

Application to Remove a Private Tree – 231 Castlefield Avenue

Date: May 14, 2020

To: North York Community Council

From: Director, Urban Forestry, Park, Forestry and Recreation

Wards: Ward 8 – Eglinton-Lawrence

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned tree located at 231 Castlefield Avenue. The application indicates the reason for removal is to address concerns that the tree's fruit poses an unacceptable risk of serious allergic reaction to a child living at the property.

The subject tree is a black walnut (*Juglans nigra*), measuring 50 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 privately owned tree located at 231 Castlefield Avenue.

FINANCIAL IMPACT

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

DECISION HISTORY

At its meeting of February 27, 2017, the Parks and Environment Committee adopted a report from the General Manager of Parks, Forestry and Recreation that explained the effects of exempting black walnut trees from protection under the City's tree by-laws for reasons including fear of being struck and injured by falling walnuts, having an allergic reaction to walnuts and not being able to grow other plants in close proximity to black walnut trees.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PE17.2>

COMMENTS

Urban Forestry received an application for a permit to remove one privately owned tree located at the rear of 231 Castlefield Avenue. The subject tree is a black walnut measuring 50 cm in diameter. The request to remove this tree has been made to address concerns that the tree's fruit poses an unacceptable risk of serious anaphylactic allergic reaction to a child living at the property.

A doctor's note that accompanied the application, confirms the severity of the allergy and agrees with the homeowner's assessment that because the child is only 4 years old, accidental ingestion cannot be completely prevented.

The applicants have also described avoidance methods they currently employ to protect the child, up to and including not allowing the child in the back yard when nuts or their parts may be on the ground, and changing their footwear when entering the house from the back yard to prevent fragments of nuts being tracked in, then picked up and ingested by the child.

The arborist report that accompanied the application assessed the tree to be in fair to good condition. Urban Forestry staff inspected the tree and, at the time of inspection, determined that it is healthy and maintainable both botanically and structurally. Physically collecting and removing walnuts and educating those at risk will further reduce the likelihood of accidental exposure.

The results of the [2018 Tree Canopy Study](#) undertaken by the City, estimated that walnut and butternut trees (which produce similar fruit) comprise 0.6% of the city's tree population. This represents approximately 69,000 trees. Toronto's street tree inventory includes 1686 walnut trees and 550 butternut trees. Removing all these trees, as well as all the pollen-producing trees that cause allergies would not only be ineffective in removing all plant allergens, but would also significantly compromise Urban Forestry's goal of increasing the tree canopy, as well as reduce the many other benefits provided by these trees.

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, including the removal of a nut-bearing tree to mitigate the risk of an allergic response.

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 issuance must be conditional upon the provision of satisfactory replacement planting.

As a condition of permit issuance, the applicant is proposing to plant one replacement tree. However, in this instance it would be appropriate for the applicant to provide five replacement trees, which may be achieved through 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 long horned beetle and the emerald ash borer make the preservation of all healthy trees more necessary now than ever.

The black walnut tree at 231 Castlefield 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

David Bostock, Supervisor, Tree Protection and Plan Review, Urban Forestry
Tel: 416-395-6134, Email: David.Bostock@toronto.ca

SIGNATURE

Jason Doyle
Director, Urban Forestry
Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph showing the black walnut tree at the rear of 231 Castlefield Avenue, September 25, 2019

Attachment 1 – Figure 1: Staff photograph showing the black walnut tree at the rear of 231 Castlefield Avenue, September 25, 2019

