

Application to Remove a Private Tree – 84 Medland Crescent

Date: November 30, 2020

To: Toronto and East York Community Council

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

Wards: Parkdale – High Park

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned tree located at 84 Medland Crescent. The application indicates the reason for removal is due to the nuisance created from falling sap and damage to a neighbouring property caused by the tree's roots.

The subject tree is a Colorado blue spruce (*Picea pungens*), measuring 53 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 privately owned tree located at 84 Medland Crescent.

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 privately owned tree located at 84 Medland Crescent. The subject tree is a Colorado blue spruce measuring 53 cm in diameter. The request to remove this tree has been made due to the nuisance

created from falling sap and damage to a neighbouring property caused by the tree's roots.

The arborist report that accompanied the application described the tree to be in good condition. An accompanying written submission from the owner cited another reason for removal to be that the tree's roots were impacting the dwelling foundation and deck of a neighbouring property.

Urban Forestry staff inspected the tree and, at the time of inspection, determined that it is healthy and maintainable. All trees drop leaves, needles, nuts, fruit and/or drip sap. The Private Tree By-law does not support tree removal to address the perceived nuisance resulting from a tree's natural functions.

Urban Forestry did not observe the tree's roots to be impacting the dwelling foundation and deck of a neighbouring property. Tree roots are not physically capable of exerting enough force to lift or crack properly constructed and maintained structures. Roots cannot grow where there is no water or air. However, if proper drainage is not provided, heaving or cracking may occur as a result of water freezing and thawing, creating spaces that tree roots may grow into. The damage described can typically be repaired without requiring tree removal. Waterproofing of the foundation, if not already done, would prevent roots from growing in any existing cracks or other openings in the foundation.

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. Two comments in support of the removal were received in response to the posting.

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 replacement tree. However, in this instance it would be appropriate for the applicant to provide five 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 Colorado blue spruce at 84 Medland Crescent 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 *Toronto Municipal Code Chapter 813 – 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 – Figure 1: Staff photograph showing the 53 cm diameter Colorado blue spruce at 84 Medland Crescent; June 5, 2020

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