

## **Application to Remove a Private Tree – 57 Alcorn Avenue**

**Date:** May 31, 2022

**To:** Toronto and East York Community Council

**From:** Acting Director, Urban Forestry, Parks, Forestry and Recreation

**Wards:** Ward 12 – Toronto - St. Paul's

### **SUMMARY**

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This staff report is about a matter that Community Council has delegated authority from City Council to make a final decision.

This report requests that Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 57 Alcorn Avenue. The application indicates the reason for removal is due to concerns that the falling nuts are causing damage to the property and pose a significant risk of injury to people in the vicinity.

The subject tree is a black walnut tree (*Juglans nigra*), measuring 93 cm in diameter. The Tree By-laws do not support the removal of this tree as it is healthy and maintainable.

### **RECOMMENDATIONS**

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The Acting Director of Urban Forestry recommends that:

1. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 57 Alcorn Avenue.

### **FINANCIAL IMPACT**

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

## DECISION HISTORY

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At its meeting of February 27, 2017, the Parks and Environment Committee adopted a report, Black Walnut Trees in Toronto, from the General Manager of Parks, Forestry and Recreation that explained the effects of exempting black walnut trees (*Juglans nigra*) from protection under the City's Tree By-laws with a focus on both community safety and canopy impacts.

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

## COMMENTS

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Urban Forestry received an application for a permit to remove one privately owned tree located at 57 Alcorn Avenue. The subject tree is a black walnut tree measuring 93 cm in diameter. The request to remove this tree has been made to address concerns that the falling nuts are causing damage to the property and pose a significant risk of injury to people in the vicinity.

The arborist report that accompanied the application described the tree to be in fair condition.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Trees can drop nuts, leaves, needles, and fruit that some residents consider a nuisance. Removal of debris such as fallen nuts from eaves troughs and downspouts is considered part of performing regular property maintenance and is a responsibility of all property owners within the City of Toronto.

Through this inspection and review of the arborist report, staff have concluded that the removal of the subject tree is not permissible under the Tree By-law, *City of Toronto Municipal Code Chapter 813*. The City's Tree By-laws do not support tree removal to address the perceived nuisance resulting from a tree's natural functions. As a result of the above noted findings and in support of protecting and growing the city's urban forest, a permit to remove the tree was denied by Urban Forestry. The applicant is appealing this decision.

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 application to remove the tree in question.

The black walnut tree at 57 Alcorn Avenue is a valuable part of the urban forest that provides numerous aesthetic, social and economic benefits to the property owner and local community. Toronto's urban forest provides \$55 million in environmental benefits

every year including improved air quality through pollution removal, lower storm water management costs by reducing runoff, and carbon sequestration that lessens the impacts of climate change. Through shade and transpiration, increasing urban tree cover can mitigate exposure to extreme heat events. A higher density of trees in a neighbourhood has been shown to significantly improve physical and mental health, such as reducing blood pressure and stress levels and promoting physical activity. Trees also make urban environments aesthetically more pleasing which raises property values.

Protecting the urban forest is a key strategy for building resilience, as it continues to face increasing natural pressures such as storms and invasive pests. The 2013 ice storm resulted in the removal of over 3000 City-owned trees. The emerald ash borer beetle has killed approximately 860,000 ash trees across the city. As a result, if the City aims to reach its canopy target of 40 per cent, it is imperative that the City protect healthy trees from injury and removal whenever possible. The improved condition and size of the urban forest will support the City of Toronto's goals to improve quality of life and well-being that enables a diverse, sustainable, innovative, growing and thriving city.

In accordance with the City Council-approved Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Private Tree By-law, the black walnut tree at 57 Alcorn Avenue, as a valuable part of the urban forest, should not be removed.

The Acting Director of Urban Forestry recommends Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located at 57 Alcorn Avenue. Should Toronto and East York Community Council grant this request for tree removal, the following recommendation may be adopted, in accordance with the City's Tree By-law permit requirements:

- 1) Toronto and East York Community City Council approve the request for a permit to remove one privately owned tree located at 57 Alcorn Avenue, and require the applicant to provide five replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting to the satisfaction of the General Manager of Parks, Forestry and Recreation.

## **CONTACT**

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## **SIGNATURE**

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Kim Statham  
Acting Director, Urban Forestry  
Parks, Forestry and Recreation

## **ATTACHMENTS**

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Attachment 1 – Figure 1: Arborist photograph showing the black walnut tree at 57 Alcorn Avenue; August 2021

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