

## **Application to Remove a Private Tree – 20 Pinemore Crescent**

**Date:** December 15, 2022

**To:** North York Community Council

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

**Wards:** 16 – Don Valley East

### **SUMMARY**

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This report requests that North York Community Council deny the request for a permit to remove one privately owned tree located at 20 Pinemore Crescent. The applicant is seeking permission to remove the tree in order to widen the shared driveway.

The subject tree is a bur oak (*Quercus macrocarpa*), measuring 111 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. North York Community Council deny the request for a permit to remove one privately owned tree located at 20 Pinemore Crescent.

### **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 privately owned bur oak tree measuring 111 cm in diameter, located in the front yard at 20 Pinemore Crescent. The request to remove this tree has been made in order to widen the shared driveway.

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

Urban Forestry accepted the application without an arborist report, as the owners accept that the tree's condition is healthy.

The tree is situated immediately adjacent to an existing shared driveway. The property line does not divide the existing driveway equally between the two adjacent owners, resulting in the residents at 20 Pinemore Crescent having insufficient width on their property to use the driveway and the garage without trespassing on the part of the shared driveway belonging to 18 Pinemore Crescent. At the point where the subject tree is located, the owner's portion of the driveway is 1.5 metres in width (see aerial photos in Attachment 2).

The owners understand that when the duplex at 18 and 20 Pinemore Crescent was built, the driveway did not align with the property boundaries due to the location of the tree, and that no municipal bylaw was in place to address this potential conflict. The shared driveway is not subject to any form of easement or legal access agreement.

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 regarding the removal of the tree in question were received

The bur oak tree at 20 Pinemore Crescent is rare for its sheer size and vigour. It is a valuable part of the urban forest that provides numerous aesthetic, social and economic benefits to the 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 by 2050, it is imperative that the City protect healthy trees from unnecessary 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 bur oak tree at 20 Pinemore Crescent, as a valuable part of the urban forest, should not be removed.

The Acting Director of Urban Forestry recommends North York Community Council deny the request for a permit to remove a privately owned tree located at 20 Pinemore Crescent. Should North 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) North York Community Council approve the request for a permit to remove one privately owned tree located at 20 Pinemore Crescent, and require the applicant to provide five replacement 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.

## **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 the bur oak at 20 Pinemore Crescent; August 2022

Attachment 2 – Figure 2: Aerial image of the tree's location in relation to the house and driveways showing the location of the property line unevenly bisecting the driveways, shown in magenta



Attachment 1 – Figure 1: Staff photograph showing the bur oak at 20 Pinemore Crescent; August 2022





Attachment 2 – Figure 2: Aerial image of the tree's location in relation to the house and driveways showing the location of the property line unevenly bisecting the driveways, shown in magenta

