

Application to Remove a Private Tree – 38 Firstbrooke Road

Date: May 3, 2023

To: Toronto and East York Community Council

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

Wards: Beaches-East York - 19

SUMMARY

This report requests that Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 38 Firstbrooke Road. The applicant indicates the reason for requesting removal of the tree is due to property damage and safety concerns related to falling branches and dropping acorns.

The red oak tree, *Quercus rubra*, in question measures 113 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

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

1. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 38 Firstbrooke Road.

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 rear yard at 38 Firstbrooke Road. The red oak tree in question measures 113 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to concerns over property damage and safety related to falling branches and dropping acorns.

The arborist report that accompanied the application described the tree as being in good health with fair structure, good overall condition, and maintainable for at least another 10 years. The report noted that the tree has a small crown size from over pruning and branch loss. It noted there is an anomaly in the trunk approximately 6 m above grade, where the tree may have previously been girdled and grown around it.

The arborist suggested the anomaly is worth further inspection via a resistograph, mallet or sonic tomography testing. The arborist recommended a more detailed assessment on the tree to obtain additional information about its overall health and structure. The owners have chosen to not proceed with any additional assessments.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Even healthy trees may pose some risk of limb failure. Removal of deadwood can be addressed through pruning in accordance with good arboricultural practices and the performance of routine tree maintenance which will prevent and reduce the risk from falling deadwood respectively.

Every large growing tree requires some degree of maintenance such as removal of leaves, flowers, fruit, twigs and small branches. Removal of debris is considered part of regular property maintenance and is a responsibility of all property owners in Toronto. Concerns expressed by the applicant regarding falling acorns may be addressed by pruning using good arboricultural practices and routine tree and property maintenance.

Protecting large growing, mature trees are critical to reaching and maintaining a healthy urban forest canopy. Large trees have bigger crowns and more leaf area. The greater the leaf area of a tree the more it contributes to environmental benefits such as improving air quality, reducing the heat island effect, and carbon sequestration.

The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable, nor do the by-laws support tree removal to address the perceived nuisance resulting from a tree's natural functions. 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. Two comments were received in support and two comments were received in opposition to 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 red oak tree at 38 Firstbrooke Road 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 Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 38 Firstbrooke 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 at 38 Firstbrooke 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

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SIGNATURE



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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the red oak tree at 38 Firstbrooke Road;
January 20, 2023

Attachment 1 – Figure 1: Staff photograph of the red oak tree at 38 Firstbrooke Road; January 20, 2023

