

## **Application to Remove a Private Tree – 146 Three Valleys Drive**

**Date:** March 9, 2023

**To:** North York Community Council

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

**Wards:** Don Valley East - 16

### **SUMMARY**

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This report requests that North York Community Council deny the request for a permit to remove one privately owned tree located at 146 Three Valleys Drive. The applicant indicates the reason for requesting removal of the tree is due to its size, proximity to the private residence, impact to the walkway and driveway, and the presence of dead branches and dripping sap.

The Norway spruce tree, *Picea abies*, in question measures 51 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the City's decision to deny a tree permit.

### **RECOMMENDATIONS**

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The Director of Urban Forestry, Parks, Forestry and Recreation recommends that:

1. North York Community Council deny the request for a permit to remove one privately owned tree located at 146 Three Valleys Drive.

### **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 related to this tree removal permit application.

## COMMENTS

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Parks, Forestry and Recreation received an application for a permit to remove one privately owned tree located in the front yard at 146 Three Valleys Drive. The Norway spruce tree in question measures 51 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to its size, proximity to the private residence, impact to the walkway and driveway, and the presence of dead branches and dripping sap.

The arborist report that accompanied the application described the tree's health to be in decline. This report noted that the tree is growing at a significant lean, and that roots are impacting the driveway as well as the walkway. The species is described as undesirable, and the report states that pruning in this case is not a viable option.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff observed a minor lean, and there are signs of declining health; however these do not individually or collectively result in the tree being in poor condition, or prevent it from being maintained in a safe condition. Removal of deadwood can be addressed through pruning in accordance with good arboricultural practices and routine tree maintenance which will prevent and reduce the risk from falling deadwood respectively.

Hard landscape features such as interlocking unit pavers and asphalt surfaces may be prone to damage by tree roots if they have not been properly designed, built or maintained. When built to accommodate future root growth and expansion, and when properly maintained over time, any conflict with trees or their roots can be planned for and managed without tree removal. Damages to hard landscape features, can typically be repaired without requiring tree removal. If an injury to the tree is required in order to complete the repairs, the applicant may apply for a construction permit and submit the relevant construction plans and arborist report outlining how the tree will be impacted and protected during construction.

The City's Tree By-laws do not support tree removal to address the perceived nuisance resulting from a tree's natural function, including dripping sap onto vehicles or surfaces. While options and products exist to mitigate or address this concern, City staff do not provide specific recommendations for any products to remove tree sap from cars, as an incorrect product or misapplication may cause damage to a vehicle's paint or finish. City staff do recommend that the resident consult with an expert in auto cleaning supplies, an automotive detailer, or an auto body shop for advice specific to the paint on their car. In addition, pruning options such as the selective removal of low branches (pruning

correctly, back to the main stem, while not exceeding healthy pruning thresholds), may reduce the amount of sap that falls onto a vehicle parked near the tree.

Through the inspection and review of the arborist report, a permit to remove the tree was denied by Parks, Forestry and Recreation. The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Community Council has delegated authority from City Council to make final decisions as to whether a permit may be issued when an applicant wishes to appeal the City's decision to deny a tree permit.

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 were received in support nor in opposition of the application to remove the tree in question.

Protecting the urban forest is critical in building climate resilience as urban centres continue to face increasing development, impacts due to climate change in the form of extreme weather events, and other natural threats such as invasive pests. The City has reaffirmed its canopy target of 40 per cent by 2050. One approach to support achieving this target is to protect healthy trees from injury and removal whenever possible. A sustainable and expanding urban forest also supports the City of Toronto's goals to improve quality of life and well-being of its residents.

Toronto's urban forest provides \$55 million in ecosystem services and benefits annually. Services such as air pollution removal, reduction of storm water runoff, and carbon sequestration all contribute to climate resilience. Protecting and expanding tree cover helps to mitigate exposure to extreme heat events through shade and transpiration. A higher density of trees in a neighbourhood has been shown to significantly improve physical and mental well-being by reducing blood pressure, decreasing stress levels and by promoting physical activity. Economic benefits include enhancements to property values, increased tourism and consumer spending.

In keeping with the City's Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Tree Protection By-laws, the Norway spruce tree at 146 Three Valleys Drive is a valuable part of the urban forest, providing numerous aesthetic, social and economic benefits to the property owner and the local community and therefore should not be removed.

Parks, Forestry and Recreation recommends North York Community Council deny the request for a permit to remove one privately owned tree located at 146 Three Valleys Drive. Should North 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) North York Community Council approve the request for a permit to remove one privately owned tree located at 146 Three Valleys Drive, 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**

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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 of the Norway spruce at 146 Three Valleys Drive; July 18, 2022

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