

## **Application to Remove a Private Tree - 45 Apted Avenue**

<b>Date:</b>	August 16, 2016
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 7 – York West
<b>Reference Number:</b>	P:\2016\Cluster A\PFR\EY16-090716-AFS#23400

### **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 45 Apted Avenue. The application indicates the reason for removal is to address concerns over the potential for damage to people and property.

The subject tree is a bur oak (*Quercus macrocarpa*), measuring 91.5 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 45 Apted Avenue.

### **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 45 Apted Avenue. The subject tree is a bur oak tree measuring 91.5 cm in diameter. The owner is requesting a permit to remove the tree in order to address concerns over the potential for damage to people and property. The specific reasons provided are that the tree's acorns and falling branches cause damage to vehicles; the roots are causing cracks in the driveway and there is concern that the few, small cracks

that exist now will lead to numerous, large cracks; the roots make it difficult to cut the grass; the tree shades other plants and prevents them from growing; the tree's leaves fill gutters and the homeowner has had to invest in covers; and the tree's falling acorns and branches are a slipping hazard to family and friends.

The arborist report that accompanied the application assessed the condition of the tree as fair. The arborist report also indicates previous limb failure over the driveway; the presence of large diameter branches overhanging the driveway; and the presence of a minor amount of small-diameter deadwood. The arborist report also indicates that wires are running through the canopy, but does not specify the type of wires.

Urban Forestry staff inspected the tree and determined it is healthy both botanically and structurally. The majority of the tree was noted as being well pruned; however, some improperly pruned limbs were found over the driveway. No signs of previous limb failure over the driveway were observed. The tree is located 1.8 m from the driveway.

Some cracking in the existing driveway was observed; however, it should be noted 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, if proper drainage has not been provided, heaving may occur as a result of freezing and thawing, 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.

There were no exposed surface roots visible on the lawn at the time of the inspection and therefore lawn mowing should not be difficult. The lawn appears vigorous and healthy. The oak tree and yard landscaping appear to be co-existing well. Gutter covers have been installed by the homeowner to alleviate the clogging issue. Slipping on acorns and branches can be rectified by raking branches and acorns and pruning out deadwood.

Concerns regarding large, dead or falling branches, slipping, and wires through the trees, can all be addressed through routine inspection and maintenance in accordance with good arboricultural practices.

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

A permit to remove the 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 provision of satisfactory replacement planting. As

a condition of permit issuance, the property owner is proposing to plant one (1) large growing shade tree. 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 on-site planting and cash-in-lieu of planting.

Trees improve the quality of urban life and contribute greatly to our sense of community. Trees 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. Trees 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 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 bur oak tree at 45 Apted Avenue 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 bur oak tree - June 17, 2016
- Attachment 2 – Photograph of the bur oak tree - June 17, 2016
- Attachment 3 – Photograph of the bur oak tree - June 17, 2016
- Attachment 4 – Arborist Report for 45 Apted Avenue, prepared by Arborist Reporter,  
dated September 27, 2015









Toronto Office (647) 479-8778 | info@ArboristReporter.com | 540 Sherbourne St #1003, M4X 1L2, Toronto

Arborist Report for 45 Apted Ave.

*Prepared on behalf of the resident.*

*On September 27, 2015, 2015.*

*By Serg V. Litvinov, B.Sc, ASCA Registration #3671 (Last Renewed 2015)*





Section 1: Introduction

This report will assess the condition of the oak in the front yard of 45 Apted Ave in ward 07. My recommendation, taking into account tree condition, terrain, environmental factors, and the desires of the property owner, is that the tree be considered for removal.

Section 2: Methods

The most recent on-site inspection was made in the week of September 27, 2015, 2015. Visual Tree Assessment (VTA) was undertaken on the tree in front. This method of tree evaluation is adapted from Matheny and Clark, 1994 and is recognized by The International Society of Arboriculture and the American Society of Consulting Arborists. The diameter at breast height (DBH) was measured by a tape at 1.4m above ground level. Several close-up and wide angle pictures were taken and are displayed in section 3. Higher resolution pictures can be obtained by emailing info@arboristreporter.ca.

*Limitations of methodology:*

- The inspection was conducted at surface level. Certain tree health indicators which manifest in the upper crown and at the sub-surface level are not identifiable from this vantage point.

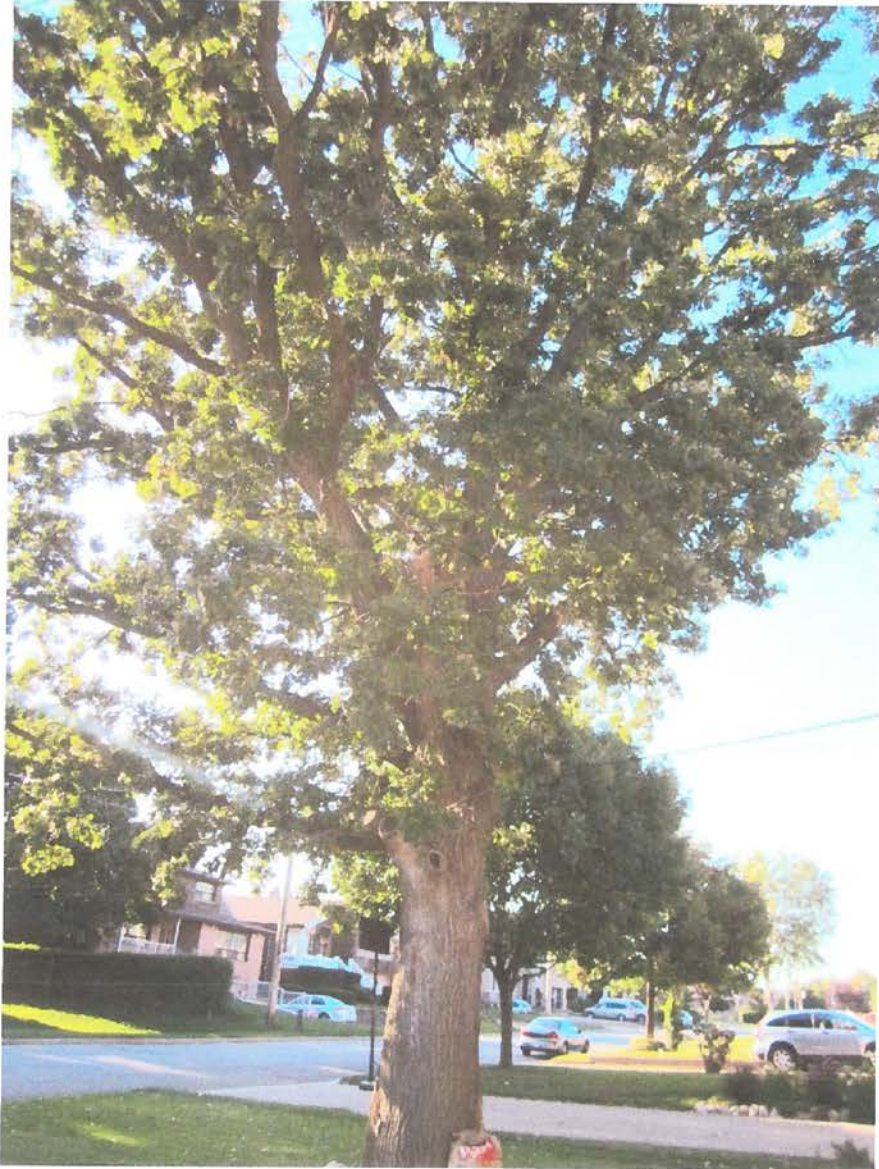
Section 3: Data

Tree Number (ID)	Species	Stems (Alive)	DBH (cm)	Condition	Ownership	Condition Rating
1	<i>Bur Oak (Quercus macrocarpa)</i>	1	90	Previously pruned, showing wound wood. Previous branch failure over driveway. Large diameter branches overhanging driveway. Minor amount of small diameter deadwood present. Wires run through lower canopy.	01-Private	Fair



Pictures:

*Picture 1: The oak, standing in the front of the property.*



*Picture 2: The trunk of the oak.*





#### Section 4: Conclusion

It is my recommendation that the Bur Oak in the front of 45 Apted Ave be considered for removal in order to ensure the well-being of the residents. This recommendation is in accordance with the wishes of the property owner, who desires the tree's removal.

The tree in question does not qualify for an exemption from the standard tree removal permit requirements, necessitating an *Application to Injure or Destroy Trees on Private Property*. A fee of \$104.96 will be paid to the city via a certified cheque made out to "The Treasurer of the City of Toronto".

The owners will be obligated to plant at least one replacement tree (60mm+ caliper, nursery grown stock) per existing tree removed in accordance with City of Toronto requirements. If extraneous conditions such as a lack of space for replanting prevent these replacement trees from being planted, the city will be compensated at the rate of \$584.00 per tree removed.

Serg V. Litvinov

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### *Addendum 1: Tentative Replanting Plan*

Following the removal of the oak (present location marked in red on the diagram below), a replacement tree will be planted in the front yard of 45 Apted Ave (planned location marked in green on the diagram). The species of the replacement tree will be selected from amongst the long-lived trees indigenous to the greater Toronto area. Planting will take place the following planting season by a team of professionals.

As per the City of Toronto guidelines, the tree must be over 60 millimeters in diameter. A Black Maple would be well suited to the available terrain. The species is noted for its stately form and longevity, which would allow the trees to contribute to the long term environmental well being and aesthetics of the neighborhood. The following planting season (Spring/Fall) is the recommended time for replanting.



Serg V. Litvinov

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