



## STAFF REPORT INFORMATION ONLY

### 17 Elsfield Road – Private Tree Removal - Review of Additional Information (Structural Engineer's Report)

<b>Date:</b>	December 11, 2006
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Brenda Librecz, General Manager, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 5 - Etobicoke Lakeshore
<b>Reference Number:</b>	

#### SUMMARY

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To report on a request made by City Council at its meeting held September 25, 26 and 27, 2006 to re-inspect the property and review additional materials that were submitted by the property owner in conjunction with an application that was received by Urban Forestry for a permit to remove one privately-owned tree located at the rear of 17 Elsfield Road. Construction of a rear yard addition is the reason given by the applicant for tree removal.

#### FINANCIAL IMPACT

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

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#### DECISION HISTORY

On July 19, 2006, a request was made by the applicant to appeal to the Etobicoke York Community Council the decision of Urban Forestry to deny issuance of a permit authorizing removal of a privately-owned white pine tree (*Pinus strobus*) located at 17 Elsfield Road.

On September 13, 2006, this matter was heard by the Etobicoke York Community Council where a recommendation was made to forward the matter on to Toronto City Council without recommendation.

Toronto City Council at its meeting held on September 25, 26 and 27, 2006, referred this matter back to the Etobicoke York Community Council for further consideration in light of the fact that the applicant had provided new information. City Council also requested that the General Manager, Parks, Forestry and Recreation, review the newly-acquired information, re-inspect the property and report back to the Etobicoke York Community Council.

## **ISSUE BACKGROUND**

In accordance with *Municipal Code, Chapter 813, Trees, Article III of the City of Toronto*, an application for permit was submitted by Judith Wright of Judith S. Wright Associates on behalf of the property owners of 17 Elsfield Road for the removal of one (1) privately-owned 64-centimetre diameter white pine tree. This application has been made to allow for the construction of a rear yard addition.

An inspection of the site conducted by Urban Forestry staff revealed that the tree is healthy and in good condition. As required under Section 813-16(F) of the Private Tree By-law, notice of the application was posted on the subject site for a period of 14 days. In response to the posting of the notice, Urban Forestry received three letters objecting to the removal of the tree.

After reviewing the information provided by the applicant and consulting with the Ward Councillor, as also required under Section 813-16(F) of the Private Tree By-law, Urban Forestry chose to deny issuing a permit to remove the tree. This decision was based on a number of factors including, the benefits this very significant tree will provide to the community for many years to come, the opposition raised by area residents and that, in the opinion of Urban Forestry, options exist to build a smaller addition onto the existing home while retaining the tree.

The applicant did not agree with the decision of Urban Forestry to deny issuance of a permit authorizing removal of the tree and chose to appeal the decision to the Etobicoke York Community Council where the matter was forwarded to City Council without recommendation. At City Council, the owners of the property put forth a report prepared by a structural engineer which they claimed provided evidence suggesting that the tree was damaging the foundation of the existing home and needed be removed in order to remedy the situation.

This report is in follow up to City Council's decision requesting that Urban Forestry review the additional materials submitted by the applicant and revisit the site.

## **COMMENTS**

The additional materials submitted by the applicant constitute an Engineer's report prepared by Peter Yeates Inspections, dated September 21, 2006. Urban Forestry has reviewed this report and found no evidence to suggest that the privately-owned white pine tree located at the rear of the property of 17 Elsfield Road should be removed to

facilitate repairs to the foundation of the existing home for the alleged damages caused by the tree in question.

The Engineer's report describes generalized views on the cause and effect relationship between foundation walls and roots of large growing trees. The report; however, does not give a clear indication that the tree in question is the cause of the damage. The description and photographs in the report depict the result of foundation problems commonly associated with older homes and not necessarily associated with that of root damage.

Roots from a tree of any size do not have the ability to crack, infiltrate or expand mortar joints. Foundation walls that have been fractured by more forceful processes such as freeze thaw cycles create areas where water and nutrients from the surrounding soil may gather creating an area that is temporarily favourable to root growth. If fractures have occurred in the foundation walls of the existing home and repair is necessary Urban Forestry would not be opposed to the property owner conducting work as necessary to mitigate the problem. However, based on the information presented by the applicant it does not appear that removal of the tree in question would be necessary to facilitate repair.

A follow up inspection of the property by Urban Forestry staff, as requested by City Council, did not reveal any new information.

The additional information provided by the applicant and the follow up inspection of the property conducted by Urban Forestry has not changed the recommendation expressed in the attached staff report stating that the request for permit authorizing removal of the privately-owned white pine tree located at the rear of the property of 17 Elsfield Road should be denied.

## **CONTACT**

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## **SIGNATURE**

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Brenda Librecz  
General Manager, Parks, Forestry and Recreation

## **ATTACHMENTS**

City Council decision and associated Staff Report

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/et7rpt/cl008.pdf>