

## **Application to Remove a Private Tree – 122 Pearson Avenue**

**Date:** August 13, 2021

**To:** Toronto and East York Community Council

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

**Wards:** Ward 4 – Parkdale – High Park

### **SUMMARY**

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This report requests that City Council deny the request for a permit to remove one privately owned tree located on the boundary line between the properties of 122 Pearson Avenue and 120 Pearson Avenue. The application indicates the reason for removal is to address safety concerns from falling deadwood and future potential damage to the fence and homes.

The subject tree is a tulip tree (*Liriodendron tulipifera*), measuring 51 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 on the boundary line between the properties of 122 Pearson Avenue and 120 Pearson 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 on the boundary line between the properties of 122 Pearson Avenue and 120 Pearson Avenue. The subject tree is a tulip tree measuring 51 cm in diameter. The request to remove this tree has been made to address safety concerns from falling deadwood, tree growth impacting the fence, and potential future damage from the tree roots to the fence and dwelling foundations. In accordance with the City's Boundary and Neighbour Tree Procedure, the co-owner of the boundary tree has been notified in writing that an application to remove the tree has been received.

The arborist report that accompanied the application describes the tree to be in good condition.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. The tree roots were not observed to be impacting the fence or dwelling foundations.

Tree roots are not physically capable of exerting enough force to lift or crack properly constructed and maintained infrastructure such as dwelling foundations. 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 dwelling foundations, if properly constructed and sealed, should prevent roots from growing into any existing cracks or other opening, as roots cannot grow where there is no water or air.

Damage to dwelling foundations and fence caused by tree roots, can typically be repaired without requiring tree removal. Similarly, the fence can also be repaired in future to accommodate tree growth without requiring removal of the tree.

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. As a condition of permit issuance, the applicant is proposing to pay cash-in-lieu of planting. 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 tulip tree on the boundary line between the properties of 122 Pearson Avenue and 120 Pearson 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 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 tulip tree on the boundary line between the properties of 122 Pearson Avenue and 120 Pearson 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  
Director, Urban Forestry  
Parks, Forestry and Recreation

## **ATTACHMENTS**

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Attachment 1 – Figure 1: Staff photograph showing subject tulip tree at 122 Pearson Avenue; February 26, 2021

Attachment 2 – Figure 2: Staff photograph showing subject tulip tree at 122 Pearson Avenue; February 26, 2021

Attachment 1 – Figure 1: Staff photograph showing subject tulip tree at 122 Pearson Avenue; -February 26, 2021



Attachment 2 – Figure 2: Staff photograph showing subject tulip tree at 122 Pearson Ave on February 26, 2021

