



**STAFF REPORT  
ACTION REQUIRED**

**72 Cheltenham Avenue – Application to Remove a Private Tree**

<b>Date:</b>	October 24, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	Richard Ubbens, Director, Urban Forestry, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	

**SUMMARY**

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The report requests Council’s authority to deny the request for removal of one (1) privately-owned tree, located in the front yard of 72 Cheltenham Avenue. The homeowner is concerned that the roots of the tree may grow into and block the newly replaced sewer line.

Inspection of the tree by staff revealed that the tree is in good condition. With proper care and maintenance, the tree should continue to provide benefits to the community for years to come. Urban Forestry cannot support the loss of existing trees as their loss is contrary to the City’s stated goal of doubling the tree canopy.

**RECOMMENDATIONS**

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**The General Manager of Parks, Forestry and Recreation recommends that** Council deny the request for permit to remove one (1) privately-owned tree at 72 Cheltenham Avenue.

**Financial Impact**

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

**ISSUE BACKGROUND**

In accordance with *City of Toronto Municipal Code, Chapter 813, Trees, Article III*, an application has been made requesting permission to remove one (1) privately-owned tree

located at the front of the property municipally known as 72 Cheltenham Avenue. The owner has replaced the old clay tile drain system with P.V.C. piping and is concerned that tree roots may enter and block the repaired line.

## **COMMENTS**

An application for a permit was received in February 2008, from the owner of 72 Cheltenham Avenue for the removal of one (1) privately-owned Norway maple tree with a 56-centimetre diameter.

The tree is located in the front yard of the house, three (3) metres southeast of the corner of the attached garage. An arborist report that accompanied the application stated that the maple tree would suffer extensive root loss due to proposed excavation required to repair a damaged drain pipe. Urban Forestry staff were not able to conduct an inspection of the site to determine the location of the proposed excavation until the area was clear of snow. An inspection in April 2008, determined that the excavation had taken place and the repairs to the sewer line had been completed.

The homeowners drain pipe runs north-south from the street sewer connection into the drainage system and is located approximately two (2) metres east of the subject maple tree, below grade. The April inspection by staff found that there had been minimal excavation within the tree's root zone and therefore the health of the maple tree had not been compromised.

Urban Forestry provided the homeowner with a City of Toronto information sheet regarding tree roots in drains, which states that roots do not cause the breaks in a broken drain or water line, but will grow into a damaged line to acquire the water and air a tree requires to survive. Unfortunately for the homeowner, the pre-existing clay tile drain line had failed and required replacing. The repaired drainage system has been upgraded with P.V.C. piping which tree roots cannot penetrate unless the system itself fails.

The property owner proposes a replacement planting consisting of two (2) trees at the rear of the property, a blue spruce or pine and an English oak if approval is granted for the removal of the Norway maple.

As required under *Section 813-17, 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 posting period in order to notify the neighbourhood and provide an opportunity for objection to the application. One letter of objection, which included the signature of four (4) neighbouring families, was received in response to the posting. The subject tree is very significant and is a valuable part of the forest community that exists within this area. With proper care and maintenance, the tree should continue to provide benefits to the property and to the community for many years to come. Urban Forestry cannot support removal of this tree due to its viable condition and contribution to the Urban Forest. The sewer line has been replaced and the issue of tree roots entering and blocking the new line is no longer a concern.

**CONTACT**

John Stuckless, Assistant Planner, Urban Forestry, Tel: 416 395-6185, Fax: 416 395-7886, Email: [jstuckl@toronto.ca](mailto:jstuckl@toronto.ca)

**SIGNATURE**

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Richard Ubbens  
Director, Urban Forestry, Parks, Forestry and Recreation

**ATTACHMENTS**

Attachment No. 1 – Photograph of Norway maple  
Attachment No. 2 – Photograph of Norway maple  
Attachment No. 3 – Letter of objection









Amir Khashayar  
70 Cheltenham Ave.  
Toronto, ON  
M4N 1P7

April 23, 2008

John Stockless  
Urban Forestry  
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(416) 395-6185

Dear Sir or Madam:

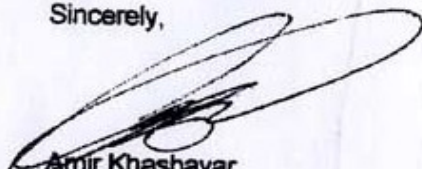
In relation to the City of Toronto Notice at 72 Cheltenham Ave. on the matter of damages of \$15,000 to the house and city drain by trees roots as the reason to seek its removal.

We have had an independent arborist report performed on April 21<sup>st</sup> 2008 to check the health of the implicated tree. The findings of the letter attached denote the fair to good health of the tree. We view this tree as an important part of the Lawrence Park community which has mature trees which are environmentally friendly.

In addition it is our understanding that since the incident the clay drain to the property @ 72 Cheltenham has been changed to PVC pipes which have been documented as being resilient to tree roots. The remaining clay drain is within the garage which is not primary used; given more recent building methods new buildings no longer have such drains installed as a standard practice. The last issue raised had to do with the down pipe congestion concerns, which we understand has undergone recent bylaw changes which states it needs to go to the existing grading.

Given the above we strongly object to the cutting down of this tree which is an important part of the community.

Sincerely,



Amir Khashayar  
70 Cheltenham Ave.



Peter Gladstone  
68 Cheltenham Ave.

cc: Honorable Cliff Jenkins

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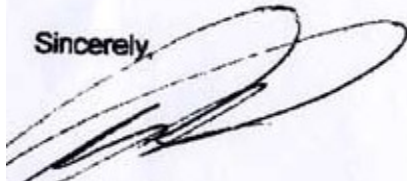
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In addition it is our understanding that since the incident the clay drain to the property @ Cheltenham have been changed to PVC pipes which have been documented as being resilient to tree roots. The remaining clay drain is within the garage which is not primarily used, given more recent building methods new buildings no longer have such drains installed as a standard practice. The issue raised had to do with the down pipe congestion concerns, which we understand has undergone recent bylaw changes which states it needs to go to the existing grading.

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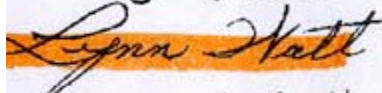


Amir Khashayar  
70 Cheltenham Ave.

cc: Honorable Cliff Jenkins



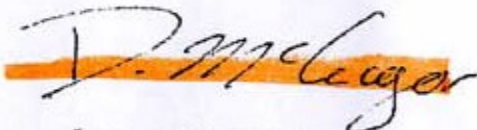
Terry Watt



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