

## **Application to Remove a City-Owned Tree – 384 Rimilton Avenue**

**Date:** December 1, 2021

**To:** Etobicoke York Community Council

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

**Wards:** Ward 3 – Etobicoke-Lakeshore

### **SUMMARY**

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This report requests that City Council deny the request for a permit to remove one City-owned tree located at 384 Rimilton Avenue. The application indicates the reason for removal is to address concerns that the tree is located on the portion of land that is to be developed for a proposed new dwelling and driveway.

The subject tree is a linden (*Tilia americana*), measuring 74 cm in diameter. The Tree By-laws do not support the removal of this tree as it is healthy and maintainable.

### **RECOMMENDATIONS**

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The Acting Director of Urban Forestry recommends that:

1. City Council deny the request for a permit to remove one City-owned tree located at 384 Rimilton Avenue.

### **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 one City-owned tree located on the City-owned right-of-way fronting 384 Rimilton Avenue. The subject tree is a linden tree measuring 74 cm in diameter. The request to remove this tree has been

made to address concerns that the tree is located on the portion of land that is to be developed for a proposed new dwelling and driveway.

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 this City-owned tree is in maintainable condition.

Urban Forestry reviewed the minor variance application submitted to the Committee of Adjustment (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, as per *City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets*. Urban Forestry requested that the design of the dwelling and driveway be flipped to retain the tree, but the applicant indicated that doing so was not feasible.

Through the 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.

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 tree to be removed (\$9,725.00), agreeing to have the tree 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 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. Any cash-in-lieu collected will go towards the City's tree canopy reserve, a fund used for planting trees City wide.

The linden tree at 384 Rimilton 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 resilience, 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 linden tree at 384 Rimilton Avenue, 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 linden tree at 384 Rimilton Avenue;  
June 22, 2021

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