

## **Application to Remove a Private Tree – 31 Central Street**

**Date:** February 5, 2024

**To:** Etobicoke York Community Council

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

**Wards:** Etobicoke-Lakeshore - 3

### **SUMMARY**

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This report requests that Etobicoke York Community Council deny the request for a permit to remove one privately owned tree located at 31 Central Street. The applicant indicates the reason for requesting removal of the tree is to mitigate the risk of a severe walnut allergy to a resident.

The black walnut tree (*Juglans nigra*) measures 56 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. The permit was denied, and the applicant is appealing the decision. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the denial of a permit of a tree protected under the By-laws.

### **RECOMMENDATIONS**

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The Director of Urban Forestry, Parks, Forestry and Recreation recommends that:

1. Etobicoke York Community Council deny the request for a permit to remove one privately owned tree located at 31 Central Street.

### **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 on February 27, 2017, the Parks and Environment Committee adopted a report from the General Manager of Parks, Forestry and Recreation titled Black Walnut Trees in Toronto. The report outlined the detrimental effects on the City's ability to preserve, protect and grow the urban forest and tree canopy by 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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Parks, Forestry and Recreation received an application for a permit to remove one privately owned tree located in the rear yard at 31 Central Street. The black walnut (*Juglans nigra*) tree in question measures 56 cm in diameter. The applicant indicates the reason for requesting removal of the tree is to mitigate the risk of a severe walnut allergy to a resident.

An arborist report was not submitted as part this application, as the applicant recognizes that the tree is in healthy condition and would therefore not qualify for a removal permit, based on an assessment by an arborist.

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

At its meeting on February 27, 2017, the Parks and Environment Committee adopted a report from the General Manager of Parks, Forestry and Recreation titled Black Walnut Trees in Toronto. As noted in the report, Toronto Public Health confirmed that:

1. There is no evidence to support the removal of a nut-bearing tree to mitigate risk from an allergic response.
2. Anaphylaxis is highly unlikely to occur except through ingestion of nuts.
3. The allergen is in the nut itself and accidental exposure is not likely since the nut is covered by the shell.
4. Other measures (which are simpler and less expensive than tree removal) can mitigate the risk such as cleaning up tree nuts in play areas or teaching children to avoid tree-nuts.

The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable; nor do they support tree removal to mitigate the risk of an allergic response. Following inspection of the tree by City staff, a permit to remove the tree was denied by Parks, Forestry and Recreation. The applicant is appealing this decision. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the City's decision to deny a tree permit.

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 to provide an opportunity for comment by the community. No comments were received in support, nor in opposition to the application to remove the tree in question.

The City has reaffirmed its canopy target of 40 per cent by 2050. One approach to support achieving this target is to protect healthy trees from injury and removal whenever possible.

Protecting the urban forest is critical in building climate resilience as urban centres continue to face increasing development, impacts due to climate change in the form of extreme weather events, and other natural threats such as invasive pests. Toronto's urban forest provides \$55 million in ecosystem services and benefits annually. Services such as air pollution removal, reduction of storm water runoff, and carbon sequestration all contribute to climate resilience. Protecting and expanding tree cover helps to mitigate exposure to extreme heat events through shade and transpiration.

A sustainable and expanding urban forest also supports the City of Toronto's goals to improve quality of life and well-being of its residents. A higher density of trees in a neighbourhood has been shown to significantly improve physical and mental well-being by reducing blood pressure, decreasing stress levels, and by promoting physical activity. Economic benefits include enhancements to property values, increased tourism and consumer spending.

In keeping with the City's Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Tree Protection By-laws, the black walnut tree at 31 Central Street is a valuable part of the urban forest, providing numerous aesthetic, social and economic benefits to the property owner and the local community and therefore should not be removed.

Parks, Forestry and Recreation recommends Etobicoke York Community Council deny the request for a permit to remove one privately owned tree located at 31 Central Street. Should Etobicoke 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) Etobicoke York Community Council approve the request for a permit to remove one privately owned tree located at 31 Central Street 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  
Director, Urban Forestry, Parks, Forestry and Recreation

## **ATTACHMENTS**

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Attachment 1 – Figure 1: Staff photograph of the black walnut tree at 31 Central Street;  
October 24, 2023



Attachment 1 – Figure 1: Staff photograph of the black walnut tree at 31 Central Street; October 24, 2023

