

## **Application to Remove a Private Tree – 94 McNicoll Avenue**

**Date:** August 13, 2021

**To:** North York Community Council

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

**Wards:** Ward 17 – Don Valley North

### **SUMMARY**

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This report requests that City Council deny the request for a permit to remove one privately owned tree located at 94 McNicoll Avenue. The application indicates the reason for removal is because the tree is hazardous, in poor condition, and its pollen is causing an allergic reaction.

The subject tree is a horse chestnut (*Aesculus hippocastanum*), measuring 31 cm in diameter. The Tree By-laws do not support the removal of this tree as it is healthy and maintainable.

### **RECOMMENDATIONS**

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The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council deny the request for a permit to remove one privately owned tree located at 94 McNicoll Avenue.

### **FINANCIAL IMPACT**

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There are no financial implications resulting from the adoption of this report.

### **DECISION HISTORY**

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There is no decision history regarding this tree removal permit application

### **COMMENTS**

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Urban Forestry received an application for a permit to remove one privately owned tree located at 94 McNicoll Avenue. The subject tree is a horse chestnut tree measuring 31 cm in diameter. The request to remove this tree has been made to address concerns

that the tree is hazardous, in poor condition, and its pollen is causing an allergic reaction.

The arborist report that accompanied the application described the tree to be in fair to poor condition. It indicates that the tree has a full crown, with some deadwood. No information supporting the statement on the application form that the tree is hazardous was provided. The arborist report also states that the owner is requesting a permit to remove the tree due to family medical reasons, specifically tree pollen allergies. The submission includes the results of allergy skin tests indicating that the applicant is allergic to pollen from a variety of trees, grasses and weeds.

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

Trees are essential to improving urban air quality as they provide a constant source of oxygen and filter harmful pollutants from the air. The City's Tree By-laws do not support tree injury or removal to address the perceived nuisance resulting from a tree's natural functions such as the production of pollen, nor does it have a mechanism that would allow the removal of a pollen-producing tree to mitigate the risk of an allergic response.

The removal of a single tree is not likely to address concerns about seasonal allergies. Wind-dispersed pollen from other trees, plants and grasses may travel significant distances and continue to aggravate or cause allergy symptoms.

All trees even healthy trees will pose some risk of limb failure. Removal of deadwood through pruning in accordance with good arboricultural practices and the performance of routine tree maintenance will reduce the likelihood of this happening.

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*. 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. 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 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. The applicant is proposing to plant one replacement ginkgo 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 horse chestnut tree at 94 McNicoll Avenue 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 neighborhood 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 horse chestnut tree at 94 McNicoll Avenue, as a valuable part of the urban forest, should not be removed.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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Attachment 1 – Figure 1: Staff photograph showing horse chestnut tree at 94 McNicoll Avenue; June 2021.

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