

Application to Remove a Private Tree – 6 Morley Court

Date: October 19, 2021

To: Etobicoke York Community Council

From: Acting Director, Urban Forestry

Wards: Ward 2 – Etobicoke Centre

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned tree located at 6 Morley Court. The application indicates the reason for removal is due to concerns that the tree roots are damaging an inground pool.

The subject tree is a northern catalpa tree (*Catalpa speciosa*), measuring 54 cm in diameter. The Tree By-laws do not support the removal of this tree as it is healthy and maintainable.

RECOMMENDATIONS

The Acting Director of Urban Forestry recommends that:

1. City Council deny the request for a permit to remove one privately owned tree located at 6 Morley Court.

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 in the rear yard of 6 Morley Court. The subject tree is a northern catalpa measuring 54 cm in diameter. The request to remove this tree has been made to address concerns that the tree roots are damaging an inground pool.

The arborist report that accompanied the application described the tree to be in fair to good condition. The report notes a small root flare on the pool side, heavily exposed

roots with major root wounds on the south side of the tree, and a slight lean towards the pool. The tree has minor epicormic branches and moderate pruning wounds. The arborist report also noted that the owner was to provide evidence of roots causing damage to the pool, but this evidence was never submitted.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable.

Tree roots are not physically capable of exerting enough force to lift or crack properly constructed and maintained infrastructure such as that of an inground pool. 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 here, can typically be repaired without requiring tree removal. Roots cannot grow where there is no water or air. The inground pool, if properly constructed and sealed, should prevent roots from growing into any existing cracks or other openings.

As a result of the above noted findings and in support of protecting and growing the City's urban forest, a permit to remove the tree was denied by Urban Forestry. Through this inspection and review of the arborist report, staff have concluded that the removal of the subject tree is not permissible under the Tree By-law, *City of Toronto Municipal Code Chapter 813*. The applicant is appealing this decision.

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 in support nor in objection were received in response to the application to remove the tree in question.

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.

The northern catalpa tree at 6 Morley Court is a valuable part of the urban forest that provides numerous aesthetic, social and economic benefits to the property owner and local community. Toronto's urban forest provides \$55 million in environmental benefits every year including improved air quality through pollution removal, lower storm water management costs by reducing runoff, and carbon sequestration that lessens the impacts of climate change. Through shade and transpiration, increasing urban tree cover can mitigate exposure to extreme heat events. A higher density of trees in a neighbourhood has been shown to significantly improve physical and mental health, such as reducing blood pressure and stress levels and promoting physical activity. Trees also make urban environments aesthetically more pleasing which raises property values.

Protecting the urban forest is a key strategy for building resiliency, as it continues to face increasing natural pressures such as storms and invasive pests. The 2013 ice storm resulted in the removal of over 3000 City-owned trees. The Emerald Ash Borer beetle has killed approximately 860,000 ash trees across the City. As a result, if the City aims to reach its canopy target of 40 per cent, it is imperative that the City protect healthy trees from injury and removal whenever possible. The improved condition and size of the urban forest will support the City of Toronto's goals to improve quality of life and well-being that enables a diverse, sustainable, innovative, growing and thriving city.

In accordance with the City Council-approved Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Private Tree By-law, the northern catalpa tree at 6 Morley Court, as a valuable part of the urban forest, should not be removed.

CONTACT

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SIGNATURE

Kim Statham
Acting Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph showing the privately owned northern catalpa tree at 6 Morley Court; June 25, 2021.

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