REPORT FOR ACTION

Application to Remove a Private Tree - 9 Oakfield Drive

Date: February 3, 2017
To: Etobicoke York Community Council
From: Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation Division
Wards: Ward 5 - Etobicoke Lakeshore

SUMMARY

This report requests that City Council deny the request for a permit to remove one (1) privately-owned tree located on the boundary of the properties between 7 Oakfield Drive and 9 Oakfield Drive. The owner of 9 Oakfield Drive is requesting removal to address concerns that the tree is growing too close to the existing residence, causing heaving of concrete slabs, creating a wildlife nuisance on the roof and has the potential to damage foundation walls of existing residences at both properties.

The subject tree is a red oak (*Quercus rubra*) measuring 61 cm in diameter. Urban Forestry does not support the 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) privately-owned tree located on the boundary between 7 Oakfield Drive and 9 Oakfield Drive.

FINANCIAL IMPACT

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

DECISION HISTORY

There is no decision history regarding this tree removal permit application.

COMMENTS

An application was received from the property owner of 9 Oakfield Drive for a permit to remove one (1) privately-owned red oak tree, measuring 61 cm in diameter, situated in the side yard of the property along the boundary between 7 Oakfield Drive and 9 Oakfield Drive.

The permit was requested to address concerns that the tree is growing too close to existing houses on both properties, causing heaving of concrete slabs below the tree, and creating a wildlife nuisance on the roof at 9 Oakfield Drive. There is also a concern that the roots of the tree have the potential to cause damage to the foundation walls of both homes. No evidence of root damage was provided or observed at the time Urban Forestry Staff inspected the site.

The arborist report that accompanied the application assessed the tree to be in fair condition.

Urban Forestry staff inspected the tree and determined it is healthy and in good condition, both botanically and structurally. The trunk was noted as being straight and not exhibiting any signs of decay. The branch attachments appeared to be strong. The area surrounding the base of the tree is largely covered by concrete slabs. A minimal amount of heaving was noted. This can be corrected without requiring tree removal.

The tips of this tree's lowest branches currently range from approximately 2 meters from the roof top of 7 Oakfield Drive and approximately 1.5 meters from the rooftop of 9 Oakfield Drive. Many species of urban wildlife can climb walls and reach the rooftops of houses that do not have trees growing in close proximity to them. Regular roof inspections are required of all homes to perform routine maintenance and prevent animals from damaging or entering the home. Concerns of wildlife accessing the roof directly from this tree can be mitigated by pruning of secondary branches to elevate and redirect growth and to maintain and achieve greater distance from each rooftop. At the time of inspection a strip of metal sheeting was wrapped around the upper trunk of the tree to prevent animals from accessing the roof. This could be improved by expanding the height of the metal sheeting.

The tree is situated 3.7 meters from the existing house at 7 Oakfield Drive and 3.3 meters from the house at 9 Oakfield Drive. Although tree roots are capable of growing and contacting foundations at this distance they are not physically capable of exerting the force required to crack properly constructed and maintained foundations.

When reviewing applications for tree removal, Urban Forestry staff are guided by City policies and by-laws including the *City of Toronto Municipal Code Chapter 813, Article III*, more commonly referred to as the Private Tree By-law. The Private Tree By-law does not have a mechanism that would allow the removal of the subject tree based on the concerns stated in the tree removal permit application.

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 replacement 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. 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 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 located on the boundary between 7 Oakfield Drive and 9 Oakfield 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

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 - Subject tree measuring 61 cm in diameter situated between 7 Oakfield Drive and 9 Oakfield Drive.

Attachment 2 - Subject tree with currently existing metal sheeting around the trunk.

Attachment 3 - Arborist report.

Attachment 1 - Subject tree measuring 61 cm in diameter situated between 7 Oakfield Drive and 9 Oakfield Drive.



Attachment 2 - Subject tree with currently existing metal sheeting around the trunk.



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Arborist Report for 9 Oakfield Drive, Toronto, M8Y 1N6

Prepared on behalf of the resident
By Shane Goldman, ISA Certification: ON-1645AT
Consulting Arborist – *Tree Doctors Inc.*
sgoldman@treedoctors.ca
Tuesday July 12, 2016

ADDRESS: 425 Kipling Ave., Toronto, ON M8Z 5C7 OFFICE: (416) 201-8000 WEB: www.TreeDoctors.ca

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Overview

This report will assess the condition of a shared 61 cm. Red Oak overhanging two houses at 7 and 9 Oakfield Drive. After taking into account the tree's condition, location targets, environmental factors, and the concerns of the property owner(s) I recommend that the tree be removed.

Tree No.	Species	Stems	DBH (cm.)	Condition	Condition Rating	Ownership
1	Red Oak *(Quercus rubra)*	1	61	Visible stub cuts in lower canopy removed for clearance, some larger diameter deadwood, root zone covered by concrete slabs, fence and driveways present risk of girdling base	Fair	1-Private tree

Rationale

The most recent on-site inspection was performed on July 12, 2016. I performed a visual inspection of the tree from the ground. The shared Red Oak between 7 and 9 Oakfield Drive overhangs both houses and allows squirrels access to the roof. The squirrels have built nests beneath the solar panels on the roof 9 Oakfield, they have destroyed some of the wiring for the panels, and have burrowed into the attic, damaging the roof. Metal sheeting was installed around the main stem to prevent squirrels from entering the canopy of the tree, but this has not been effective. A number of lower branches have already been removed to clear both rooves. Removing additional limbs to prevent animal access to the roof would involve removing in excess of 30% of the live canopy, constituting an injury to the tree.

The root zone of the tree is largely covered by concrete slabs on both sides, which threaten to girdle the tree as it grows. One slab has lifted under the roots at 9 Oakfield, creating a tripping hazard. Both homeowners are concerned that the tree may damage the foundation of their homes. Preserving the tree in this location creates unwanted costs and a likelihood of additional property damage. I recommend this tree be removed and replaced in a location further from the both houses. This recommendation is in accordance with the wishes of both property owners.

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*. A fee of $104.96 per tree is to be paid to the Treasurer of the City of Toronto via a certified cheque or by credit card if the application is made in-person.

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Replanting Plan

The owners understand the replanting requirements: a minimum of one replacement tree (50mm+ caliper, nursery grown stock) per existing tree removed in accordance with City of Toronto guidelines. The homeowner has chosen to plant a Freeman Maple in the location illustrated below.

Image 1: Red Oak removal marked "x", replacement tree is green



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Image 2: Large Red Oak overhanging the houses at 7 and 9 Oakfield Drive



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Image 3: Limb removals visible in the lower canopy of the tree



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Image 4: Main stem view of the mature Red Oak, fence damage is visible



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Image 5: Fence damage and a lifted concrete slab



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