

Application to Remove a Private Tree – 49 Bellamy Road South

Date: December 15, 2022

To: Scarborough Community Council

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

Wards: 20 - Scarborough Southwest

SUMMARY

This report requests that Scarborough Community Council deny the request for a permit to remove one privately owned tree located at 49 Bellamy Road South. The applicant is seeking permission to remove the tree in order to address safety concerns due to the poor condition of the tree and because the tree is dropping walnuts.

The subject tree is a black walnut tree (*Juglans nigra*) measuring 77 cm in diameter. The Tree By-laws do not support the removal of this tree as it is healthy and maintainable.

RECOMMENDATIONS

The Acting Director of Urban Forestry recommends that:

1. Scarborough Community Council deny the request for a permit to remove one privately owned tree located at 49 Bellamy Road South.

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, Black Walnut Trees in Toronto, 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 with a focus on both community safety and canopy impacts. The Parks and Environment Committee decision is available here:

<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 in the side yard at 49 Bellamy Road South. The subject tree is a black walnut measuring 77 cm in diameter. The request to remove this tree has been made to address safety concerns due to the poor condition of the tree and because the tree is dropping walnuts.

The arborist report that accompanied the application described the tree to be in poor condition. The report notes that the tree has girdling roots, a major amount of deadwood throughout canopy, included bark, and a frost crack.

Urban Forestry staff inspected the tree and at the time of inspection determined that it is healthy and maintainable.

According to the 2017 report to City Council on Black Walnut Trees in Toronto, the City of Toronto Corporate Finance, Insurance and Risk Management group noted that historical claims experience suggests the risks associated with falling walnuts do not pose a significant exposure for the City. If the City accepts that the nuisance and risk factors that these trees may pose to outweigh their environmental, social and health benefits it could lead to the potential removal of thousands of other nut-bearing trees across the city, which could be the subject of similar concerns. The City's Tree By-laws do not support tree injury or removal to address the perceived nuisance resulting from a tree's natural functions such as the production of nuts.

Through the 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*. 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. One comment in support of the removal of the tree in question was received in response to the application.

The black walnut tree at 49 Bellamy Road South 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 by 2050, it is imperative that the City protect healthy trees from unnecessary 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 49 Bellamy Road South as a valuable part of the urban forest, should not be removed.

The Acting Director of Urban Forestry recommends Scarborough Community Council deny the request for a permit to remove one privately owned tree located at 49 Bellamy Road South. Should Scarborough 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) Scarborough Community Council approve the request for a permit to remove one privately owned tree located at 49 Bellamy Road South, 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

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

ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph showing the black walnut tree, on the right side of the photograph, at 49 Bellamy Road South; June 23, 2022

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