



## STAFF REPORT ACTION REQUIRED

### Application to Remove a Private Tree - 1 Benway Drive

<b>Date:</b>	August 15, 2016
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 2 – Etobicoke North
<b>Reference Number:</b>	P:\2016\Cluster A\PFR\EY16-090716-AFS# 23397

#### SUMMARY

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This report requests that City Council deny the application for a permit to remove one (1) privately-owned tree located at 1 Benway Drive. The application indicates the reason for removal is to prevent damage to the driveway and underground pipes.

The subject tree is a silver maple (*Acer saccharinum*), measuring 67 cm in diameter. Urban Forestry does not support removal of this tree as it is healthy and maintainable.

#### 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 one (1) privately-owned tree located at 1 Benway Drive.

#### Financial Impact

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

#### COMMENTS

Urban Forestry received an application to remove one (1) privately-owned tree located in the front yard at 1 Benway Drive. The subject tree is a silver maple measuring 67 cm in diameter. The request to remove this tree has been made to address concerns that the tree is causing damage to the driveway, front walkway, and underground pipes; creating

flooding issues for the homeowners and three previous owners; causing damage to the connecting City-owned pipes; creating a slippery surface due to falling debris making it difficult for an elderly member of the household to walk safely; and clogging gutters and downspouts resulting in the homeowners having to incur cost and invest time to clean and maintain. The applicant also states that the tree is used as a perch for birds, and as a ladder for squirrels to climb and jump onto the roof and potentially nest in the home.

An arborist report was not submitted with the application. In accordance with section *813-15 E of City of Toronto Municipal Code, Chapter 813, Article II*, Urban Forestry chose to waive the requirement for an arborist report. Waiving the arborist report did not affect Urban Forestry's capacity to render a decision.

Urban Forestry staff inspected the tree and determined it is healthy both botanically and structurally.

Tree roots are opportunistic in nature and will grow into existing cracks in clay or ceramic pipes or other areas that provide a source of water and nutrients. However, tree roots are not physically capable of exerting the force required to cause the cracks themselves. No evidence was provided to support claims that tree roots were directly responsible for damaging the underground piping system at this site, nor was any documentation submitted as to the cause of previous flooding in the home or any details of past repair work undertaken.

During inspection of the tree, Urban Forestry staff did observe cracking in the existing asphalt driveway. It is important to note that tree roots are not physically capable of exerting the force required to lift or crack concrete or asphalt. Tree roots are capable of growing into any available space that offers water and air. Tree roots cannot damage a properly constructed driveway. However, differential settlement may result in cracking which can be further exacerbated as a result of freeze thaw cycles, creating space that tree roots may grow into. Roots do not and cannot go where there is no water. Where a driveway has been damaged, repair can be typically be undertaken without requiring tree removal.

While on site, staff did not observe excessive amounts of debris falling from the tree. Removal of debris such as leaf litter or other natural elements from the landscape, or from within eaves troughs and downspouts is considered part of performing routine property maintenance and is a responsibility of all property owners within the City of Toronto.

Wildlife is an integral component of an urban forest. Habitat loss, including loss of trees is a serious threat to the health of wildlife populations in the City. Toronto is home to approximately 400 recorded species of birds which live and breed here and also use Toronto as a migratory stopover. These birds require trees and other natural habitat in the City in order to breed successfully and survive migration. Further, the tree could be pruned in accordance with good arboricultural practices to alleviate issues with squirrels and other animals accessing the roof.

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 required 14-day period, in order to provide an opportunity for comment by the community. No comments were received in response to this posting.

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

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*, permit approval must be conditional upon the owner providing satisfactory replacement planting. The owner has proposed to plant one (1) replacement tree with species and location provided. However, in this instance it would be appropriate for the owner to provide five (5) replacement trees, which can be achieved in a combination of planting on site and cash-in-lieu of planting.

Trees improve the quality of urban life and contribute greatly to our sense of community. They are aesthetically pleasing and 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 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 percent. The loss of trees in the City due to the ice storm experienced in late December 2013, compounded with additional tree loss due to presence of the Asian longhorned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The silver maple tree located at 1 Benway Drive 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. Urban Forestry; therefore, does not support removal of this tree.

## **CONTACT**

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## **SIGNATURE**

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Jason Doyle  
Director, Urban Forestry  
Parks, Forestry and Recreation

## **ATTACHMENTS**

Attachment 1 – Photograph of the silver maple measuring 67 cm in diameter at the front of 1 Benway Drive

