

Application to Remove a Private Tree - 8 Hillingdon Avenue

Date: May 5, 2017

To: Toronto and East York Community Council

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

Wards: Ward 32 Beaches - East York

SUMMARY

This report requests that City Council deny the application for a permit to remove one (1) privately-owned tree located at 8 Hillingdon Avenue. The application indicates the reason for removal is to address concerns of falling fruit that is causing property damage, vehicle damage and tension between neighbours.

The subject tree is a black walnut tree (*Juglans nigra*), measuring 60 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, Parks, Forestry and Recreation recommends that:

1. City Council deny the request for a permit to remove one (1) privately-owned tree located at 8 Hillingdon 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 back yard of 8 Hillingdon Avenue. The subject tree is a black walnut measuring 60 cm in diameter. The request to remove this tree has been made to

address concerns of falling fruit that is causing property damage, vehicle damage and tension between neighbours.

The arborist report that accompanied the application assessed this tree to be in fair condition. The arborist report also states that the tree's crown is unbalanced and that the location is poor, as it is in contact with the fence and retaining wall.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable both botanically and structurally. It is located adjacent to an existing fence and retaining structure, both of which can be maintained without requiring tree removal.

Damage to parked vehicles underneath the tree can be addressed in a variety of ways, including but not limited to the use of any form of coverage such as carports, tarps, and tents.

Every large growing tree has some degree of maintenance associated with it including removal of leaves, flowers, fruit, nuts, twigs and small branches that some residents consider a nuisance. 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 trees due to the nuisance associated with falling fruit including black walnut trees nor do any of the City of Toronto policies support their removal. These policies have been consistently upheld by City Council since 2004.

Examples of Council's recent support for this policy include:

295 Waverley Road - Application to Remove a City Tree
December 13, 2016, TE20.27 City Council Decision Document
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE20.27>

178 Bellamy Road North - December, 2013, SC28.5, Decision Document
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.SC28.5;>

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. Three (3) letters of support and four (4) letters of objection were received in response to the notice.

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 part of their application, the property owners expressed that while they do not wish to plant another large stature tree, they understand the requirements of the Private Tree By-law

and that they are willing to comply as needed. In this instance, it would be appropriate for the owner to provide at least five (5) replacement trees which can be achieved in a combination of planting on site 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 black walnut tree situated at 8 Hillingdon 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

Mark Ventresca, Supervisor, Tree Protection and Plan Review, Urban Forestry
Tel: 416-396-5131, Email: Mark.Ventresca@toronto.ca

SIGNATURE

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

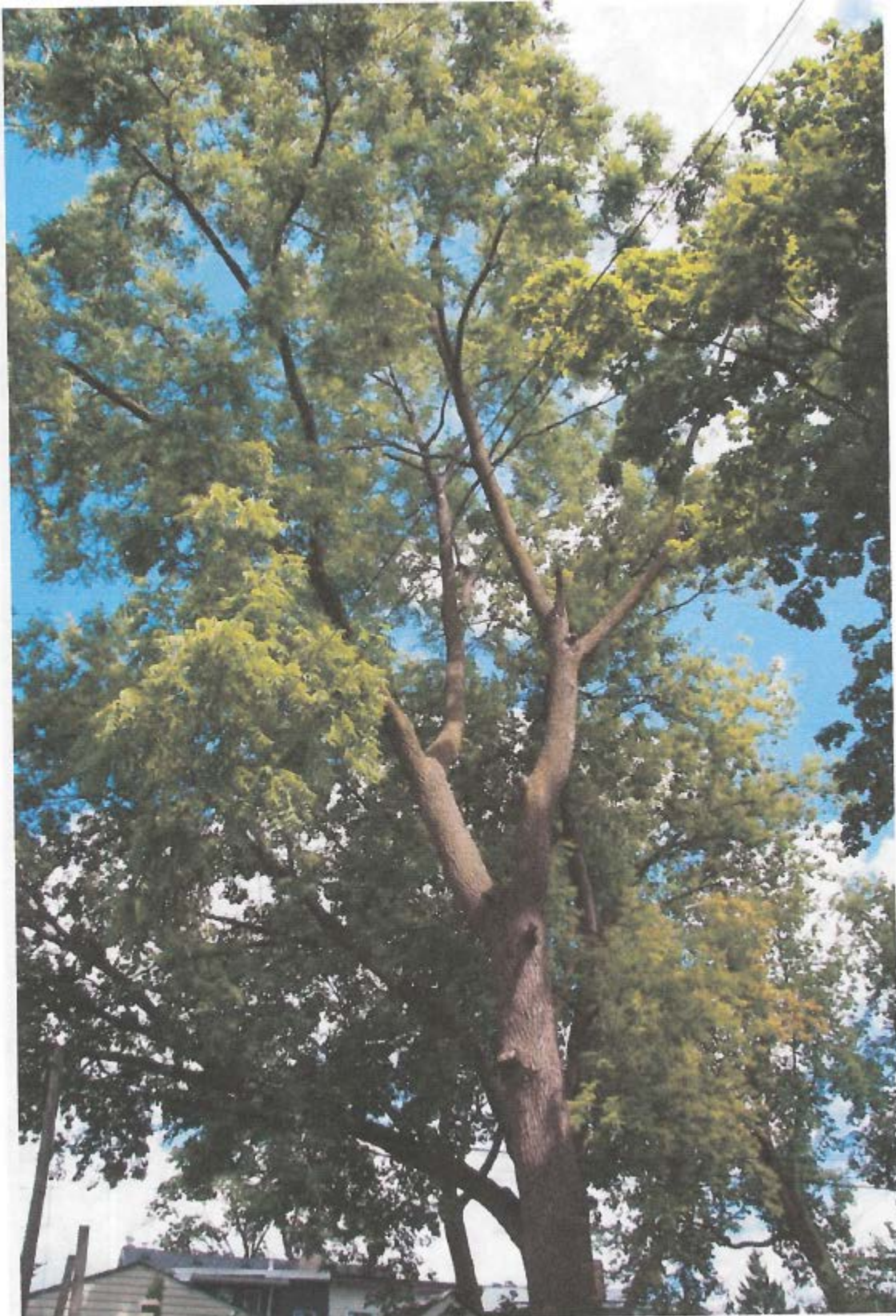
Attachment 1 - Figure 1: Photograph from arborist report showing the healthy botanical condition of the tree.

Attachment 2 - Figure 2: Winter buds of the tree in the upper crown showing the healthy botanical condition of the tree.

Attachment 3 - Figure 3: Parking locations beneath the canopy of the tree.

Attachment 1

Figure 1 - Photograph from arborist report showing the healthy botanical condition of the tree.



Attachment 2

Figure 2 - Winter buds of the tree in the upper crown showing the healthy botanical condition of the tree.



Attachment 3

Figure 3 - Parking locations beneath the canopy of the tree

