



**SUBJECT: Public tree removal report – 1770 Appleby Line (535-005-20)**  
**TO: Environment, Infrastructure & Community Services Cttee.**  
**FROM: Roads, Parks and Forestry Department**

Report Number: RPF-16-22

Wards Affected: 4

File Numbers: Site Plan (535-005-20)

Date to Committee: June 9, 2022

Date to Council: June 21, 2022

---

### **Recommendation:**

Approve the request by the applicant to remove (1) public tree in order to proceed with the proposed site plan application File No. 535-005-20 as outlined in roads, parks & forestry department report RPF-16-22; and

Instruct the applicant, Tim Jessop on behalf of NYX Appleby Storage LP, to provide compensation for the public tree removal by providing cash-in-lieu of replacement totaling \$500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the City's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

### **PURPOSE:**

#### **Vision to Focus Alignment:**

Delete this line and the areas that do not apply.

- Support sustainable infrastructure and a resilient environment
- Deliver customer centric services with a focus on efficiency and technology transformation

## Background and Discussion:

The subject property is located at the corner of Appleby Line and Corporate Drive will involve the construction of a new three storey self-storage building at the west limit of the subject property (See Fig. 1).



**Figure 1: Subject Property, 1770 Appleby Line.**

An application for Site Plan (File No. 535-005-20) has been submitted to construct a three storey self-storage building on an existing site. A total of 27 trees are proposed for preservation on the subject lot that range from 4 – 46 cm DBH. In 2020, several trees (8) were removed due to front entrance construction and general maintenance due to their condition, with seven (7) trees subject to the private tree by-law. Seven (7) new trees were replanted as part of their conditions and will not be harmed by the proposed development.

As part of a condition to satisfy their Site Plan, council approval to proceed with issuance of a tree permit must be obtained in order to facilitate the removal of a public tree. In accordance with the City of Burlington's Public Tree By-law 68-2013, Section 1.19 states, "*The City Arborist shall not issue a Tree Permit for Trees located on Public Property immediately abutting Private Property for which a development application has been submitted, until such time as the development application has been approved and Council has also approved the removal of these trees*".

### **Strategy/process**

One (1) public tree: Tree No. 36: Redpointe Maple (*Acer rubrum* 'Frank Jr'): DBH 5cm) is proposed to be removed due to conflicts with the proposed driveway. The subject tree that is proposed for removal is in good condition and located within the municipal right-of-way along Corporate Drive. Consideration was made for relocating the driveway by the applicant however, the proposed location optimizes vehicle movement and aligns the entrance to Corporate Drive with the main drive aisle between the existing and proposed building. Given the limitations and optimization, along with the size of the tree, Forestry is in support of the removal under the provision that cash-in-lieu of replacement is provided to the City as compensation for canopy loss. Based on the size of the tree being removed, one (1) replacement tree is required.

Refer to Appendix A – Tree Inventory and Compensation Form completed by City staff, Appendix B – Supporting Documents for additional details.

### **Options Considered**

Forestry staff conducted a comprehensive review of the proposed plans with the applicant.

---

### **Financial Matters:**

A total of \$500.00 shall be paid by the applicant as compensation for the public tree removal. These funds will be utilized to replace the loss in canopy within the City. In addition to the cash-in-lieu fee, a tree permit fee will be required as prescribed in the City's Rates and Fees By-law (as amended). The total cost of tree and stump removal will be borne entirely by the applicant.

### **Total Financial Impact**

Not applicable.

### **Source of Funding**

Not applicable

### **Other Resource Impacts**

Not applicable.

---

### **Climate Implications**

The removal of trees is always a concern as they provide the most cost-effective measure of carbon sequestration, in addition to providing a host of other ecological benefits associated with climate change. It is critical that in cases where trees must be removed, that they are sufficiently compensated for in the interest of replacing the canopy loss long-term.

---

## **Engagement Matters:**

---

## **Conclusion:**

The City's Forestry section has reviewed the proposed tree removal, and supports the removal as per the recommendations listed above.

---

Respectfully submitted,

Melissa Torchia

Supervisor, Forest Protection

(905) 333-6166 ext. 6121

## **Appendices:**

- A. Tree Inventory and Compensation Form
- B. Supporting Documents

## **Notifications:**

Name : Tim Jessop

Email : tim@nyxcapital.com

## **Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.