

Application to Remove a Private Tree – 100 Duvernnet Avenue

Date: August 27, 2025

To: Toronto East York Community Council

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

Wards: Beaches-East York - 19

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 100 Duvernnet Avenue. The applicant indicates the reason for requesting removal of the tree is to install a proposed driveway, retaining wall and parking pad; as well as concerns that the tree's roots are damaging the foundation.

The American elm tree (*Ulmus Americana*) measures 110 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. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 100 Duvernnet 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 in the front yard at 100 Duvernnet Avenue. The American elm tree (*Ulmus Americana*) in question measures 110 cm in diameter. The applicant indicates the reason for requesting removal of the tree is to install a proposed driveway, retaining wall and parking pad; as well as concerns that the tree's roots are damaging the foundation.

The arborist report that accompanied the application described the tree to be in good condition. This report noted that the tree is in good health, structure and overall condition. There was significant deadwood, old pruning cuts that have healed well, and a large limb growing into another large limb resulting in included bark. The tree has a good root flare. The tree's canopy overhangs the house and neighbouring house.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff noted that there was minimal deadwood and a large branch growing into another adjacent branch.

The tree is located 3 m from the house. It is extremely rare for trees or their roots to cause damage to a well-constructed foundation from this distance. Over many decades, foundations may develop cracks or leaks due to material deterioration and/or environmental factors like water freezing and thawing. These conditions can create tiny gaps that fine roots of nearby trees can grow into, potentially accelerating the rate of deterioration. However, such age-related deterioration could also occur in the absence of trees and their roots. Therefore, it is unlikely trees are solely responsible for any observed damage.

The damage described here, can typically be repaired without requiring tree removal. Waterproofing of the foundation, if not already done, would prevent roots from accessing any existing cracks or other openings in the foundation. If an injury to the tree is required in order to complete the repairs, the applicant may apply for a construction permit and submit the relevant construction plans and arborist report showing how the tree will be impacted and protected during construction.

City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards does not permit tree removal for the purpose of constructing a front yard parking pad.

The City's Tree By-laws also do not support tree removal for the purpose of constructing a front yard parking pad, nor do they support removal of a tree that 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 nor 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 American elm tree at 100 Duvernnet 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 Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 100 Duvernnet Avenue. 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 100 Duvernnet 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 American elm tree at 100 Duvernet Avenue; February 12, 2025

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