

Application to Remove a City-Owned Tree – 4 Tarlton Road

Date: May 14, 2020

To: Toronto and East York Community Council

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

Wards: Ward 12 – Toronto-St. Paul's

SUMMARY

This report requests that City Council deny the request for a permit to remove one City-owned tree located at 4 Tarlton Road. The application indicates the reason for removal is due to concerns that the tree is in declining health and has become destabilized due to construction work.

The subject tree is a Norway maple (*Acer platanoides*), measuring 72 cm in diameter. The 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 City-owned tree located at 4 Tarlton Road.

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 City-owned tree located on the City-owned road allowance in front of 4 Tarlton Road. The subject tree is a Norway maple measuring 72 cm in diameter. The request to remove this tree has

been made to address concerns that the tree is in declining health, and has become destabilized due to construction work.

In 2016, Urban Forestry received an application for a permit to injure the tree in question in order to replace an existing driveway and landscape the front yard as part of the construction of a new two-storey dwelling. The arborist report that accompanied the application described the tree, despite some minor deadwood, to be in good condition and that it would have the ability to tolerate root injury associated with the construction.

In 2018, the owner revised the application to request a permit to remove the tree on the basis that it would impede construction activity and not withstand the injury associated with construction. Urban Forestry denied the request to remove the tree on the basis that the tree was healthy and maintainable and that it could withstand the construction injury, per the original submission. Urban Forestry issued a permit to injure the tree based upon the original submission.

Upon commencement of construction in 2019, another arborist was retained by the owner to assist with issues of construction feasibility. The arborist argued that the tree was in decline, exhibited significant deadwood, and that the tree would not tolerate the injury due to the extent of root loss. Urban Forestry inspected the tree and determined that it was healthy and maintainable and provided input that would have allowed for the retention of the tree during construction.

Construction commenced and in early 2020 and the owner contacted Urban Forestry to express concerns over the severance of roots within the Tree Protection Zone and that the tree had become destabilized as a result.

Urban Forestry staff inspected the tree and, at the time of inspection, determined that it was healthy and maintainable and that it could continue to withstand the construction injury. Urban Forestry staff also conducted a Tree Risk Assessment following protocol established by the International Society of Arboriculture and determined the subject tree had a low risk of structural failure. No evidence was found to support the claim that the tree has compromised root stability or is structurally unsound. Moreover, while on site, staff did not observe excessive amounts of deadwood falling from the tree.

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 II*, more commonly referred to as the Tree By-law. The 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.

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

Should City Council approve this request for permission to remove the City-owned tree, in accordance with *Section 813-10.B of City of Toronto Municipal Code Chapter 813, Trees, Article II*, permit issuance must be conditional upon the owners providing payment of the appraised value of the tree to be removed (\$9,198.00), agreeing to have the tree removed at their expense, as well as providing satisfactory replacement

planting. In this instance, it would be appropriate for the owner to provide five replacement trees, which can be achieved in a combination of on-site planting and cash-in-lieu of planting. The owner will also be required to provide a tree planting security deposit to cover the cost of removal, replacement and the cost of maintenance for a period of two years for all trees to be planted on City property.

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 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 long horned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The Norway maple at 4 Tarlton Road 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 Tree By-law, this tree should not be removed.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph showing 72 cm diameter Norway maple at 4 Tarlton Road, October 23, 2019.

Attachment 2 – Figure 2: Staff photograph facing west, showing the extent of encroachment within the tree protection zone of the Norway maple, October 25, 2019.

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Attachment 2 – Figure 2: Staff photograph facing west, showing the extent of encroachment within the tree protection zone of the Norway maple, October 25, 2019.

