

Application to Remove a Private Tree – 351 Kennedy Avenue

Date: May 2, 2022

To: Toronto and East York Community Council

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

Wards: Ward 4 – Parkdale-High Park

SUMMARY

This staff report is about a matter that Community Council has delegated authority from City Council to make a final decision.

This report requests that Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 351 Kennedy Avenue. The application indicates the reason for removal is due to concerns that the tree will fail in a storm due to its size and location.

The subject tree is a white spruce (*Picea glauca*), measuring 57 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. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 351 Kennedy Avenue.

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 at 351 Kennedy Avenue. The subject tree is a white spruce measuring 57 cm in

diameter. The request to remove this tree has been made to address concerns that the tree will fail in a storm due to its size and location.

The arborist report that accompanied the application described the tree to be healthy and in good condition.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Urban Forestry's site inspection did not find evidence of structural defects to support the claim that the tree is susceptible to failure. Following a staff site inspection, the applicant was advised that the tree is healthy and maintainable and evidence to support that the tree is subject to failure was requested. The owner indicated that the tree previously caused cracks in the ground during past wind events. They provided photos taken in 2018 of the base of the tree showing some cracks in the soil. The cause of the cracks was unclear and the homeowner did not retain an arborist to assess the tree when the cracks appeared. Urban Forestry requested further evidence to support that the tree is destabilized, such as a sonic tomographic test, which is used to detect decay or cavities in trees. The owner did not proceed with this test.

The trunk does not exhibit any obvious signs of internal or external decay that would make it more prone to failure. A common indication of potential failure due to strong winds can be a heaving root plate. The root system appears to be structurally sound without any heaving.

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 in support or objection were received in response to the application to remove the tree in question.

The white spruce tree at 351 Kennedy 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 resilience, 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 white spruce tree at 351 Kennedy Avenue, as a valuable part of the urban forest, should not be removed.

The Acting Director of Urban Forestry recommends Toronto and East York Community Council deny the request for a permit to remove a privately owned tree located at 351 Kennedy Avenue. Should Toronto and East York Community Council grant this request for tree removal, the following recommendation may be adopted, in accordance with the City's Tree By-law permit requirements:

- 1) Toronto and East York Community Council approve the request for a permit to remove a privately owned tree located at 351 Kennedy Avenue, and require the applicant to provide five replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting to the satisfaction of the General Manager of Parks, Forestry and Recreation.

CONTACT

Xin Zhou, Acting Supervisor, Tree Protection and Plan Review, Urban Forestry
Tel: 416-392-7187, Email: Xin.Zhou@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph showing the white spruce tree at 351 Kennedy Avenue; November 24, 2021

Attachment 2 – Figure 2: Homeowner photograph showing soil cracks at the base of the white spruce tree at 351 Kennedy Avenue; 2018

Attachment 1 – Figure 1: Staff photograph showing the white spruce tree at 351 Kennedy Avenue; November 24, 2021



Attachment 2 – Figure 2: Homeowner photograph showing soil cracks at the base of the white spruce tree at 351 Kennedy Avenue; 2018

