

Application to Remove a Private Tree – 285 Brooke Avenue

Date: November 15, 2024

To: North York Community Council

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

Wards: Eglinton-Lawrence - 8

SUMMARY

This report requests that North York Community Council deny the request for a permit to remove one privately owned tree located at 285 Brooke Avenue. The applicant indicates the reason for requesting removal of the tree is due to concerns about the tree's close proximity to houses and the potential for limb failures to cause property damage.

The black walnut tree (*Juglans nigra*) measures 73 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

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

1. North York Community Council deny the request for a permit to remove one privately owned tree located at 285 Brooke 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 one privately owned tree located in the rear yard at 285 Brooke Avenue. The black walnut tree (*Juglans nigra*) in question measures 73 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to concerns about the tree's close proximity to houses and the potential for limb failures to cause property damage.

The arborist report that accompanied the application described the tree to be in fair condition. This report noted that tree has a poorly structured canopy with several over-extended limbs in close proximity to houses.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff observed the canopy to be natural in form and healthy overall, with a few small dead branches.

This tree is situated to the immediate rear of a deck attached to the rear of the house. The deck is approximately 2 m wide. No evidence of the tree impacting the house or foundation was observed at the time of inspection. The tree is located such that routine maintenance of the tree and house can be performed. Routine tree maintenance, such as pruning in accordance with good arboricultural practices, will reduce the likelihood of future tree or branch failure.

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. 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.

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 to provide an opportunity for comment by the community. Four comments were received in support of the application and one comment was received in opposition to the application to remove the tree in question.

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 black walnut tree at 285 Brooke Avenue 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 North York Community Council deny the request for a permit to remove one privately owned tree located at 285 Brooke Avenue. 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 285 Brooke Avenue 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

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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the black walnut tree at 285 Brooke Avenue; May 21, 2024

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