

Application to Remove a Private Tree – 40 Myrtle Avenue

Date: April 9, 2026

To: Toronto and East York Community Council

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

Wards: Toronto-Danforth - 14

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 40 Myrtle Avenue. The applicant indicates the reason for requesting removal of the tree is due to the foul odour and nuisance of the fruit and the poor condition and constrained location of the tree resulting in a potential safety hazard.

The ginkgo tree (*Ginkgo biloba*) measures 60 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 recommend that:

1. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 40 Myrtle 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

The City of Toronto received an application for a permit to remove one privately owned tree located in the rear yard at 40 Myrtle Avenue. The ginkgo tree (*Ginkgo biloba*) in question measures 60 cm in diameter. The applicant indicates the reason for requesting removal of the tree is due to the foul odour and nuisance of the fruit and the poor condition and constrained location of the tree resulting in a potential safety hazard.

The arborist report that accompanied the application described the tree to be in poor condition. This report noted significant dead branches in the canopy and past pruning that has resulted in an unbalanced tree crown with weak branch attachments.

City staff inspected the tree and at the time of inspection, determined that it is healthy and maintainable with no evidence of significant dead branches or an unbalanced form. The tree is positioned in the rear yard adjacent to a fence but with space to grow for many years.

Large growing trees require regular maintenance such as removal of fallen leaves, flowers, fruit, twigs and small branches. Removal of debris such as fallen fruit is considered part of regular property maintenance and is the 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.

The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Through the inspection of the tree and the 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.

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. One comment was received in support of removal; 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 ginkgo tree at 40 Myrtle 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.

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 40 Myrtle Avenue. 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 40 Myrtle 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 Executive Director, Environment, Climate and Forestry.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1 – Figure 1: Arborist photograph of the ginkgo tree at 40 Myrtle Avenue; November 24, 2025

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