



**STAFF REPORT  
ACTION REQUIRED**

**6 Rathgar Avenue- Application to Remove a Private Tree**

<b>Date:</b>	January 19, 2015
<b>To:</b>	Etobicoke-York Community Council
<b>From:</b>	Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 3 - Etobicoke Centre
<b>Reference Number:</b>	P:\2015\Cluster A\PFR\EY04-021815-AFS#20662

**SUMMARY**

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This report requests that City Council deny the request for a permit to remove one (1) private tree located in the front yard of 6 Rathgar Avenue. The application indicates that the owners are concerned that the tree is a potential and imminent hazard. A permit to remove the tree was denied. A subsequent letter of appeal includes several additional concerns which are addressed in the staff report.

The subject tree is a white pine (*Pinus strobus*) measuring 62 cm in diameter. The tree is currently in good condition, structurally and botanically, therefore removal is not justified. Urban Forestry does not support removal of this tree.

**RECOMMENDATIONS**

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

1. City Council deny the request for a permit to remove the one (1) private white pine tree located in the front yard of 6 Rathgar Avenue.

**Financial Impact**

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

**COMMENTS**

An application was received from the owner of 6 Rathgar Avenue for a permit to remove a private white pine tree measuring 62 cm in diameter, located in the front yard of 6 Rathgar Avenue. The application indicates the reason for tree removal is that the tree is a

potential and imminent hazard. The Arborist Report submitted with the application states "...the tree is a potential hazard. It is older and in poor condition and the health is declining. It is overgrown and located very close to the house. Several large branches broke off of the tree during the winter ice storm and damaged the roof. The homeowner is a senior and is terrified that the tree will fall or break and cause significant damage. The owner wants the tree removed as soon as possible and replaced with a new safer tree". The replanting plan submitted by the applicant offers the planting of one (1) linden (*Tilia sp.*) tree.

Urban Forestry staff inspected the tree and found the white pine to be in good condition, structurally and botanically. The tree is located 5.6 m from the dwelling and can be maintained.

As required under *Section 813-19, of City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a Notice of application to destroy the tree was posted on the subject property for the minimum 14 day period in order to provide the community an opportunity for comment. No comments were received.

A permit to remove the tree was denied by Urban Forestry. The owner is appealing the decision to deny the permit. The letter of appeal included several other concerns the owner has about the tree, including the tree is too large for the property, fallen needles fill the eavestrough, roots may cause property damage, sap damaging everything within 10+ metres of the tree, the tree lost several limbs last year due to heavy weight of ice/snow and the owner feels the tree presents a safety risk that is unacceptable.

All trees shed debris such as leaves, twigs and fruit that some consider undesirable, but is part of the necessary upkeep required of all property owners. Removal of one tree will not eliminate the need to clear eavestroughs of debris. Even houses without trees require this periodic maintenance since debris is often carried by the wind.

The size of the tree is not uncommon in Toronto. Larger trees provide more canopy and greater benefits by reducing more storm water runoff, reducing higher levels of carbon dioxide, pollutants and particulate matter from the air, creating more shade than smaller trees, and extending the life of pavement. This all results in energy savings, better health, reduced costs for storm water management and extending the time between pavement resurfacing. It is to the benefit of the community and the City to retain larger trees.

The property owner is concerned that the tree roots will put their home at great risk of flood/water penetration damage and view tree removal as a preventative action. There is no substantive evidence to support this claim. Roots beyond two metres of a tree become increasingly smaller and fibrous in nature. They grow cell by cell, fed by water and air. They are not physically capable of exerting the physical force to crack concrete or asphalt. They are, however, capable of growing into any available cracks that offer water and air. The same holds true for foundation walls. They must be structurally sound and properly waterproofed to keep out water and to deal with the forces created by freezing and thawing. A tree cannot damage a properly constructed foundation. If there are any

cracks resulting from a breach of the waterproofing, tree roots will grow into them. Roots do not and cannot go where there is no water. They cannot physically breach waterproofing. If a tree root is found beyond any waterproofing membrane it is because of a crack that has been caused by any number of other reasons but not by the roots of a tree.

Tree roots do not cause drains or sewer pipes to break, but they will invade and clog drains that have pre-existing cracks and resultant leakage. Drains are usually six to eight feet below ground level, while tree roots grow almost exclusively in the upper two feet of soil, because they not only need nutrients, but also oxygen to survive. When drains leak, they provide oxygen and nutrient rich water deep in the soil, which allow tree roots to grow deep into the soil and get into the already cracked drain pipe. It is the policy of City Council to not approve the removal of trees due to drain and/or sewer blockages. The best solution is to replace old drains or weeping tiles with new PVC piping, continuous between the house and sewer. This will eliminate the possibility of future blockages by tree roots.

The ice storm experienced by Toronto in December 2013 was an unprecedented storm event that resulted in extensive tree damage across the city regardless of age, species, size or condition. Many trees were destroyed and required removal. This white pine tree has been maintained and is in good condition. It is essential to the well being of Toronto residents to retain these healthy mature trees that survived the storm.

With proper care and maintenance, the subject tree will continue to provide benefits to the owner and to the community for many more years. Urban Forestry cannot support removal of this tree due to its viable condition and contribution to the urban forest.

Should City Council approve this request for tree removal, in accordance with *Section 813-20 of City of Toronto Municipal Code Chapter 813, Trees, Article III*, approval must be conditional upon the owner providing satisfactory replacement planting. In this instance, it is appropriate for the applicant to provide five (5) trees as replacement, which can be achieved in a combination of on-site planting and cash-in-lieu of planting.

Trees are essential to improving air quality and a constant source of oxygen, and filter harmful pollutants from the air we breathe. The direct benefits derived from improving the health of our urban forest helps to improve the lives of its citizens, especially those suffering from allergies and other respiratory disorders such as asthma.

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 break the winter cooling effects of wind.

This tree is significant and is a valuable part of the forest community that exists within this area.

The white pine tree at 6 Rathgar Avenue is a valuable part of the urban forest and with proper care and maintenance this tree has the potential to provide the property owner and the surrounding community with benefits for many years to come. Urban Forestry, therefore, cannot support removal of this tree.

## **CONTACT**

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## **SIGNATURE**



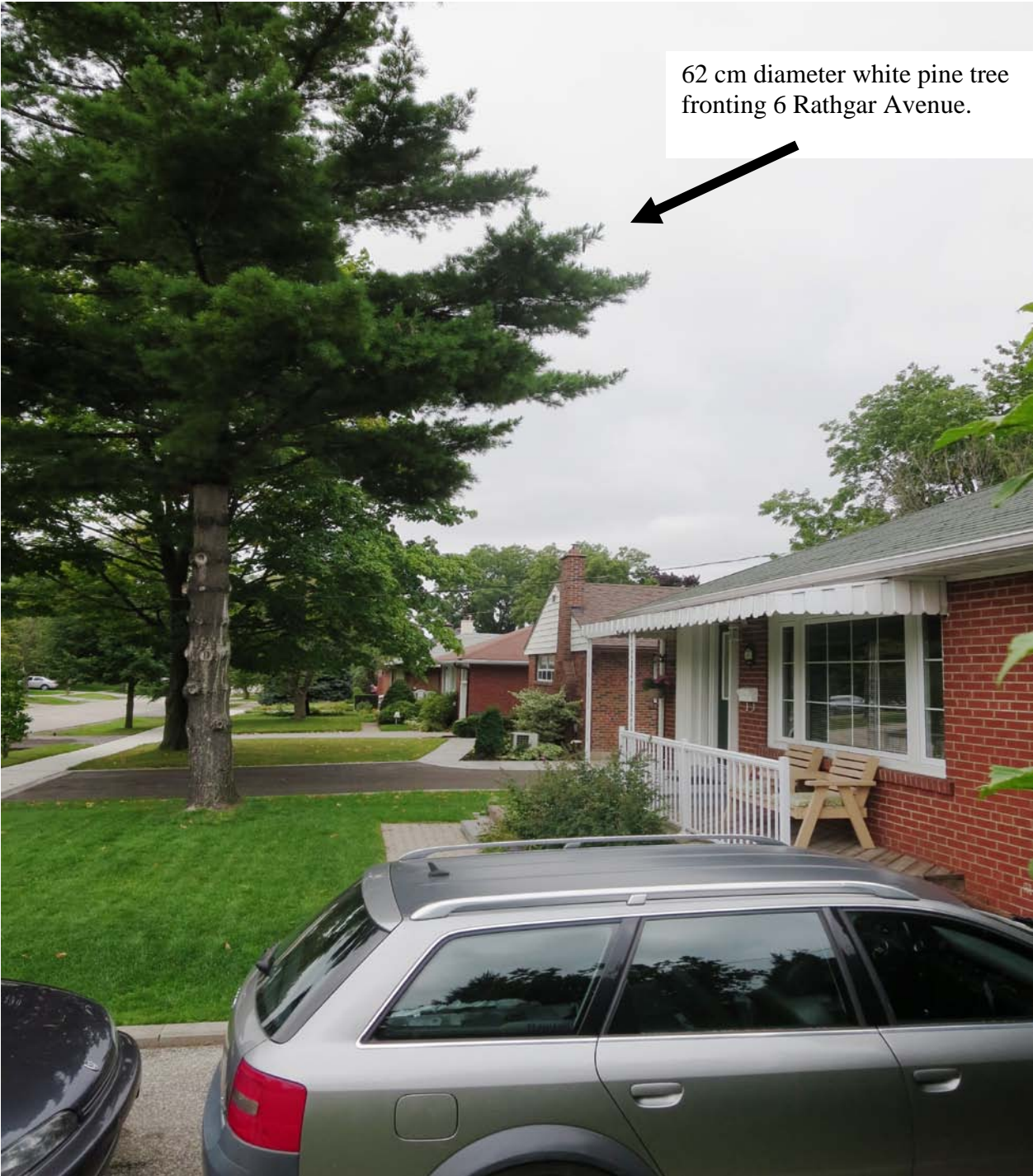
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Jason Doyle  
Director of Urban Forestry  
Parks, Forestry and Recreation Division

## **ATTACHMENTS**

Attachment 1 and 2 – Photos of the 62 cm diameter white pine tree fronting 6 Rathgar Avenue.





62 cm diameter white pine tree  
fronting 6 Rathgar Avenue.