

## **Application to Remove a Private Tree – 164 McNicoll Avenue**

**Date:** April 26, 2023

**To:** North York Community Council

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

**Wards:** Don Valley North - 17

### **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 164 McNicoll Avenue. The applicant indicates the reason for requesting removal of the tree is due to its location, and to prevent possible hazards to their property.

The Colorado blue spruce tree, *Picea pungens*, in question measures 36 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 164 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 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 164 McNicoll Avenue. The Colorado blue spruce tree in question measures 36 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to its location, and to prevent possible hazards to their property.

The arborist report that accompanied the application described the tree as being in poor condition. The arborist report notes that the subject tree has lost half of its crown due to a lack of space, there are many dead needles and branches in the tree, the tree leans towards the house at approximately 10 degrees, the tree is too close to the house, and there is a concern that the tree could fail and damage the owner's property under bad weather conditions.

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

The tree's uneven crown is the result of the tree responding to its environment and is not an indication of poor structural or botanical health. The tree benefits from shelter provided by the adjacent tree, reducing concern regarding its potential to fail. The tree shows every sign of being strong and stable, despite the minor lean.

The amount of new growth evident at the twig ends each season indicate the tree is generally healthy, and the accumulation of dead needles and branches in the lower and middle canopy is normal for this species at this size. Removal of dead needles and branches can be addressed through pruning in accordance with good arboricultural practices and the performance of routine tree maintenance.

This tree is situated approximately 3 metres from the house. The tree is located such that routine maintenance of the tree and house can be performed.

The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Through the inspection and review of the arborist report, a permit to remove the tree was denied by Parks, Forestry and Recreation. 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.

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 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 Colorado blue spruce tree at 164 McNicoll Avenue 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 164 McNicoll Avenue. 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 164 McNicoll 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**

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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 Colorado blue spruce tree at 164 McNicoll Avenue; December 22, 2022

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