

Application to Remove a Private Tree - 36 McNicoll Avenue

Date: October 23, 2017

To: North York Community Council

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

Wards: Ward 24 - Willowdale

SUMMARY

This report recommends that City Council deny the request for a permit to remove one (1) privately owned tree located at 36 McNicoll Avenue. The application indicates the reason for removal is that the tree's roots have grown into the sewer line causing the basement to flood.

The subject tree is a silver maple (*Acer saccharinum*), measuring 96 cm in diameter. The Private Tree By-law does not support the removal of this tree as it is healthy and maintainable.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council deny the request for a permit to remove one (1) privately owned tree located at 36 McNicoll Avenue.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

There is no decision history regarding this tree removal permit application.

COMMENTS

Urban Forestry received an application for a permit to remove one (1) privately owned tree located in the front yard of 36 McNicoll Avenue. The subject tree is a silver maple tree measuring 96 cm in diameter. The request to remove this tree has been made to address concerns of tree roots growing into the sewer line causing the basement to flood.

The arborist report that accompanied the application describes evidence of broken branches in the past, however assessed the tree to be healthy.

Urban Forestry staff inspected the tree and at the time of inspection determined it was healthy and in good condition, both structurally and botanically.

Tree roots are opportunistic in nature and will grow toward nutrient-rich water seeping from damaged sewer lines. They are not physically capable of exerting the force required to crack sewer lines. They are, however, capable of growing into any available space that offers water and air and if cracks exist in sewer lines, roots can grow into the lines eventually causing them to clog. Routine clearing of the existing sewer line or replacement of the sewer line with PVC plastic piping, continuous between the building and the sanitary sewer will address this issue. Repairs to or replacement of the sewer line can typically be done without causing the removal of the tree.

The sewer line that needs to be replaced is situated approximately 7.0 m away from the tree. Replacement of this pipe would not require an encroachment into the required Tree Protection Zone therefore the impact to the subject tree would be minor. Urban Forestry would not object to these repairs taking place.

When reviewing applications for tree removal, Urban Forestry staff are guided by City policies and by-laws including the *City of Toronto Municipal Code, Chapter 813, Article III*, more commonly referred to as the Private Tree By-law. The Private Tree By-law does not have a mechanism that would allow the removal of the subject tree based on the concerns stated in the tree removal permit application.

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 in order to provide an opportunity for comment by the community. One (1) objection was received in response to the application to remove the tree in question.

A permit to remove the tree was denied by Urban Forestry. The owner is appealing this decision. Should City Council approve this request for tree removal, in accordance with *Section 813-20 of City of Toronto Municipal Code, Chapter 813, Trees, Article III*, permit issuance must be conditional upon the provision of satisfactory replacement planting. As a condition of permit issuance, the applicant is proposing to plant one (1) replacement tree. However, in this instance it would be appropriate for the applicant to provide five (5) replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting.

Trees improve the quality of urban life and contribute greatly to our sense of community. They help to soften the hard lines of built form and surfaces in an urban setting. Trees contribute to the overall character and quality of neighbourhoods. Studies suggest that social benefits such as crime reduction and neighbourhood cohesion can be attributed to the presence of trees.

The environmental benefits of trees include cleansing of air, noise and wind reduction, and protection from ultraviolet radiation. Trees reduce rainwater runoff thereby reducing soil erosion and lowering storm water management costs. They also contribute to moderation of temperature extremes and reduction of the urban heat island effect by providing shade during the summer.

Trees provide many economic benefits including the enhancement of property values. Homes with mature trees have higher value when compared to similar types of homes in similar locations without trees. Mature trees are associated with reduced home energy consumption. Air conditioning costs are lower in a home shaded by trees and heating costs are reduced when trees mitigate the cooling effects of wind in winter. Trees are a community resource which can make the city more attractive to investors, tourists and prospective residents thus contributing to growth and prosperity.

It is the goal of the City of Toronto to increase the City's tree canopy to 40 per cent. The loss of trees in the City due to the ice storm experienced in late December 2013, compounded with additional tree loss due to the presence of the Asian longhorned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The silver maple tree at 36 McNicoll Avenue is a valuable part of the urban forest. With proper care and maintenance this tree has the potential to provide the property owner and the surrounding community with benefits for many more years. In accordance with the City Council-approved Strategic Forest Management Plan, Toronto's Official Plan and the Private Tree By-law, this tree should not be removed.

CONTACT

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SIGNATURE

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 - Photograph of the silver maple tree measuring 96 cm in diameter.

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