

## **Application to Remove a City Tree - 123 Sheldrake Boulevard**

**Date:** March 15, 2017

**To:** North York Community Council

**From:** Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation

**Wards:** Ward 25 – Don Valley West

### **SUMMARY**

---

This report requests that City Council deny the request for a permit to remove one (1) City-owned tree located on the right of way adjacent to 123 Sheldrake Boulevard. The application indicates the reason for removal is to allow for the realignment of an existing driveway access for a newly constructed dwelling. This follows a construction application in 2013 where the City and owner agreed to retain and protect the same tree.

The subject tree is a red oak (*Quercus rubra*) measuring 34 cm in diameter. Urban Forestry does not support removal of this tree as it is healthy and maintainable.

### **RECOMMENDATIONS**

---

The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council deny the request for a permit to remove one (1) City-owned tree located on the right of way adjacent to 123 Sheldrake Boulevard.

### **FINANCIAL IMPACT**

---

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

### **DECISION HISTORY**

---

There is no previous decision history regarding the subject tree.

## COMMENTS

---

In November 2013, Urban Forestry received a construction-related permit application that included the protection and preservation of one City-owned tree located on the right of way adjacent to the property located at 123 Sheldrake Boulevard. The subject tree is a red oak measuring 34 cm in diameter. The applicant proposed to protect and preserve the subject tree during construction of a single family dwelling.

In this initial report, the subject City-owned red oak tree was identified to be in good condition as described in the arborist report and its condition was confirmed by the City's inspector.

As part of the application for construction of a new single family dwelling, the applicant proposed construction of a below-grade garage which required variances and approval from the Committee of Adjustment. The Committee of adjustment denied the application for construction of the garage on June 6, 2012. The applicant appealed this decision to the Ontario Municipal Board (OMB) which then granted a conditional approval for the below-grade garage. The conditions imposed by the OMB included:

*A. The Applicant shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.*

*C. The Applicant shall submit a Tree Security Deposit and a signed Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.*

The proposal submitted to the OMB, which allowed for the retention of the subject tree was agreed to by Urban Forestry. An Agreement for Contractors to Perform Arboricultural Services on City Owned Street Trees was approved for canopy raising of the subject tree to allow for driveway access clearance and a Tree Security Deposit of \$3,642.00 was provided to Urban Forestry in November 2014.

In August of 2016, after construction of the dwelling and driveway was completed, the owner submitted a second application for a permit to remove the same City-owned red oak tree. Upon inspection, Urban Forestry staff determined that the constructed driveway is a larger width and does not match the originally approved plans. This new application requests removal of the tree in order to construct the remainder of the driveway and also to resolve visibility restrictions imposed by the tree.

The application was accompanied by the original arborist report from 2013, stating the subject tree is in good condition. Inspection by Urban Forestry staff in August 2016 confirmed that the tree remains in good condition and the visibility from the driveway is not atypical for a tree-lined street.

The permit to remove the tree was denied by Urban Forestry. The owner is appealing this decision.

Should City Council approve this request for removal of the City-owned tree, in accordance with *Section 813-10.B of City of Toronto Municipal Code Chapter 813, Trees, Article II*, permit issuance must be conditional upon the owners providing payment of the appraised value of the tree to be removed, agreeing to have the tree removed at their expense, as well as providing satisfactory replacement planting. In this instance, it would be appropriate for the owner to provide five (5) replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting. For all trees to be planted on City property, where property owners choose to plant replacement trees themselves, they are also required to provide a tree planting security deposit to cover the cost of removal, replacement and the cost of maintenance for a period of two years.

Trees improve the quality of urban life and contribute greatly to our sense of community. They help to soften the hard lines of built form and surfaces in an urban setting. Trees contribute to the overall character and quality of neighbourhoods. Studies suggest that social benefits such as crime reduction and neighbourhood cohesion can be attributed to the presence of trees.

The environmental benefits of trees include cleansing of air, noise and wind reduction, and protection from ultraviolet radiation. Trees reduce rainwater runoff thereby reducing soil erosion and lowering storm water management costs. They also contribute to moderation of temperature extremes and reduction of the urban heat island effect by providing shade during the summer.

Trees provide many economic benefits including the enhancement of property values. Homes with mature trees have higher value when compared to similar types of homes in similar locations without trees. Mature trees are associated with reduced home energy consumption. Air conditioning costs are lower in a home shaded by trees and heating costs are reduced when trees mitigate the cooling effects of wind in winter. Trees are a community resource which can make the city more attractive to investors, tourists and prospective residents thus contributing to growth and prosperity.

It is the goal of the City of Toronto to increase the city's tree canopy to 40 per cent. The loss of trees in the city due to the ice storm experienced in late December 2013, compounded with additional tree loss due to the presence of the Asian longhorned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The red oak tree at 123 Sheldrake Boulevard is a valuable part of the urban forest. With proper care and maintenance this tree has the potential to provide the property owner and the surrounding community with benefits for many more years. In accordance with the City Council-approved Strategic Forest Management Plan, Toronto's Official Plan and the Tree By-law, this tree should not be removed.

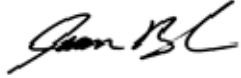
## **CONTACT**

---

Tara Bobie, Supervisor, Tree Protection and Plan Review, Urban Forestry, Tel: 416 395-6134, Email: [Tara.Bobie@toronto.ca](mailto:Tara.Bobie@toronto.ca)

## **SIGNATURE**

---



Jason Doyle  
Director, Urban Forestry  
Parks, Forestry and Recreation

## **ATTACHMENTS**

---

Attachment 1 - The approved construction drawing from the 2013 application submission with the subject tree noted as TREE # 4.

Attachment 2 - TPPR staff photograph of the constructed driveway, existing access way and subject tree.

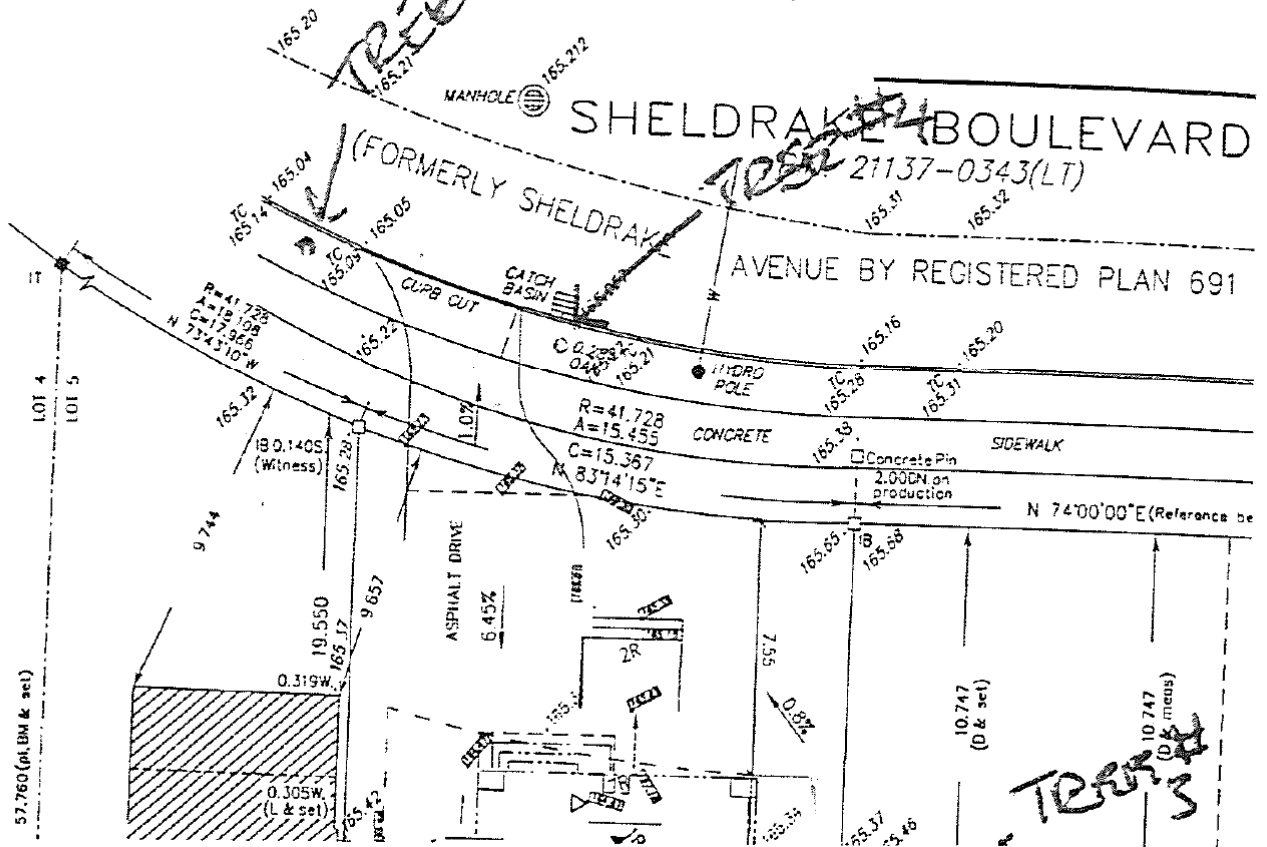
Attachment 3 – TPPR staff photograph of the subject red oak tree measuring 34 cm in diameter.

Attachment 1 - The approved construction drawing from the 2013 application submission with the subject tree noted as TREE # 4.

CITY OF TORONTO

Scale 1 : 200  15 METRES

DONALD E ROBERTS O.L.S., © 2006



Attachment 2 – TPRR staff photograph of the constructed driveway, existing access way and subject tree.





Attachment 3 – TPRR staff photograph of the subject red oak tree measuring 34 cm in diameter.

