

## **Application to Remove a Private Tree - 17 Thirty Eighth Street**

**Date:** October 26, 2017

**To:** Etobicoke York Community Council

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

**Wards:** Ward 6 - Etobicoke-Lakeshore

### **SUMMARY**

---

This report recommends that City Council deny the request for a permit to remove one (1) privately owned tree located at 17 Thirty Eighth Street. The application indicates that the reasons for removal are the tree's poor health, close proximity to the dwelling and deck, and concerns that the tree's roots are growing underneath paved surfaces.

The tree in question is a white pine (*Pinus strobus*) measuring 68 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 17 Thirty Eighth Street.

### **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 rear yard of 17 Thirty Eighth Street. The subject tree is a white pine measuring 68 cm in diameter. The request to remove this tree has been made to

address concerns regarding the tree's poor health, close proximity to the dwelling and deck, and concerns associated with the roots growing underneath the paved surface.

The arborist report that accompanied the application assessed the tree to be in poor condition. The report describes the white pine tree as having decay at attachment points of previously broken limbs.

Urban Forestry staff inspected the tree and determined the tree was healthy and in good condition, both botanically and structurally. The tree has produced callous tissue to seal off the wounds from the previous limb failures. This callus formation is referred to as compartmentalization, and is a tree's natural response to injury which limits the progression of decay. The tree is located approximately 6.5 m from the dwelling and 1.6 m from the deck. No evidence of the tree impacting the house, deck, or surrounding pavement was observed at the time of inspection. The location of the tree is such that routine maintenance of the tree can be performed.

When reviewing applications for tree removal, Urban Forestry staff are guided by City policies and by-laws including *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. No comments were received in response to the posting.

A permit to remove the tree was denied by Urban Forestry. The owner is appealing this decision.

Following the permit denial the property owner claimed the tree drops branches on windy days. However, no evidence was provided to support the claims.

During inspection staff did not observe excessive amounts of debris falling from the tree. All trees, even healthy trees, will pose some risk of limb failure during inclement weather events. The performance of routine tree maintenance and pruning in accordance with good arboricultural practices will also reduce the likelihood of future limb failure.

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 approval must be conditional upon the provision of satisfactory replacement planting. As a condition of permit issuance, the property owner is proposing to plant one (1) sugar maple tree (*Acer Saccharum*). However, in this instance, it would be appropriate for the owner 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 are aesthetically pleasing and 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 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 white pine tree located at 17 Thirty Eighth Street 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**

---

Max Dida, Supervisor, Tree Protection and Plan Review, Urban Forestry  
Tel: 416-394-8551, Email: [Max.Dida@toronto.ca](mailto:Max.Dida@toronto.ca)

## **SIGNATURE**

---

Jason Doyle  
Director, Urban Forestry  
Parks, Forestry and Recreation

## **ATTACHMENTS**

---

Attachment 1 - Photograph of the white pine tree measuring 68 cm in diameter

Attachment 2 - Photograph of old wounds that are sealing off in the trunk of the subject tree

Attachment 3 - Arborist Report

Attachment 1 - Photograph of the white pine tree measuring 68 cm in diameter



Attachment 2 - Photograph of old wounds that are sealing off in the trunk of the subject tree



Attachment 3 - Arborist Report



G L E N W O O D  
T R E E S E R V I C E I N C .

ADDRESS:	17 Thirty Eighth Street, Toronto
LOCATION ON PROPERTY:	Left side of house and rear of back yard
SPECIES:	White pine and apple
DIAMETER:	60cm DBH (white pine), 38cm DBH (apple)
NATURE OF WORK:	Removal.
CONDITION:	Both trees are in poor condition. The apple tree is in severe decline, with significant deadwood, basal decay and decay in both stems. The white pine is has decay evident at the old attachment points of previously broken limbs. The tree is in close proximity to the deck and two houses. The majority of the tree's roots are underneath paved surfaces.
REASONS FOR REMOVAL:	Both trees are in decline and are no longer viable to maintain.
RECOMMENDATION:	Remove both trees.

Steven Lukac, President

Glenwood - from Sapling to Century

663 Winston Churchill Blvd., Mississauga, ON L5J 4P9 • Tel: 905-855-8711 • Fax 905-855-2921













