

## **Application to Remove a Private Tree – 86 Merrick Street**

**Date:** January 30, 2025

**To:** Toronto and East York Community Council

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

**Wards:** Parkdale-High Park - 4

### **SUMMARY**

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This report requests that Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 86 Merrick Street. The applicant indicates the reason for requesting removal of the tree is due to safety concerns over falling chestnuts.

The horsechestnut tree (*Aesculus hippocastanum*) measures 39 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**

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

1. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 86 Merrick Street.

### **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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The City of Toronto received an application for a permit to remove one privately owned tree located in the rear yard at 86 Merrick Street. The horsechestnut tree (*Aesculus hippocastanum*) in question measures 39 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to safety concerns over falling chestnuts.

The arborist report that accompanied the application described the tree to be in fair condition. The report stated that the tree has a full looking canopy with no excessive deadwood and no visible signs of insect infestation; there is a deep, upward facing cavity approximately 8 feet from the ground on the main stem, and that this cavity is subject to filling with water each rainfall; and it is suffering from a *Guignardia* leaf blotch (*Guignardia aesculi*) fungal infection. The report claimed that this was a poor species for its current location.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff noted that the canopy is healthy overall, with most wounds sealing well, including the large upwards facing cavity.

Every large growing tree will produce leaves, flowers, nuts, twigs and small branches. The City's Tree By-laws do not support tree removal to address the perceived nuisance resulting from a tree's natural functions.

*Guignardia* leaf blotch is extremely common on horsechestnut and it only has a limited impact on trees that are otherwise healthy. To manage this disease, collection and removal of fallen leaves helps prevent new infections the next year. Pruning the interior canopy in accordance with good arboricultural practices to increase air circulation and let sunlight into the canopy can help minimize periods of leaf wetness.

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 Urban 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 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. Three comments were received in support of removal and no comments were received 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 Horsechestnut tree at 86 Merrick 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.

Environment, Climate and Forestry recommends Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 86 Merrick Street. 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 86 Merrick Street and require the applicant to provide five replacement trees to be planted within subject property or paid for cash in lieu of replanting. 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.

## **CONTACT**

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**SIGNATURE**

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Raymond Vendrig  
Acting Director, Urban Forestry, Environment, Climate and Forestry

**ATTACHMENTS**

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Attachment 1 – Figure 1: Staff photograph of the horsechestnut tree at 86 Merrick Street; June 24, 2024

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