

## **Application to Remove a City Tree – 26 Todd Brook Drive**

**Date:** October 9, 2024

**To:** Etobicoke York Community Council

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

**Wards:** Etobicoke North - 1

### **SUMMARY**

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This report requests that Etobicoke York Community Council deny the request for a permit to remove one City-owned tree located at 26 Todd Brook Drive. The applicant indicates the reason for requesting removal of the tree is to allow for construction of the proposed asphalt driveway in the front yard of the property.

The Norway maple tree (*Acer platanoides*) measures 76 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is healthy and 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**

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The Acting 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 26 Todd Brook Drive.

### **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 related to this tree removal permit application.

## COMMENTS

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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 26 Todd Brook Drive. The Norway maple tree (*Acer platanoides*) in question measures 76 cm in diameter. The applicant indicates the reason for requesting removal of the tree is to allow for construction of the proposed asphalt driveway in the front yard of the property.

The arborist report that accompanied the application described the tree to be in good condition.

City staff inspected the tree and at the time of inspection determined that it is maintainable. Staff noted that parts of its tree branches are missing or cut away to avoid utility lines due to pruning.

The applicant applied for a variance to build a new dwelling. There was a concern by the applicant that the driveway would need to be moved because part of the existing driveway is in a flood-regulated and ravine-protected area. Toronto and Region Conservation Authority and the City of Toronto's Ravine and Natural Feature Protection staff confirmed that they could support the existing driveway alignment.

In order to maintain the existing driveway alignment, the design of the new house would need to be flipped, thus avoiding the need to remove the existing tree. The applicant was also advised that any application to injure and/or remove a City-owned tree may be denied by Parks, Forestry and Recreation regardless of Committee of Adjustment 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(s), as per *City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets*.

Parks, Forestry and Recreation staff reviewed the minor variance application submitted to the Committee of Adjustment, and recommended denial of two variances related to increasing the floor space index and reducing the minimum front yard setback. The approval of these changes would impact a bylaw-protected tree on City land as well as the permanent loss of viable planting space.

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, and the Tree Protection By-laws, the Norway maple tree at 26 Todd Brook Drive 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 26 Todd Brook Drive. 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 26 Todd Brook Drive, conditional upon the applicant:
  - providing payment of the appraised value of the tree (\$8,059.00) 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**

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Raymond Vendrig  
Acting Director, Urban Forestry, Parks, Forestry and Recreation

## **ATTACHMENTS**

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Attachment 1 – Figure 1: Staff photograph of the Norway maple tree at 26 Todd Brook Drive; November 7, 2023

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