenue

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