

Application to Remove a City Tree – 14 Atherton Crescent

Date: May 5, 2025

To: Etobicoke York Community Council

From: Director, Urban Forestry, Environment, Climate and Forestry

Wards: Etobicoke-Lakeshore - 3

SUMMARY

This report requests that Etobicoke York Community Council deny the request for a permit to remove one City-owned tree located at 14 Atherton Crescent. The applicant indicates the reason for requesting the removal of the tree is due to fallen fruits which have a foul odour, create a slip hazard, and are physically taxing to clean up; and tree roots that are clogging clay pipes.

The ginkgo tree (*Ginkgo biloba*) 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 appeals the City's decision to deny a tree permit.

RECOMMENDATIONS

The Director of Urban Forestry, Environment, Climate and Forestry recommends that:

1. Etobicoke York Community Council deny the request for a permit to remove one City-owned tree located at 14 Atherton Crescent.

FINANCIAL IMPACT

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

DECISION HISTORY

On January 23, 2023 a previous permit appeal concerning this tree was considered by Etobicoke York Community Council who voted to refuse a permit to remove this tree.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EY2.11>

COMMENTS

The City of Toronto received an application for a permit to remove one City-owned tree located on the City-owned right-of-way fronting 14 Atherton Crescent. The ginkgo tree (*Ginkgo biloba*) in question measures 47 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to fallen fruits which have a foul odour, create a slip hazard, and are physically taxing to clean up; and tree roots that are clogging clay pipes.

The arborist report that accompanied the application described the tree to be in good health and structural condition.

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

Tree roots grow almost exclusively in the upper 60 cm of soil and are not physically capable of exerting enough force to crack pipes. Water and sewer pipes are usually 1.5 - 2 meters below ground level. Older clay pipes may be susceptible to cracks as a result of freezing and thawing. When damaged pipes leak, they provide oxygen and nutrient rich water deep in the soil, which attracts tree roots. Replacing old clay pipes with continuous PVC piping between the house and the sewer connection can eliminate the possibility of future blockages by tree roots.

The damage to clay pipes 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 showing how the tree will be impacted and protected during construction.

Allergic contact dermatitis of the skin is a potential reaction to dermal contact with the outer pulpy layer of the ginkgo seed. These reactions may depend on an individual's sensitivity and past exposure to other plants that contain the urushiol compound, like poison ivy.

Toronto Public Health has commented that the overall health risk to the public from ginkgo trees is very low, especially if mitigating measures are taken. Mitigation measures may include:

- Avoidance of fallen seeds and regular removal of fallen seeds while wearing personal protective equipment (e.g., gloves, long-sleeved shirt and pants) will reduce the risk of allergic contact dermatitis

- Immediate cleaning of the skin with soap and removal of clothes that came into contact with the outer fruit can prevent or mitigate a potential allergic dermatitis reaction for sensitive individuals
- Regular removal of fallen seeds may lessen the attraction of wildlife and minimize its odour
- Avoidance of ingestion of the inner seed will prevent acute food poisoning

Every large growing tree requires some degree of maintenance such as removal of leaves, flowers, fruit, twigs and small branches. Removal of debris such as fallen fruit is considered part of regular property maintenance and is a responsibility of all property owners within the City of Toronto. The City's Tree By-laws do not support tree removal to address the perceived nuisance resulting from a tree's natural functions, for a tree that is maintainable, nor for causing pipe damage.

Through the inspection and review of the arborist report, a permit to remove the tree was denied by Environment, Climate and Forestry. 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 appeals the City's decision to deny a tree permit.

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 ginkgo tree at 14 Atherton Crescent 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.

Environment, Climate and Forestry recommends Etobicoke York Community Council deny the request for a permit to remove one City-owned tree located at 14 Atherton Crescent. Should Etobicoke 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) Etobicoke York Community Council approve the request for a permit to remove one City-owned tree located at 14 Atherton Crescent, conditional upon the applicant:
 - providing payment of the appraised value of the tree (\$5,324) to be removed;
 - agreeing to have the tree removed at their expense;
 - providing 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 Executive Director, Environment, Climate and Forestry, and;
 - providing a tree planting security deposit to cover the cost of planting and warranty for a period of two years for all trees to be planted on City property.

CONTACT

Max Dida, Supervisor Tree Protection and Plan Review, Urban Forestry
Tel: 416-394-8551, Email: Max.Dida@toronto.ca

SIGNATURE

Kim Statham
Director, Urban Forestry, Environment, Climate and Forestry Division

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the ginkgo tree at 14 Atherton Crescent; February 25, 2025

Attachment 1 – Figure 1: Staff photograph of the ginkgo tree at 14 Atherton Crescent; February 25, 2025

