

Application to Remove a Private Tree – 49 Bellamy Road South

Date: March 26, 2025

To: Scarborough Community Council

From: Acting Director, Urban Forestry, Environment, Climate and Forestry Division

Wards: Scarborough Southwest - 20

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 indicates the reason for requesting removal of the tree is to address concerns over large falling branches that may result in property damage.

The black walnut tree (*Juglans nigra*) measures 78.5 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 appeals the City's decision to deny a tree permit.

RECOMMENDATIONS

The Acting Director of Urban Forestry, Environment, Climate and 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

On January 27, 2023 a report regarding an application to remove this tree was brought to Scarborough Community Council where the request for a permit to remove one privately owned tree located at 49 Bellamy Road South was denied.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.SC2.8>

COMMENTS

The City of Toronto received an application for a permit to remove one privately owned tree located in the side yard at 49 Bellamy Road South. The black walnut tree (*Juglans nigra*) in question measures 78.5 cm in diameter. The applicant indicates the reason for requesting removal of the tree is to address concerns over large falling branches that may result in property damage.

The arborist report that accompanied the application described the tree to be in poor condition. This report noted that tree has exhibited random limb failures in the upper canopy, including a recent 10 cm limb that fell over the steps of the side entrance. The report noted that previous limb breakage suggests compromised structural integrity and declining overall health and that these failures are likely due to fungal diseases that weaken the wood.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. Staff noted that the tree shows a canopy that has repeatedly been pruned back, leaving good scaffold branch structure. No fruiting bodies or fungal infections were observed. No major defects were found on the trunk of the tree.

Staff perform visual ground inspections of trees. If additional reports are provided by the applicant, using technology such as sonic tomography that can provide information on internal decay, staff will review this information as part of their assessment. No additional reports were provided as part of this application. Routine tree maintenance, such as pruning in accordance with good arboricultural practices, will reduce the likelihood of future tree and branch failure.

The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Through the inspection and review of the arborist report, a permit to remove the tree was denied by Environment, Climate and Forestry. 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 appeals 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 of removal nor in opposition to the application to remove the tree in question.

The City has reaffirmed its canopy target of 40 percent 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 49 Bellamy Road South 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.

Environment, Climate and 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 Executive Director, Environment, Climate and Forestry.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1 – Figure 1: Staff photograph of the black walnut tree at 49 Bellamy Road South; January 9, 2025

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