



**STAFF REPORT
ACTION REQUIRED**

**Application to Remove One Private and One City Tree -
321 Maplehurst Avenue**

Date:	August 15, 2016
To:	North York Community Council
From:	Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation
Wards:	Ward 23 – Willowdale
Reference Number:	P:\2016\Cluster A\PFR\NY16-090716-AFS#23396

SUMMARY

This report requests that City Council deny the request for a permit to remove one (1) privately-owned tree and one (1) City-owned tree located at 321 Maplehurst Avenue. The application indicates the reasons for removal of the two trees are to address conflicts with construction of a new dwelling, driveway, and rock garden, and because the trees are not aesthetically pleasing.

The subject trees are both Eastern white pine trees (*Pinus strobus*). The private tree measures 37 cm in diameter and the City tree measures 39 cm in diameter. Urban Forestry does not support removal of these trees, as they are 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) privately-owned tree located at 321 Maplehurst Avenue.
2. City Council deny the request for a permit to remove one (1) City-owned tree located at 321 Maplehurst 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 white pine tree measuring 37 cm in diameter (hereafter referred to as the "private tree") and one (1) City-owned white pine tree measuring 39 cm in diameter (hereafter referred to as the "City tree") at 321 Maplehurst Avenue.

Privately-owned Tree

The private tree is located in the northeast corner of the front yard. The request to remove the private tree has been made to address potential damage caused by construction of a new driveway and home; conflict with a proposed rock garden; conflict with hydro lines; and the tree's appearance, including a slight chlorosis (yellowing of needles). The arborist report that accompanied the application describes the private tree as being in fair condition. In reference to the rationale for removing the tree, the arborist report stated, "the damage could come from foundation footing (concrete form work) construction, also (sic) including machinery." The report further stated that the tree would "also have some root damage by the installation of the driveway."

Urban Forestry staff inspected the private tree and determined that it is healthy both botanically and structurally. No evidence has been provided by the applicant or their arborist, nor was any defect observed during inspection by Urban Forestry staff to suggest the tree is unsafe, either due to existing conditions or past activity on the site.

Staff recommend preservation of the private tree for the following reasons: it does not have to be removed or injured to construct the new driveway and home as all construction activity would be outside of the tree's 2.4 m minimum tree protection zone; the proposed rock garden is an accessory structure that can be redesigned or relocated to accommodate the tree; City and/or Toronto Hydro crews have for many years pruned and can continue to prune branches that may conflict with overhead utility wires; needle chlorosis is minor and localized and is a characteristic of the species, particularly in the spring season; a tree's aesthetic is subjective and not a factor addressed in the City's Private Tree By-law.

As required under *Section 813-19, of City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a Notice of application to destroy the private tree 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.

Should City Council approve this request for removal of the private tree, 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 applicant is proposing to plant three (3) new trees in the rear yard. 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.

City-owned Tree

The City-owned white pine tree is located on the City road allowance fronting 321 Maplehurst Avenue. The request to remove this tree has been made for the same reasons as the private tree described above. The arborist report submitted with the application describes the City-owned tree as being in fair condition. In reference to the rationale for removing the City tree, the arborist report stated, "construction of a new driveway could possibly damage up to 35-40% of the roots."

Urban Forestry staff inspected the City-owned tree and determined that it is healthy both botanically and structurally. No evidence has been provided by the applicant or their arborist, nor was any defect observed during inspection by Urban Forestry staff, to suggest the tree is unsafe, either due to existing conditions or past activity on the site. Staff recommend preservation of the City tree for the same reasons as the private tree described above.

The proposed new driveway would encroach upon the tree's 2.4 m minimum tree protection zone by approximately 20%. With modifications, the extent of encroachment upon the minimum tree protection zone can be reduced to approximately 10% while allowing for a safe, functional driveway, enabling the tree to withstand the injury and continue to survive well.

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

Should City Council approve this request for removal of the City tree, in accordance with *Section 813-10.B of City of Toronto Municipal Code Chapter 813, Trees, Article II*, permit approval must be conditional upon the owners providing payment of the appraised value of the tree (\$3619.00), and the costs for one (1) replacement tree to be planted. 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. The owner will also be required to provide a tree planting security deposit in the amount of \$583 per tree to cover the cost of removal, replacement and maintenance of trees to be planted on City property.

Summary

The private and City trees are set back from construction such that the new driveway and home can be constructed while retaining the trees. No work would be required within the minimum tree protection zone of the private tree and encroachment within the City tree's minimum tree protection zone could be reduced to 10%.

Mature white pine trees are relatively uncommon in the city of Toronto and taken collectively, the private and City white pine trees represent a feature of natural and community significance in an urban setting.

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 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 white pine trees at 321 Maplehurst Avenue are a valuable part of the urban forest. With proper care and maintenance these trees have 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 these trees.

CONTACT

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SIGNATURE

Jason Doyle
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Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1: Photo of the private white pine tree and City white pine tree

Attachment 2: Photo of the private white pine tree and City white pine tree, alternate viewpoint