Application to Remove a Private Tree - 28 Gaydon Avenue

Date: October 23, 2017
To: Etobicoke York Community Council
From: Director, Urban Forestry, Parks, Forestry and Recreation
Wards: Ward 7 - York West

SUMMARY

This report recommends that City Council deny the request for a permit to remove one (1) privately owned tree located at 28 Gaydon Avenue. The application indicates the reasons for removal are to address concerns that the tree is hazardous and too close to the residence.

The subject tree is a linden tree (Tilia sp.), measuring 115 cm in diameter. The Private Tree By-law 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 linden tree located at 28 Gaydon 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 rear yard of 28 Gaydon Avenue. The subject tree is a linden tree measuring 115 cm in diameter. The application indicates the reasons for removal are to address concerns that the tree is hazardous and too close to the residence. The subject tree is a linden tree (Tilia sp.), measuring 115 cm in diameter. The Private Tree By-law does not support the removal of this tree as it is healthy and maintainable.
cm in diameter. The request to remove this tree has been made to address concerns that the tree is hazardous and too close to the residence.

The arborist report that accompanied the application indicates the tree is in hazardous condition based upon a significant crack in one of the tree's limbs and therefore recommends removal. The report also noted branch unions with included bark and a large diameter limb failure during severe weather in 2016.

Urban Forestry staff inspected the tree and determined that it was healthy and maintainable both botanically and structurally. The hazard associated with the cracked limb identified in the arborist report can be removed through pruning in accordance with good arboricultural practices. The issue presented regarding included bark can be addressed through pruning to remove weight on one or both of the limbs included in the union. The wound from the 2016 limb failure did not extend into the main trunk and the tree has produced callus tissue to seal off the wound. This callus formation is referred to as compartmentalization, and is a tree's natural response to injury which limits the progression of decay. All trees pose some risk of limb failure during inclement weather events and the performance of routine tree maintenance will reduce the likelihood of future limb failure. Routine tree maintenance is considered part of performing routine property maintenance and is a responsibility of all property owners within the city of Toronto.

This tree is situated approximately nine (9) meters from the house at 28 Gaydon Avenue and over 10 meters from the house at 26 Gaydon Avenue. The tree is situated approximately 6.5 meters from a shed located at the rear of 28 Gaydon Avenue. No evidence of the tree impacting the house was observed at the time of inspection. The tree is located such that routine tree maintenance can be performed.

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 comment was 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) 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 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 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 linden tree at 28 Gaydon 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 Private 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 - Photograph of the linden tree measuring 115.3 cm in diameter
Attachment 2 - Arborist report
Attachment 1 - Photograph of the linden tree measuring 115.3 cm in diameter.
Arborist Report for 28 Gaydon Avenue, Toronto, M9M 1G7

Prepared on behalf of the homeowner
By Shane Goldman, ISA Certification: ON-1645AT
Consulting Arborist – Tree Doctors Inc.
sgoldman@treedoctors.ca
Thursday April 20, 2017
Arborist Report
This report will assess the condition of a backyard Linden located at 28 Gaydon Avenue. After taking into account the condition, location targets, environmental factors, and the concerns of the property owner(s), I recommend that the tree be removed.

<table>
<thead>
<tr>
<th>Tree No.</th>
<th>Species</th>
<th>Stems</th>
<th>DBH (cm.)</th>
<th>Condition</th>
<th>Condition Rating</th>
<th>Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Little-leaf Linden (Tilia cordata)</td>
<td>1</td>
<td>116.5</td>
<td>Homeowner reports major limb failure resulting in damage to property due to severe weather, multiple attachments in main union with included bark, crack in large diameter leader (up to 50 cm. diameter section) visible from the South side of the tree, bud development appears good with &lt;10% small diameter interior deadwood</td>
<td>1-Private tree</td>
<td></td>
</tr>
</tbody>
</table>

Recommendation
The homeowner reports that a large diameter limb failed in 2016, damaging the client’s property during severe weather. There is a significant crack in a large diameter limb visible from the South side of the tree, 2.5 meters above grade. I consider this to be a hazardous condition and recommend that the mature Linden be inspected by Urban Forestry for removal. This recommendation is in accordance with the wishes of the homeowner.

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.
Replanting Plan

The applicants understand the replanting requirements: a minimum of one replacement tree (Deciduous trees 50mm+ caliper, nursery grown stock OR Coniferous trees 1.75-2.5m height, nursery grown stock) per existing tree removed in accordance with City of Toronto guidelines. The homeowner has chosen to plant a European Beech in the location(s) indicated in Figure 2. The tree(s) will be planted according to the methodology outlined for balled and burlapped trees in turf by Urban Forestry. Please keep in mind that new trees should not be planted any closer than 6 meters apart, or 1.5 meters to fences, property lines, sidewalks or driveways and far enough away from structures and existing trees to allow them to grow to full maturity.

Figure 1. Tree planting methodology
Figure 2: Linden removal(s) marked “x”, replanting location(s) are green
Tree 1:
Tree 1:
Tree 1: