



REPORT FOR ACTION

Application to Remove a Private Tree – 127 Willow Avenue

Date: February 11, 2020

To: Toronto and East York Community Council

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

Wards: Ward 19 – Beaches East York

SUMMARY

This report requests that City Council deny the request for a permit to remove one privately owned tree located at 127 Willow Avenue. The application indicates the reasons for removal are that the tree drops large quantities of nuts which may be considered a tripping hazard, and that the tree may be causing walkway stones to heave.

The subject tree is a black walnut (*Juglans nigra*), measuring 46 centimetres 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, Parks, Forestry and Recreation recommends that:

1. City Council deny the request for a permit to remove one privately owned tree located at 127 Willow 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 for a permit to remove one privately owned tree located in the front yard of 127 Willow Avenue. The subject tree is a black walnut measuring 46 cm in diameter. The request to remove this tree has been made to address concerns that the tree is causing a tripping hazard due to falling nuts, and the tree appears to be causing walkway stones to heave.

The arborist report that accompanied the application assessed this tree to be in good condition, but with limited space to grow. The structure is considered good with a slight lean away from the house.

Urban Forestry has conducted a tree health assessment and has determined that at the time of inspection, the tree is healthy both structurally and botanically, with a healthy canopy and good root flare. The tree is located less than 2 metres west of the front porch of the house.

Tree roots are not physically capable of exerting the force required to lift or crack properly constructed and maintained walkways. They are however, capable of growing into any available space that offers air. Heaving may occur as a result of freezing and thawing, which creates space that tree roots may grow into. Tree roots will exacerbate the situation if a problem has already occurred or if the (i.e. walkway material is too thin, lightweight, or cracked). It is typically possible to repair the damage and construct a more robust walkway while preserving the tree.

All trees can drop twigs, leaves, needles, nuts, or fruit. Concerns expressed by the applicant regarding falling nuts can be addressed through pruning in accordance with good arboricultural practices and routine tree and property maintenance. The Private Tree By-law does not support tree removal to address the perceived nuisance resulting from a tree's natural functions.

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, including limited growth space.

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. Nine comments were received in opposition to the removal of the tree.

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 pay \$583.00 in lieu of planting one replacement tree. 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 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 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 at 127 Willow 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 – Figure 1: Staff photograph showing privately owned black walnut tree measuring 46 cm in diameter in side-overview and front of property, November 14, 2019.

Attachment 2 – Figure 2: Staff photograph showing overview of privately owned black walnut tree measuring 46 cm in diameter and front of property, November 14, 2019.

Attachment 3 – Figure 3: Staff photograph showing superficial scratch in bark of tree trunk of privately owned black walnut tree measuring 46 cm in diameter. November 14, 2019.

Attachment 4 – Figure 4: Staff photograph showing walkway paving stones at base of privately owned black walnut tree measuring 46 cm in diameter. November 14, 2019.

Attachment 1 Figure 1: Staff photograph showing privately owned black walnut tree measuring 46 cm in diameter in side-overview and front of property, November 14, 2019.



Attachment 2 Figure 2: Staff photograph showing overview of privately owned black walnut tree measuring 46 cm in diameter and front of property, November 14, 2019.



Attachment 3 Figure 3: Staff photograph showing superficial scratch in bark of tree trunk of privately owned black walnut tree measuring 46 cm in diameter. November 14, 2019.



Attachment 4 Figure 4: Staff photograph showing walkway paving stones at base of privately owned black walnut tree measuring 46 cm in diameter. November 14, 2019.

