

Application to Remove a Private Tree – 72 Wardell Street

Date: June 1, 2023

To: Toronto and East York Community Council

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

Wards: Toronto-Danforth - 14

SUMMARY

This report requests that Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 72 Wardell Street. The applicant indicates the reason for requesting removal of the tree is due to the construction of a laneway suite.

The honey locust tree, *Gleditsia triacanthos*, in question measures 69.5 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable.

Further, under the City of Toronto's *Official Plan Amendment 403(b)iv*, the development of laneway suites should not result in the injury or removal of a healthy tree protected under *Municipal Code 813*. City Council has directed the General Manager of Parks, Forestry and Recreation to refuse, at the General Manager's discretion, a permit to injure or destroy a healthy tree protected under *Municipal Code Chapter 813*, received as part of an application to construct a laneway suite.

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. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 72 Wardell Street.

FINANCIAL IMPACT

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

DECISION HISTORY

On December 15, 2021, City Council adopted with amendments the item Changing Lanes: The City of Toronto's Review of Laneway Suites - Monitoring Program and Zoning By-law Amendments- Final Report.

A number of recommendations related to the importance of protecting and enhancing Toronto's tree canopy and growing space and meeting the goals of the TransformTO Net Zero Strategy. One recommendation noted that as a condition of approval of a laneway and garden suite, if applicable, a canopy tree be retained or planted elsewhere on the lot.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.PH29.2>

On June 26, 2018, City Council adopted with amendments the item Changing Lanes: The City of Toronto's Review of Laneway Suites - City-Initiated Official Plan Amendment and Zoning Amendment - Final Report, which included the following recommendation:

11. City Council direct the General Manager, Parks, Forestry, and Recreation to refuse, at the General Manager's discretion, a permit to injure or destroy a healthy tree protected under Municipal Code Chapter 813 or Municipal Code Chapter 658, received as part of an application to construct a laneway suite, and to advise the applicant to meet with City Planning and Urban Forestry staff to consider how the design of suite can be amended to protect the healthy By-law tree in question.

<https://secure.toronto.ca/council/agenda-item.do?item=2018.TE33.3>

COMMENTS

Parks, Forestry and Recreation received an application for a permit to remove one privately owned tree located in the rear yard at 72 Wardell Street. The honey locust tree in question measures 69.5 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to the construction of a laneway suite.

The arborist report that accompanied the application described the tree to be in fair condition. This report noted that the tree has minor cankers and deadwood. It also noted that there was fill placed in the root zone.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff requested design revisions to retain the tree with acceptable injuries. The applicant responded that revising the design to include the tree would significantly reduce the square footage of the structure, and only marginally reduce the

cost of building it. The property is intended to be a rental unit, and thus the applicant felt it would not be financially feasible to move forward with the construction if they had to build around the tree.

Under the City of Toronto's *Official Plan Amendment 403(b)iv*, the development of laneway suites should not result in the injury or removal of a healthy tree protected under *Municipal Code 813*. City Council has directed the General Manager of Parks, Forestry and Recreation to refuse, at the General Manager's discretion, a permit to injure or destroy a healthy tree protected under *Municipal Code Chapter 813*, received as part of an application to construct a laneway suite.

The City's Tree By-laws do not support the removal of this tree as it is healthy and 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.

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 support nor in opposition of the application to remove the tree in question.

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 healthy 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 honey locust tree at 72 Wardell Street is 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 Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 72

Wardell Street. Should Toronto and East 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) Toronto and East York Community Council approve the request for a permit to remove one privately owned tree located at 72 Wardell Street, 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



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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the honey locust tree at 72 Wardell Street; December 9, 2022

Attachment 2 – Figure 2: Staff photograph of the main stem of the honey locust tree at 72 Wardell Street; December 9, 2022

Attachment 1 – Figure 1: Staff photograph of the honey locust tree at 72 Wardell Street; December 9, 2022



Attachment 2 – Figure 2: Staff photograph of the main stem of the honey locust tree at 72 Wardell Street; December 9, 2022

