

Application to Remove a Private Tree – 51 Walker Avenue

Date: May 27, 2021

To: Toronto and East York Community Council

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

Wards: Ward 12 – Toronto - St. Paul's

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned silver maple tree located at 51 Walker Avenue. The application indicates the reason for removal is to accommodate the proposed construction of a swimming pool.

The subject tree is a silver maple (*Acer saccharinum*), measuring 61 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 silver maple tree located at 51 Walker 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 51 Walker Avenue. The subject tree is a silver maple measuring 61 cm in diameter. The request to remove this tree has been made to address concerns that the tree interferes with the proposed construction of a swimming pool.

The arborist report that accompanied the application described 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 plant eight De Groot cedars and one flowering dogwood in the rear yard. The arborist report also proposed that eight recently planted cedar trees in the front of the property should be considered as compensation, otherwise they would be willing to provide cash-in-lieu. None of the species or varieties proposed are considered to be adequate compensation planting under the Private Tree By-law. 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 silver maple tree at 51 Walker 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 silver maple tree at 51 Walker 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: Central Tree Care photograph showing Tree 1 as the subject tree at 51 Walker Avenue, January 5, 2021.

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