

Application to Remove Two Private Trees – 51 Burnhamthorpe Crescent

Date: April 8, 2026

To: Etobicoke York Community Council

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

Wards: Etobicoke-Lakeshore - 3

SUMMARY

This report requests that Etobicoke York Community Council deny the request for a permit to remove two privately owned trees located at 51 Burnhamthorpe Crescent. The applicant indicates the reason for requesting removal of these trees is for construction of parking spaces, walkway, and driveway associated with a two-storey fourplex building and a garden suite.

The black walnut tree (*Juglans nigra*) measures 58 cm in diameter and the Norway maple tree (*Acer platanoides*) measures 59 cm in diameter. The City's Tree By-laws do not support the removal of these trees as they are 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 recommend that:

1. Etobicoke York Community Council deny the request for a permit to remove two privately owned trees located at 51 Burnhamthorpe Crescent.

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 two privately owned trees located in the rear yard at 51 Burnhamthorpe Crescent. The black walnut tree (*Juglans nigra*) measures 58 cm in diameter and the Norway maple tree (*Acer platanoides*) measures 59 cm in diameter. The applicant indicates the reason for requesting the tree removals is to construct parking spaces, walkway, and driveway associated with a two-storey fourplex building and a garden suite in the rear of the property.

The arborist report that accompanied the application described the trees to be in good condition. The black walnut and Norway maple trees were both noted to have good form and structure with a healthy crown. The Norway maple has good trunk integrity with good crown vigor and exhibits co-dominant stems with included bark.

City staff inspected the trees, and at the time of inspection, determined that these trees are healthy and maintainable.

The initial application requested removal of the black walnut tree and Norway maple tree to facilitate the construction of parking spaces, walkway, and driveway associated with a two-storey fourplex building and a garden suite in the rear of the property. The applicant later revised the proposal to indicate retention of the trees with associated construction-related injury. Based on the information submitted, the overall site layout, including the footprint of the proposed parking spaces, does not appear to have materially changed to facilitate meaningful tree preservation that Urban Forestry staff could support. Urban Forestry staff requested that the applicant provide more detailed information regarding the extent of the proposed injury, and a root exploratory test to identify the location of structural roots necessary to demonstrate how the proposed construction could proceed while preserving the trees. The applicant has not provided a root exploratory test for review.

The proposed construction would result in significant stress and long-term decline of the trees. The extent of root disturbance and proximity of the work to the trunks would compromise both the health and structural stability of the trees. As such, although the trees are currently proposed to be retained, the impacts may ultimately result in decline or eventually destroy the trees.

Further to amendments to Zoning Bylaw 569-2013 and City Council adoption of 2022.PH30.2 Expanding Housing Options in Neighbourhoods – Garden Suites – Final Report, implementation of garden suites is intended to maintain, and where possible, increase the amount of permeable space on a property, as well as support, preserve and protect the City's tree canopy. A garden suite should not result in the removal of a healthy bylaw-protected tree. Environment, Climate and Forestry may refuse a permit to injure or destroy a tree protected under the City's Tree By-laws, received in relation to a building permit application to construct or expand a garden suite. Further, Environment, Climate and Forestry was directed by City Council to advise the applicant to meet with City Planning and Urban Forestry staff, as appropriate, to consider how the location,

massing and design of the proposed building or expansion can be amended to protect the bylaw-protected tree in question.

City Council on February 5, 2025, adopted the following: 5. City Council direct the Executive Director, Environment, Climate and Forestry to refuse, at the Executive Director's discretion, a permit to injure or destroy a tree protected under Municipal Code Chapters 608, 658, and 813, received in relation to a building permit application to construct or expand a multiplex building type, and to advise the applicant to meet with Development Review and Urban Forestry staff as appropriate to consider how the location, massing and design of the proposed building or expansion can be amended to protect the By-law protected tree(s) in question.

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 trees 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 removal or in opposition to the application to remove the trees 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 and Norway maple tree at 51 Burnhamthorpe Crescent are 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 recommend Etobicoke York Community Council deny the request for a permit to remove two privately owned trees located at 51 Burnhamthorpe Crescent. 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 two privately owned trees located at 51 Burnhamthorpe Crescent and require the applicant to provide 10 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
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ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the black walnut tree at 51 Burnhamthorpe Crescent; September 9, 2025.

Attachment 2 – Figure 2: Staff photograph of the Norway maple tree at 51 Burnhamthorpe Crescent; September 9, 2025.

Attachment 3 - Figure 3: Excerpt from proposed site plan identifying the Norway maple tree (#10) and black walnut tree (#13).

Attachment 1 – Figure 1: Staff photograph of the black walnut tree at 51 Burnhamthorpe Crescent; September 9, 2025



Attachment 2 – Figure 2: Staff photograph of the Norway maple tree at 51 Burnhamthorpe Crescent; September 9, 2025.



Attachment 3 - Figure 3: Excerpt from proposed site plan identifying the Norway maple tree (#10) and black walnut tree (#13).

