

Application to Remove Two City Trees – 5 Verona Avenue

Date: April 24, 2023

To: Etobicoke York Community Council

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

Wards: York South-Weston - 5

SUMMARY

This report requests that Etobicoke York Community Council deny the request for a permit to remove two City-owned trees located at 5 Verona Avenue. The applicant indicates the reason for requesting removal of the trees is due to a conflict with the construction of a new home and driveway.

The two Manitoba maple trees, *Acer negundo*, in question measure 60 cm and 93 cm in diameter. The City's Tree By-laws do not support the removal of these trees as they are maintainable. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the City's decision to deny a tree permit.

RECOMMENDATIONS

The Director of Urban Forestry, Parks, Forestry and Recreation recommends that:

1. Etobicoke York Community Council deny the request for a permit to remove two City-owned trees located at 5 Verona Avenue.

FINANCIAL IMPACT

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

DECISION HISTORY

There is no decision history related to this tree removal permit application.

COMMENTS

Parks, Forestry and Recreation received an application for a permit to remove two City-owned trees located on the City-owned right of way adjacent to 5 Verona Avenue. The Manitoba maple trees in question measure 60 cm and 93 cm in diameter respectively. The applicant indicates the reason for requesting removal of the trees is due to a conflict with the construction of a new home and driveway.

The arborist report that accompanied the application described both of the trees to be in poor condition. This report described the Manitoba maple tree measuring 93 cm in diameter as having poor structure, bulges, and decay. The report described the Manitoba maple tree measuring 60 cm in diameter as having poor structure, water sprouts, and was leaning towards the power line.

City staff inspected the trees and at the time of inspection determined that they are both maintainable. The Manitoba maple tree measuring 93 cm in diameter is in decline, but is not a hazard and is still maintainable. The Manitoba maple tree measuring 60 cm in diameter is in good condition. While the tree is leaning, there are no concerns about the tree's stability. The suckers or water sprouts growing on this tree are likely in reaction to the pruning done to keep branches away from the power lines, and are not an indication of poor health.

Parks, Forestry and Recreation staff reviewed the minor variance application submitted to the Committee of Adjustment (COA) to facilitate the construction of a new dwelling and driveway at this site, and provided comments recommending denial of the variances impacting the by-law protected trees. The applicant was advised that any application to injure and/or remove a City-owned tree will be denied, regardless of COA approval. The COA approved the minor variance application on the condition that the applicant submit an application for a permit to injure or remove the City-owned trees, as per the *City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets*.

City staff requested that the construction plans be revised to retain the trees, but the applicant indicated that doing so was not feasible.

Parks, Forestry and Recreation requests that the COA panel deny all residential COA consent and minor variance files where the proposed work requires the removal of a City-owned street tree, including trees in 'poor' condition, as they provide benefits including the preservation of viable planting space for future trees.

The City's Tree By-laws do not support the removal of these trees as they are maintainable. Through the inspection and review of the arborist report, a permit to remove the tree was denied by Parks, Forestry and Recreation. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the City's decision to deny a tree permit.

Protecting the urban forest is critical in building climate resilience as urban centres continue to face increasing development, impacts due to climate change in the form of extreme weather events, and other natural threats such as invasive pests. The City has reaffirmed its canopy target of 40 per cent by 2050. One approach to support achieving this target is to protect trees from injury and removal whenever possible. A sustainable and expanding urban forest also supports the City of Toronto's goals to improve quality of life and well-being of its residents.

Toronto's urban forest provides \$55 million in ecosystem services and benefits annually. Services such as air pollution removal, reduction of storm water runoff, and carbon sequestration all contribute to climate resilience. Protecting and expanding tree cover helps to mitigate exposure to extreme heat events through shade and transpiration. A higher density of trees in a neighbourhood has been shown to significantly improve physical and mental well-being by reducing blood pressure, decreasing stress levels and by promoting physical activity. Economic benefits include enhancements to property values, increased tourism and consumer spending.

In keeping with the City's Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Tree Protection By-laws, the two Manitoba maple trees at 5 Verona Avenue are a valuable part of the urban forest, providing numerous aesthetic, social and economic benefits to the property owner and the local community and therefore should not be removed.

Parks, Forestry and Recreation recommends Etobicoke York Community Council deny the request for a permit to remove two City-owned trees located at 5 Verona Avenue. Should Etobicoke York Community Council grant this request for tree removal, the following recommendation may be adopted, in accordance with the City's Tree By-law permit requirements:

- 1) Etobicoke York Community Council approve the request for a permit to remove two City-owned trees located at 5 Verona Avenue, conditional upon the applicant:
 - providing payment of the appraised value of the trees (\$4,876.00 for the 60 cm diameter Manitoba maple tree and \$7,932.00 for the 93 cm diameter Manitoba maple tree) to be removed;
 - agreeing to have the trees removed at their expense;
 - providing five replacement trees for each tree removed, for a total of ten trees, which can be achieved in a combination of on-site planting and cash in-lieu of planting to the satisfaction of the General Manager of Parks, Forestry and Recreation, and;
 - providing a tree planting security deposit to cover the cost of planting and warranty for a period of two years for all trees to be planted on City property.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the Manitoba maple tree, measuring 60 cm in diameter at 5 Verona Avenue; November 3, 2022

Attachment 2 – Figure 2: Staff photograph of the Manitoba maple tree, measuring 93 cm in diameter at 5 Verona Avenue; November 3, 2022

Attachment 1 – Figure 1: Staff photograph of the Manitoba maple tree, measuring 60 cm in diameter at 5 Verona Avenue; November 3, 2022



Attachment 2 – Figure 2: Staff photograph of the Manitoba maple tree, measuring 93 cm in diameter at 5 Verona Avenue; November 3, 2022

