TORONTO

REPORT FOR ACTION

Application to Remove a Private Tree - 17 Arlstan Drive

Date: February 20, 2020
To: North York Community Council
From: Jason Doyle, Director, Urban Forestry, Parks, Forestry and Recreation
Wards: Ward 6 - York Centre

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned tree located at 17 Arlstan Drive. The application indicates the reasons for removal are because the tree is situated close to the dwelling resulting in a leaking foundation causing property damage and there is the risk of personal injury to an elderly neighbour as a result of slipping on fallen leaves.

The subject tree is a multi-stemmed Norway maple (*Acer plantanoides*), measuring 45 cm and 51 cm in diameter. The Private Tree By-law does not support the removal of the 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 privately owned tree located at 17 Arlstan 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

Urban Forestry received an application for a permit to remove one privately owned tree located in the front yard of 17 Arlstan Drive. The subject tree is a Norway maple with stems measuring 45 cm and 51 cm in diameter. The arborist report that accompanied the application stated the main reason for requesting the tree removal is to prevent water leaking through the front foundation wall and causing damage and concerns that there is risk of injury to an elderly neighbour due to the potential to slip on fallen leaves in autumn.

The arborist report included with the application describes the health of the tree as "fair at best". It also raises the concern that trees with multiple stems, and Norway maple trees in particular, are prone to failure due to their characteristically narrow unions (or acute angles of stem attachment). It also states that decay is more likely to occur in situations where such narrow unions grow to the point that bark becomes "included" or enclosed between the stems. Urban Forestry inspected the tree and, at the time of inspection, determined it is botanically and structurally healthy. The base of the tree is approximately 3 m from the roof overhang, and 4 or more metres from the front foundation wall. Staff also observed that the angle of attachment between the two main stems is relatively broad and open, and there is no evidence of decay or weakening of the union at this time.

Insufficient evidence has been submitted for Urban Forestry to be satisfied that the tree is associated with any leaking through or beneath the foundation wall or that the removal of the tree would correct problem. Tree roots are not physically capable of exerting the force required to lift or crack a properly constructed and maintained foundation walls. They are however, capable of growing into any available space that offers water and air. 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. Waterproofing of the foundation, if not already done, would prevent roots from growing in any existing cracks or other openings in the foundation. The problem described here can typically be repaired without requiring tree removal.

The concerns raised by the applicant regarding risk of injury to their elderly neighbour resulting from wet slippery leaves on the ground in autumn can also be addressed without removing the tree. Fallen leaves is a maintenance matter which is the responsibility of all property owners. Regularly raking or sweeping fallen leaves would reduce the number of fallen leaves at any given time.

When reviewing applications for tree removal, Urban Forestry staff are guided by City policies and bylaws including *City of Toronto Municipal Code, Chapter 813, Trees, Article III*, more commonly referred to as the Private Tree By-law. The provisions of the Private Tree By-law do not require or allow staff to permit this tree's removal for reasons given.

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. One letter in support of the tree removal was received in response to the notice.

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 issuance must be conditional upon the provision of satisfactory replacement planting. As a condition of permit issuance, the applicant is proposing to plant two replacement trees. However, in this instance it would be appropriate for the applicant to provide five 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 the 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 resources thus contributing to growth and prosperity.

It is the goal of the City of Toronto 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 Norway maple tree at 17 Arlstan 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. 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 - Figure 1: Subject tree with stems measuring 45 cm and 51 cm in diameter situated in the front yard of 17 Arlstan Drive.

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