



SUBJECT: Public tree removal report – 31, 33 & 35 Fairwood Pl. W
TO: Environment, Infrastructure & Community Services Cttee.
FROM: Roads, Parks and Forestry Department

Report Number: RPF-20-22

Wards Affected: 1

File Numbers: ZC-21-011177 | ZC-21-011271

Date to Committee: July 7, 2022

Date to Council: July 12, 2022

Recommendation:

Approve the request by the applicant to remove three (3) public trees in order to proceed with the proposed development of new single-family dwellings at 31, 33 & 35 Fairwood Pl. W. as outlined in roads, parks and forestry department report RPF-20-22; and

Instruct the applicant, John Nesbitt (Country Green Homes Inc.) on behalf of O'Malley Enterprises Limited, to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$7,000.00; 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:

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

Executive Summary:

Required if report is longer than 10 pages before appendices. If n/a delete section. Subheadings must be Heading 3.

Background and Discussion:

The subject property is located along Fairwood Pl. W. (See Fig. 1).



Figure 1: Subject Properties, 31, 33 & 35 Fairwood Pl. W.

An application for consolidated pre-building permit has been submitted to redevelop all three lots. Prior to obtaining their consolidated pre-building permit process, council approval must be obtained in order to facilitate the issuance of a tree removal permit for the public trees. 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

Three (3) trees are proposed to be removed due to conflicts with the proposed new single-family dwellings. More specifically, the three (3) trees will directly conflict with

proposed servicing and driveways. This file previously went through to a consent application to sever the property into three separate lots which was approved. The severance allowed for the creation of three new lots, and in order to meet the requirements of zoning, certain setbacks from existing property lines were required and incorporated into the site layouts. Due to these setbacks, existing utilities, and servicing requirements, public trees within the municipal right-of-way would not survive the impacts proposed and therefore were requested to be removed. More specifically, three (3) trees are proposed to be removed as follows:

1. Tree No. 8: Horsechestnut (*Aesculus hippocastanum*): DBH 6.5cm
2. Tree No. 9: White Pine (*Pinus strobus*): DBH 33cm
3. Tree No. 10: Siberian Elm (*Ulmus pumila*): DBH 71.5cm

Given the design and site limitations development, Forestry is agreeable to removal of the above noted subject trees under the provision that cash-in-lieu fees are provided to the City as compensation for canopy loss.

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

Options Considered

Forestry staff conducted a comprehensive review of the proposed plans with the applicant. Alternative layouts were reviewed, and new driveway layouts were provided by the applicant to, at a minimum, ensure there is sufficient space for one future public tree to be planted along the frontage of 31, 33 and 35 Fairwood Pl. W.

Financial Matters:

A total of \$7,000.00 shall be paid by the applicant as compensation for the public tree removals. These funds will be utilized to replace the loss in canopy within the City. In addition to the cash-in-lieu fees, 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 removals 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 removals and supports the removals 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:

John Nesbitt (Country Green Homes Inc.) Roberta.harvey@countrygreenhomes.com

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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.