

Application to Remove a Private Tree – 7 Marwill Street

Date: October 26, 2023

To: North York Community Council

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

Wards: York Centre - 6

SUMMARY

This report requests that North York Community Council deny the request for a permit to remove one privately owned tree located at 7 Marwill Street. The applicant indicates the reason for requesting removal of the tree is due to concerns about branches failing due to poor attachment to the trunk.

The Norway spruce tree (*Picea abies*) in question measures 47 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. The permit was denied and the applicant is appealing the decision. 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 denial of a permit of a tree protected under the By-laws.

RECOMMENDATIONS

The Director, 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 7 Marwill Street.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

There is no decision history related to this tree removal permit application.

COMMENTS

Parks, Forestry and Recreation received an application for a permit to remove one privately owned tree located in the front yard at 7 Marwill Street. The Norway spruce tree in question measures 47 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to concerns about branches failing due to poor attachment to the trunk.

The arborist report that accompanied the application described the tree to be in fair condition with poor structure. The report noted that the tree was previously topped (a method of pruning) at approximately five metres above grade resulting in multiple new tops being formed. The tree was described as having moderate vigour with minor deadwood throughout the crown. The arborist report also noted that the crown is in conflict with house service and communication wires.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. The tree divides into two stems at approximately five metres above ground level, but the likelihood of failure at the union is low. There is a frost crack evident on the south side of the trunk below where it divides into two branches that has healed over. Furthermore, there is no structural concern with the union of the two branches at this time. Dead interior branches can be addressed through pruning in accordance with good arboricultural practices and the performance of routine tree maintenance which will reduce the risk from falling deadwood.

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. The applicant has appealed the decision. 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 to the application to remove the tree in question.

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.

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. 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 sustainable and expanding urban forest also supports the City of Toronto's goals to improve quality of life and well-being of its residents. 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 7 Marwill Street 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 7 Marwill Street. 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 7 Marwill Street, 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, Parks, Forestry and Recreation.

CONTACT

David Bostock, Supervisor Tree Protection and Plan Review, Urban Forestry
Tel: 416-395-6134, Email: David.Bostock@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the Norway spruce at 7 Marwill Street;
September 5, 2023

Attachment 1 – Figure 1: Staff photograph of the Norway spruce at 7 Marwill Street;
September 5, 2023

