

Application to Remove a Private Tree – 152 Brahms Avenue

Date: November 15, 2024

To: North York Community Council

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

Wards: Don Valley North - 17

SUMMARY

This report requests that North York Community Council deny the request for a permit to remove one privately owned tree located at 152 Brahms Avenue. The applicant indicates the reason for requesting removal of the tree is due to concerns about safety issues related to potential tree failure, as well as potential property damage to the foundation and driveway from the tree's roots.

The subject tree is a littleleaf linden tree (*Tilia cordata*) measuring 58 cm in diameter, situated at the front of the property. 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 Acting 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 152 Brahms Avenue.

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 152 Brahms Avenue. The littleleaf linden tree (*Tilia cordata*) in question measures 58 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to concerns about safety issues related to potential tree failure, as well as potential property damage to the foundation and driveway from the tree's roots.

The arborist report that accompanied the application describes the condition of the tree as good, but with poor structure and multiple leaders or "bifurcated trunk". This poor structure is cited as posing a risk of failure. The reason for the removal request, as described by the arborist, is economical, stating that the tree should be removed now before it grows even larger and costs more to remove. Proximity to the house is also cited as a concern in the arborist report.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. The presence of multiple leaders was confirmed, along with a slightly uneven crown, epicormic sprouting, and old pruning cuts. However, these defects are minor and do not unreasonably compromise the tree's health or structural integrity.

The subject tree is situated 2.9 metres from the house. It is rare for trees or their roots to cause damage to a well-constructed foundation from this distance. Over time, foundations may develop cracks or leaks due to material deterioration and/or environmental factors like water freezing and thawing. These conditions can create tiny gaps that fine roots of nearby trees can grow into, potentially accelerating the rate of deterioration. However, such age-related deterioration could also occur in the absence of trees and their roots. Therefore, it is unlikely for trees in general, and this tree in particular, to be solely responsible for any damage. Waterproofing of the foundation, if not already done, would prevent roots from accessing any existing cracks or other openings in the foundation. It should be noted that no evidence of damage has been submitted at this time.

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 is appealing this 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 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 littleleaf linden tree at 152 Brahms 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 152 Brahms 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 152 Brahms 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

Raymond Vendrig
Acting Director, Urban Forestry, Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the littleleaf linden tree at 152 Brahms Avenue; June 27, 2024

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