

KARMATREE INC.
39 Arcadian Circle
Toronto ON M8W 2Z3
647.346.6712

For review by members of Toronto City Council:

I. INTRODUCTION

Karmatree Inc., on behalf of our client, Deborah Moore, submitted a construction-related application to remove two (2) trees at 225 Douglas Drive, Toronto ON M4W 2B9 (Ward 11: University-Rosedale)—namely, a Crimson King Norway maple (*Acer platanoides* ‘Crimson King’) measuring 34.9 cm DBH (diameter, breast height—that is, 1.4 m above grade), and a Norway maple (*Acer platanoides*), measuring 41.2 cm DBH. These are Tree # 5 and Tree #6, respectively, on Karmatree Inc.’s Arborist Report & Tree Protection Plan dated 29 May, 2020. The proposed construction project requiring the removal of these two (2) trees was the installation of a pool in our client’s back yard.

Karmatree Inc. was contacted by Steven Pang, an Assistant Planner at TPPR (Tree Protection and Plan Review) South. Mr. Pang notified Karmatree that he had chosen to issue a permit for Tree # 6, the Norway maple, but not for Tree # 5, the Crimson King Norway maple.

Karmatree Inc. wrote back to Mr. Pang, requesting that he reconsider his decision, which request focussed upon—amongst other things—the ecological desirability of this tree’s removal.

When Mr. Pang responded, communicating that he considered this tree an asset to the urban canopy, Karmatree Inc. notified him of our intention to appeal this decision at City Council. The sign, giving neighbourhood residents the opportunity to comment, was placed on our client’s front lawn 5 August, 2020, with a comment deadline of 19 August, 2020.

In this document, we argue that City Council should overturn TPPR South’s refusal to issue a permit for the removal of this tree.

II. ARGUMENTS FOR REMOVAL

A. Declining Structural Condition

In our Arborist Report and Tree Protection Plan we reported that Tree # 5 was in good health, and good structural condition, noting a wound on the northern side of the lower trunk which the tree seemed to have successfully compartmentalized.

On 2 November, 2020, a follow-up VTA (Visual Tree Assessment) was performed, wherein it was noted that the wound was looking worse. Bark was peeling away from the wound’s edges (see Fig. 2), and insect frass was clearly visible—frass being a positive indicator that insects have been feeding upon decaying tissue (see Fig. 3).

We therefore now report that within half a year, this tree’s structural condition has declined from good to fair. It no longer seems that the tree has successfully compartmentalized the wound; if decay in this location continues to spread, said decay will eventually compromise the tree’s structural viability.

See images below.

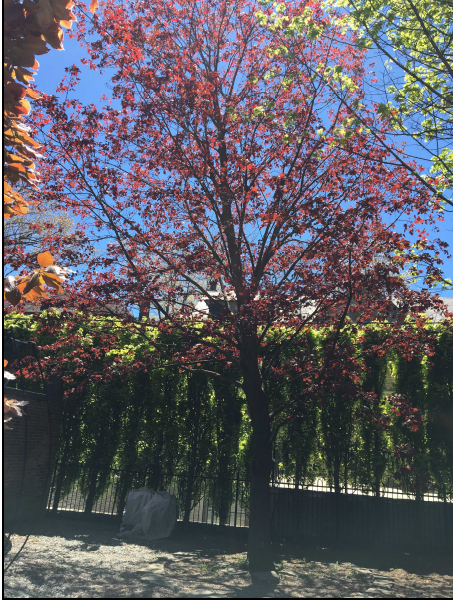


Fig. 1: In this photograph, taken 21 May, 2020, the tree is visible.

Fig. 2: In this photograph, the wound on the northern side of the lower trunk is clearly visible. Note the bark peeling away from the wound's edges.





Fig. 3: In this photograph, insect frass at the wound's edge is clearly visible. This is a positive indicator that insects have been feeding upon decaying tissue.

B. Ecological Desirability

We must respectfully but strongly disagree with TPPR South's opinion that this tree is an asset to the urban canopy. Norway maple (*Acer platanoides*) is an invasive species. We emphatically note that it is explicitly designated as such by *Sustaining & Expanding the Urban Forest: Toronto's Strategic Forest Management Plan*, a document promulgated by Parks, Forestry and Recreation (see p. 28).

This same document describes the damage Norway maple and other invasive species have inflicted upon Toronto's ravines: "Across the City of Toronto, storm water run-off travels down steep ravine slopes to water courses. The storm water can cause significant soil erosion over time and steepen these slopes. **This is most prominent in areas where native vegetation has been eliminated and understory trees, shrubs, herbs and grasses no longer exist as a result of competition with invasive, non-native species such as Norway maple.**" (p. 50, emphasis ours)

Our client's property is situated no more than 100 m away from Chorley Park, which park contains a ravine within TRCA (Toronto and Region Conservation Authority) regulation limits. This ravine presents a striking example of the damage described above. It is dominated by near-pure stands of Norway maple, and conservation personnel have had to lay down rope-nets on various closed-off sections of the ravine slope to prevent further erosion. The dominant presence of Norway maple in this ravine is due, of course, to the introduction of Norway maple as an urban tree nearby.

Toronto's Strategic Forest Management Plan makes reference to a strategy which has been successful in beginning to decrease the presence of Norway maple in this city—namely,

“targeted removals”. (p. 28) It also explicitly prescribes the ongoing management of this invasive species via “replacement plantings”: “To improve the long term sustainability and quality of the urban forest, as well as to preserve the ecological functions associated with natural areas, continued management of invasive species, **including replacement plantings, is required.**” (p. 45, emphasis ours)

In short, the removal of Tree # 5, and its replacement with a native tree, contributes to Parks, Forestry and Recreation’s *official* strategy for the management of this invasive and ecologically devastating species: Norway maples are to be removed and replaced, especially when in proximity to natural features such as ravines. Our client is dedicated to the strategic management, expansion, long-term health, and sustainability of this city’s urban canopy, and is more than willing to work with TPPR South on a replanting plan that satisfies all parties. We must respectfully conclude that TPPR South’s opinion that Tree # 5 constitutes an asset to the urban canopy, and its refusal to issue a permit for its removal, accords neither with Parks, Forestry and Recreation’s view of Norway maple, nor with its strategy for its management. We must also respectfully note that TPPR works on behalf of the General Manager of Parks, Forestry & Recreation.

C. Setbacks

We were informed—and we disclaim at the outset of this paragraph that we are arborists, and by no means experts in such matters—that in planning the location and size of the pool, required setbacks were taken into consideration vis-à-vis the nearby utility lines. Given this, the proposed location is the only possible location for the pool, unless client were to rip out existing hardscaping, as well as more beneficial plantings which are not yet old or large enough to fall under the Private Tree Protection by-law.

III. CONCLUSION

In conclusion, we emphatically request that the members of City Council overturn TPPR South’s refusal to issue a permit for the removal of Tree # 5 at 225 Douglas Drive, a Crimson King Norway maple (*Acer platanoides* ‘Crimson King’) measuring 34.9 cm DBH.

We have demonstrated that this tree’s structural condition has declined from good to fair within the space of half a year. Perhaps more importantly, we have demonstrated that TPPR South’s assertion that this tree constitutes an asset to the urban canopy does not accord with Parks, Forestry and Recreation’s—on whose behalf TPPR works—official view: *Sustaining & Expanding the Urban Forest: Toronto’s Strategic Forest Management Plan* designates Norway maple an invasive species and prescribes management by removal and replacement.

We wish to conclude by once again emphasizing that our client is dedicated to the strategic management, expansion, long-term health, and sustainability of this city’s urban canopy (indeed, she chose to move to Rosedale, in part, because of the trees!). She is more than willing to work, back and forth, with TPPR South on a replanting plan that contributes to these goals. And we wish also to note that our client is dedicated to providing safe recreational opportunities for her children during the COVID-19 pandemic. By overturning TPPR South’s refusal to issue a permit for the removal of Tree # 5, members of City Council will allow her to move forward with the installation of her pool, contributing to her ability to keep her children stimulated at home, where public health authorities have been so passionately encouraging us to remain.

Respectfully,
Jared Tomlinson, BFA (Hons),
ISA Certified Arborist ® ON-2473A.
17 November, 2020



& Ryan Kuz,
Journeyman Arborist, Ontario 444A-C11285
17 November, 2020