

Application to Remove a Private Tree - 36 Leamington Avenue

Date: March 14, 2017

To: Etobicoke York Community Council

From: Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation

Wards: Ward 5 - Etobicoke Lakeshore

SUMMARY

This report requests that City Council deny the application for a permit to remove one (1) privately-owned tree located at 36 Leamington Avenue. The application indicates the reason for removal is to address concerns regarding the tree's proximity to a new house that is being constructed and the tree leans toward a neighbouring property.

The subject tree is an eastern white cedar (*Thuja occidentalis*), measuring 39 cm in diameter. Urban Forestry does not support 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 at 36 Leamington Avenue.

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

Urban Forestry received an application to remove one (1) privately-owned tree located in the backyard at 36 Leamington Avenue. The subject tree is an eastern white cedar measuring 39 cm in diameter. The owner is requesting a permit to remove the tree as it is situated too close to a new dwelling that is being constructed at the site and the tree leans towards a neighbouring property.

The arborist report that accompanied the application assessed the tree to be in good condition and advised that the tree can be protected during the course of the proposed construction. The proposed construction of the new dwelling does not extend beyond the footprint of the existing house and, therefore, there will be minimal impact to existing trees located on the property. The report also contains a colour photograph showing a healthy eastern white cedar tree and a site plan showing a tree protection plan that provides full protection for the tree.

Urban Forestry staff inspected the tree and determined it is healthy both botanically and structurally. At the time of site inspection the tree was fully protected, in accordance with the City's Tree Protection Policy and Specifications for Construction near Trees. The tree's lean towards the neighbouring property was not noticeable.

When reviewing applications for tree removal, Urban Forestry staff are guided by City policies and bylaws 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 allow for the removal of trees that are healthy and can be maintained in a safe condition, nor does it have a mechanism that would allow the removal of the subject tree based on the other 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 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 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 eastern white cedar tree at 36 Leamington 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. In accordance with the City Council-approved Strategic Forest Management Plan, Toronto's Official Plan and the Tree By-law, this tree should not be removed.

CONTACT

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SIGNATURE

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 - Subject eastern white cedar tree measuring 39 cm in diameter

Attachment 2 - Subject tree surrounded by temporary protective fencing

Attachment 3 - Arborist report

Attachment 1 - Subject eastern white cedar tree measuring 39 cm in diameter



Attachment 2 - Subject tree surrounded by temporary protective fencing



Ashley's Touch Tree Care

Tree Inventory and Assessment

Prepared For: [REDACTED]

Our Matter: **36 Leamington Ave**

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1 INTRODUCTION

Ashley's Touch Tree Care was retained by [REDACTED] to provide a tree inventory and assessment for a Residential property.

The subject property is municipally known as 36 Leamington Avenue

The land is the subject of redevelopment.

2 METHODOLOGY

The following sections outlines the methodology used during the field inspection and the write up of this report.

1 Review

Prior to any field works, a review of all available drawings was conducted.

This included a dated 8 reference plan prepared from KBK Studios, and a Site Plan as prepared by Kyle Khadra on Feb. 3/ 2016

2 Field study

On site inspection and data recording was initiated in March 17th of 2016

Trees located on the subject lands and trees within six metres of the subject lands, whose diameter at breast height are 30.0cm or larger were inventoried and assessed and are referred to in this report as "significant tree"

All trees located on the municipal road allowance (ROW) adjacent to the subject lands, regardless of diameter, were tagged, inventoried and assessed to in this report as "municipal tree".

Any species ranked as endangered, threatened or of special concern, located on the subject lands were noted and inventoried.

All data used in this report is empirical in nature, unless stated otherwise.

All measurements in this report are expressed in the metric system of measure.

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3 Tree Species

All inventoried trees have been identified by using their regionally used common name followed by their most current taxonomic nomenclature.

See APPENDIX I

4 Tree Locations

The locations of all significant and municipal trees were originally surveyed and plotted on a Site Plan. This survey information were transferred to and accurately appears in this report as the TREE INVENTORY as prepared by Ashley's Touch Tree Care. See ENCLOSURE

5 Tree Conditions

A generalized assessment system was employed to describe the overall condition of each inventoried tree.

A five(5) level scale of plant health and structure with descriptors of VERY GOOD, GOOD, FAIR, POOR, and VERY POOR was used to quantify the range of the tree's condition. Very GOOD condition was applied to a tree whose health, growth rate, crown closure, and structural integrity was

greater than eighty(80) percent of a perfect specimen. Conversely, VERY POOR was applied to a tree whose condition is less than twenty (20) percent of a perfect specimen.

See APPENDIX I

6 Tree Sizes

All significant trees were sized by measuring their trunk diameter at 1.4 metres above existing grade (diameter at breast height, or DBH) as per accepted arboricultural standards.

All trees whose trunk diameters at 1.4 metres above grade were greater than 13.0 cm and sized by measuring their DBH.

diameter". See APPENDIX I

3 TREE INVENTORY

A total of 5 trees were inventoried.

Zero (0) significant trees are located on Municipal land.

Five (5) significant trees are located on private land.

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There is a neighbouring tree.

One (1) trees were inventoried that do not meet the minimum size requirement of 30 cm DBH.

There were no endangered, threatened or trees of special concern identified on the subject lands of within six (6) metres of the subject lands.

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The Following recommendations are suggested for the proposed construction activity;

This project will not extent the footprint beyond the overall foundation of the current home, this makes impact on nearby trees minimal, a TPZ correctly installed at the rear will properly protect both private and neighbouring trees.

Ashley Meloche
ISA Certified Arborist ON-1320A

APPENDIX II
Tree Inventory and Assessment

Tree Number	Tree Name	DBH (cm)	Condition	Structure	Vitality	Notes	Recommendation
1	Colorado Blue Spruce	24	Good	Good	Good		Removal – Under permit size
2	White Cedar	39	Good	Good	Good		2.4m TPZ
3	White Spruce	34	Fair	Fair	Fair		2.4m TPZ
4	Amur Maple	44	Fair	Fair	Fair	Large stem	3.0m TPZ
5	Manitoba Maple	57	Fair	Fair	Fair	With TPZ of tree #4	

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Tree 1



Tree 2

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Tree 3

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Tree 4

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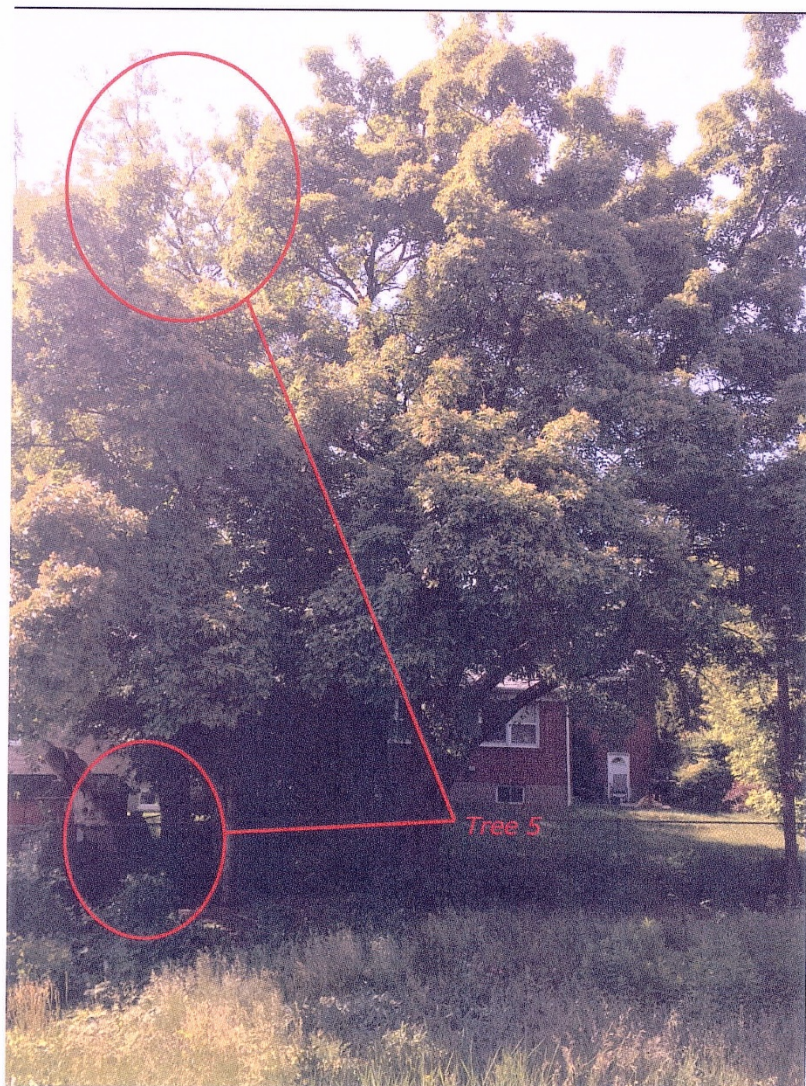
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Tree 5

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