

## **Application to Remove a Private Tree – 426 Plains Road**

**Date:** May 31, 2022

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

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

**Wards:** Ward 19 - Beaches-East York

### **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 on the boundary line between the properties of 426 and 428 Plains Road. The application indicates that the reason for removal is due to concerns that the tree's pollen is causing allergic reactions; it drops seed fluff and sticky pods; has caused property damage by dropping branches, and by the roots heaving and cracking the garage foundation.

The subject tree is an eastern cottonwood (*Populus deltoides*) measuring 77 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 on the boundary line between the properties of 426 and 428 Plains Road.

### **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 the rear yard on the boundary line between the properties of 426 and 428 Plains Road. The subject tree is an eastern cottonwood measuring 77 cm in diameter. The request to remove this tree is due to concerns that the tree's pollen is causing allergic reactions; it drops seed fluff and sticky pods; and has caused property damage by dropping branches and by the roots heaving and cracking the garage foundation.

The arborist report that accompanied the application does not provide the condition assessment rating of the tree. It does include photographs indicating concerns about structural defects between the main limbs and decay at the site of an old pruning wound. The arborist report also indicates that the tree has a history of falling branches, and states that the species sheds branches without warning and is a poor choice for the urban environment.

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

Urban Forestry staff conducted a Tree Risk Assessment and determined the subject tree has a low risk of structural failure. The Tree Risk Assessment methodology used is an evaluation tool developed by the International Society of Arboriculture. No evidence was found to support the claim that the tree has compromised root stability or is structurally unsound.

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 structurally sound without any heaving.

Tree roots are not physically capable of exerting enough force to lift or crack properly constructed and maintained infrastructure such as garage foundations and driveways. 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. Waterproofing of the garage foundation, if not already done, would prevent roots from growing in any existing cracks or other openings in the foundation. Roots cannot grow where there is no water or 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. In this case, wind-dispersed pollen from trees and other plants and grasses may travel significant distances. It is not possible to implicate one particular tree as exclusively aggravating or causing allergy symptoms. The removal of this tree is therefore not likely to address concerns about seasonal allergies.

Many of the tree species that grow in Toronto's urban forest produce fruit that some residents consider a nuisance. Every large growing tree has some degree of maintenance associated with it including removal of leaves, flowers, fruit, twigs and small branches. Concerns expressed by the applicant regarding seed fluff, sticky pods and falling branches may be addressed through good arboricultural practices and routine tree maintenance.

The City's Tree By-laws do not support tree removal to address the perceived nuisance resulting from a tree's natural functions. 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. In response to the posting, six comments were received during the posting period. Four were in favour of removal, while two comments opposed the removal. Two additional comments were received after the posting period supporting the removal of the tree.

The eastern cottonwood tree located on the boundary line between the properties of 426 and 428 Plains Road 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 eastern cottonwood tree located on the boundary line between the properties of 426 and 428 Plains Road, 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 one privately owned tree located on the boundary line between the properties of 426 and 428 Plains Road. 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 one privately owned tree located on the boundary line between the properties of 426 and 428 Plains Road, 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**

---

Janice Allen, Acting Supervisor Tree Protection and Plan Review, Urban Forestry  
Tel: 416-396-5131, Email: [Janice.Allen@toronto.ca](mailto:Janice.Allen@toronto.ca)

## **SIGNATURE**

---



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

## **ATTACHMENTS**

---

Attachment 1 – Figure 1: Staff photograph showing crown of eastern cottonwood poplar from 426 Plains Road; March 3, 2022

Attachment 2 – Figure 2: Arborist report photograph showing trunk of eastern cottonwood at 426 Plains Road; September 20, 2021



Attachment 1 – Figure 1: Staff photograph showing crown of eastern cottonwood poplar from 426 Plains Road; March 3, 2022





Attachment 2 – Figure 2: Arborist report photograph showing trunk of eastern cottonwood at 426 Plains Road; September 20, 2021

