

Application to Remove a Private Tree – 173 Woburn Avenue

Date: June 10, 2025

To: North York Community Council

From: Director, Urban Forestry, Environment, Climate and Forestry

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 on the boundary line between the properties of 173 Woburn Avenue and 171 Woburn Avenue. The applicant indicates the reason for requesting removal of the tree is due to a conflict with a proposed detached garage backing on to the rear laneway.

The Siberian elm tree (*Ulmus pumila*) measures 44 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 appeals the City's decision to deny a tree permit.

RECOMMENDATIONS

The Director of Urban Forestry, Environment, Climate and Forestry recommends that:

1. North York Community Council deny the request for a permit to remove one privately owned tree located at 173 Woburn 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

The City of Toronto received an application for a permit to remove one privately owned tree located on the boundary line between the properties of 173 Woburn Avenue and 171 Woburn Avenue. The Siberian elm tree (*Ulmus pumila*) in question measures 44 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to a conflict with a proposed detached garage backing on to the rear laneway.

The arborist report that accompanied the application did not provide a condition rating. This report noted that the tree is growing "water sprouts"; the canopy is very irregular with several dead branches, and branches entangled with utility lines. The report also noted that this tree would interfere with the construction of a garage.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff noted that the tree was showing good vigour without any notable structural deficiencies. The tree can be pruned in accordance with good arboricultural practices to eliminate any branch contact with overhead utility lines.

The City permits the removal of bylaw-protected trees when there is a conflict with the footprint of the main dwelling on a site. However, the City will refuse a permit to remove a healthy tree for the construction of ancillary structures such as detached garages, pools and decks. Approval of a building permit does not automatically result in the approval of a tree removal permit. Applicants are still required to apply for a permit, per the City's tree bylaws.

The applicant submitted revisions to the construction plans indicating the use of piers to support the exterior wall adjacent to the subject tree. While this construction method may allow roots to be preserved (by avoiding the need for a full below-ground foundation), conflict with the second story of the proposed structure would still require the tree's removal (see Attachments 2 and 3). While the application initially requested a permit to injure the tree, the City considers this to be a removal request because the tree is unlikely to survive. If the applicant can provide revisions to the proposal that would allow the tree to survive, a permit to injure the tree can be issued.

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 Environment, Climate and Forestry. 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 appeals 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. No comments were received in support of the removal 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 Siberian elm tree at 173 Woburn 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.

Environment, Climate and Forestry recommends North York Community Council deny the request for a permit to remove one privately owned tree located at 173 Woburn 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 173 Woburn 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 Executive Director, Environment, Climate and Forestry.

CONTACT

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SIGNATURE

Kim Statham
Director, Urban Forestry, Environment, Climate and Forestry Division

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the Siberian elm tree at 173 Woburn Avenue; October 22, 2024. Perspective is looking into the rear of the subject site from the laneway.

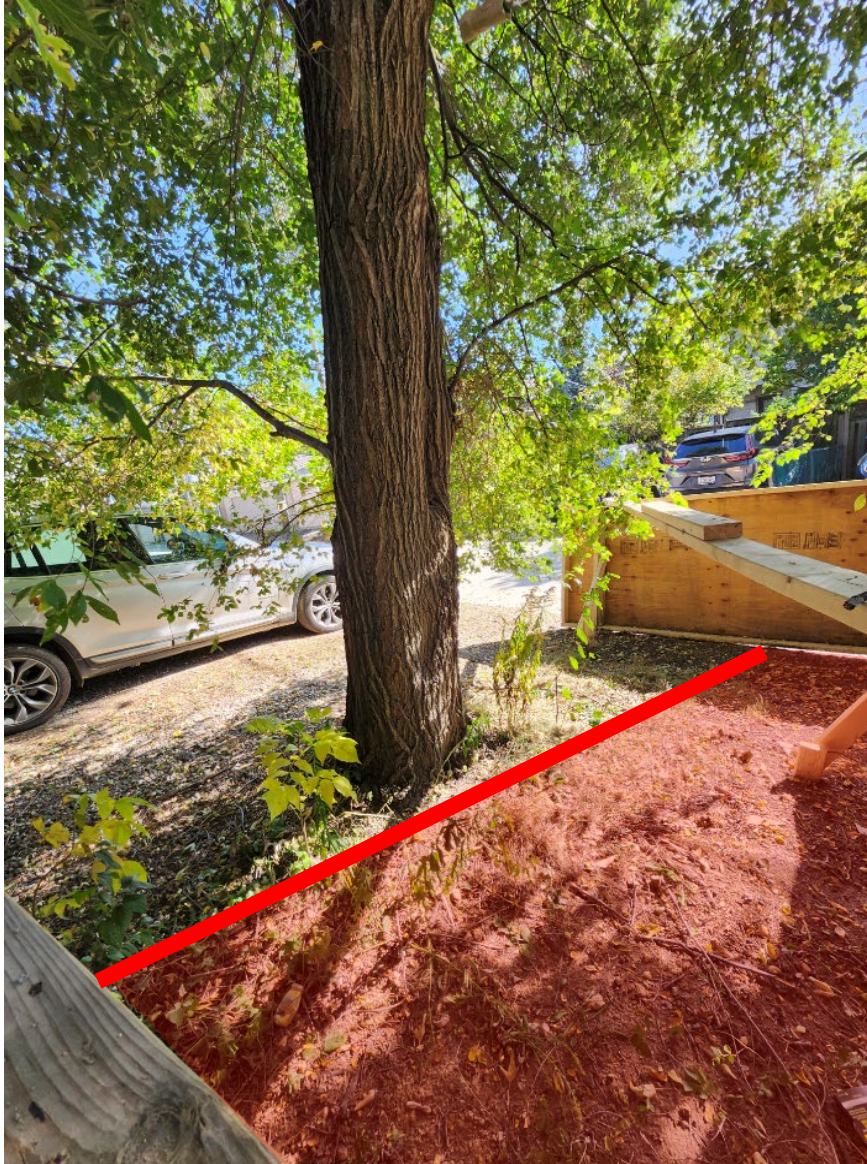
Attachment 2 – Figure 2: Staff photograph of the Siberian elm tree at 173 Woburn Avenue; October 22, 2024. Perspective is from rear of subject site looking out to laneway. Proposed detached garage will occupy the highlighted red footprint above. Heavier red line indicates the location of exterior wall above grade.

Attachment 3 – Figure 3: Annotated elevation drawing showing the use of helical piles for the proposed detached garage, viewed from the laneway. Structure will be 5.94 m tall from grade to peak of roof. Location of the subject tree is approximated on the right.

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Attachment 3 – Figure 3: Annotated elevation drawing showing the use of helical piles for the proposed detached garage, viewed from the laneway. Structure will be 5.94 m tall from grade to peak of roof. Location of the subject tree is approximated on the right.

