

31 Flindon Road - Application to Remove a City Tree

Date: June 24, 2024

To: Etobicoke York Community Council

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

Wards: Humber River-Black Creek - 7

SUMMARY

This report requests that Etobicoke York Community Council deny the request for a permit to remove one City-owned tree located at 31 Flindon Road. The applicant indicates the reason for requesting removal of the tree is due to the tree being in poor condition and in conflict with a proposed new driveway.

The Norway maple tree (*Acer platanoides*) measures 51 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is maintainable. The permit was denied, and the applicant is appealing the decision. 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 denial of a permit of a tree protected under the By-laws.

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 one City-owned tree located at 31 Flindon Road.

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 one City-owned tree located on the City-owned right-of-way fronting 31 Flindon Road. The Norway maple tree (*Acer platanoides*) in question measures 51 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to the tree being in poor condition and in conflict with a proposed new driveway.

The arborist report that accompanied the application described the tree to be in poor structural condition. The report described the main and secondary leader as showing signs of cracking and decay. As well it noted that: the tree poses a risk of failure over the road and driveway; removing hazard limbs from the tree would result in a reduction of over 50 per cent of the tree's live crown; and construction of the driveway in this location would likely result in the severance of critical surface roots, compromising the anchorage of the tree along with its health.

City staff inspected the tree and at the time of inspection determined that the tree is in poor health, but maintainable. Staff did not observe hazard limbs at the time of inspection. The structural defects noted in the arborist report do not compromise the tree's viability.

The City of Toronto maintains trees located on the City-owned right-of-way. Urban Forestry staff performed a routine inspection on the tree in 2023 and have scheduled it for routine maintenance. Should this tree require maintenance in the future, such as the removal of hazardous limbs, the applicant may submit a service request through 311 Toronto to have the tree inspected and any appropriate maintenance will be undertaken by the City.

The original construction plans proposed a narrow 3.15 m driveway on the western edge of the property, away from the tree in the City-owned right-of-way, widening to a 4.16 m driveway closer to the house and garage. A permit for tree injury in accordance with this driveway design was approved in 2021. The new proposal is for a 3.15 m wide driveway near the tree's main trunk that would require the removal of the tree. City staff advised the applicant to reduce the width of the new driveway design or locate it to the west side of the property away from the trunk of the tree. The installation of a new driveway on the existing grade using permeable pavers could also reduce impact to the tree and allow it to be retained.

The City's Tree By-laws do not support the removal of this tree as it is maintainable. Through the inspection and review of the arborist report, a permit to remove the tree was denied by Parks, Forestry and Recreation. The applicant is appealing this decision. 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.

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.

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. 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 sustainable and expanding urban forest also supports the City of Toronto's goals to improve quality of life and well-being of its residents. 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 Norway maple tree at 31 Flindon Road 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 Etobicoke York Community Council deny the request for a permit to remove one City-owned tree located at 31 Flindon Road. 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 one City-owned tree located at 31 Flindon Road, conditional upon the applicant:
 - providing payment of the appraised value of the tree (\$4,305.00) to be removed;
 - agreeing to have the tree removed at their expense;
 - providing 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, 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 Norway maple tree at 31 Flindon Road; March 12, 2024

Attachment 2 - Figure 2: Detail from Site Plan for 31 Flindon Road showing original driveway design, October 7, 2016

Attachment 3 - Figure 3: Detail from Site Plan for 31 Flindon Road showing current proposed driveway design, July 7, 2021

Attachment 1 – Figure 1: Staff photograph of the Norway maple tree at 31 Flindon Road; March 12, 2024



Attachment 2 - Figure 2: Detail from Site Plan for 31 Flindon Road showing original driveway design, October 7, 2016



