

153 Plains Rd. W, Burlington, ON
Arborist's Report

Client: Atif Aqeel, Principle, AAA Architects Inc.
January 30, 2024
HKLA Job# 2022-142



PREPARED BY:

Henry Kortekaas & Associates Inc.

230 Westney Road S, Ajax, ON, L1S 7J5 (905) 839-5599 info@hkla.ca

January 30, 2024

Atif Aqeel, Principle
AAA Architects Inc.
Architecture and Planning
2121 Argentia Road, Suite 105
Mississauga, ON L5N 2X4
Tel: 647 951 9573
Email: aaqeel@aaa-architects.ca

HENRY KORTEKAAS + ASSOCIATES INC.
HKLA
Landscape Architects and Consulting Arborists
230 Westney Rd S, Unit 308 - Ajax, ON - L1S 7J5
Office: (905) 839-5599 // Email: info@hkla.ca // Web: www.hkla.ca

Re: 153 Plains Rd. W, Burlington, ON - Arborist Report

HKA Ref No: 2022-142

Henry Kortekaas and Associates was retained to provide the Aboricultural related consulting services and documentation for trees affected by a development project scheduled for 153 Plains Rd. W, Burlington, ON.

The purpose of this report is to provide the Tree Inventory Assessment and Preservation Plan (TAPP) (see Appendix B L-TP1 & L-TP2), Arborist Report, and the Tree Value Assessment.

The Tree Value Assessment was carried out utilizing the International Society of Arboriculture (I.S.A.) and the Council of Tree and Landscape Appraisers 'Guide for Plant Appraisal 9th Edition, Revised'.

As per the proposed Site Plan, there are 13 trees that are recommended to be removed from the site.

We trust this documentation meets your needs. If you have any questions, please do not hesitate to contact us at (905) 839-5599.

Sincerely,

HENRY KORTEKAAS & ASSOCIATES INC.

Tyler Main, BLA, OALA, CSLA, ISA
Partner
Sr. Landscape Architect
ISA Certified Arborist ON-2598A

TABLE OF CONTENTS

1. INTRODUCTION 1

2. MUNICIPAL TREE BYLAWS 1

3. STUDY PURPOSE 1

4. STUDY PROCESS 2

5. SITE LOCATION 2

6. INVENTORY 2

7. PRESERVATION ANALYSIS 3

8. SCOPE OF WORK 5

9. TREE IDENTIFICATION & LOCATION CRITERIA 5

10. RECOMMENDATIONS 6

APPENDIX A - DISCLAMER / LIMITATIONS 7

APPENDIX B - TREE INVENTORY AND PRESERVATION PLAN 2022-142 L-TP1 & L-TP2 11

APPENDIX C - CITY OF BURLINGTON - PUBLIC TREE BY-LAW (068-2013) 14

1. INTRODUCTION

Henry Kortekaas & Associates, was contacted by AAA Architects Inc, advising that 153 Plains Rd. W, Burlington, ON, is scheduled for development.

HKLA was provided a copy of the Survey Plan, prepared in July 2022 by J.D. Barnes Limited, which has been overlaid on a Site Plan prepared in November 2022 by AAA Architects Inc. The survey underlays the Tree Inventory drawing to accurately locate the trees.

Existing trees that conflict with proposed grading or development were recommended for removal. Acordingly, all tree are going to be removed for development. There is no tree to be protected. (see Appendix B, Drawings L-TP1 & L-TP2).



Tree #536

2. MUNICIPAL TREE BYLAWS

Public Tree Protection By-Law 068-2013 (See Appendix C).

3. STUDY PURPOSE

This project was undertaken to comply with the City of Burlington policies regarding tree identification and protection of trees. The study objectives are:

1. To inventory the species and location of all significant trees with a DBH of 10 cm or greater on the subject site, and any tree of any size located on the Burlington ROW and affected by the development. Each inventoried tree on site is given a number.
2. To record the size and condition of each tree.
3. To recommend which existing trees can be preserved within the proposed development.
4. To provide guidelines for the preservation and long-term health of these trees.

4. STUDY PROCESS

All specimens or tree groupings, 10 cm caliper or larger with the potential for preservation, (as dictated by the Survey and Site Plan) have been located.

These trees were evaluated on their condition, rated as to the species adaptability to environmental change, their potential value within the completed future development and their potential for preservation considering the requirement for fill, site-servicing, asphalt, foundations and space for excavations, etc.

5. SITE LOCATION

The site is located at 153 Plains Rd. W, near Plains Rd W and Howard Rd intercetion in the City of Burlington, Ontario.



6. INVENTORY

An inventory of the site vegetation was carried out in December 2022. From this inventory, specimen trees and tree groupings were tagged and identified. This data appears on the drawings 2022-142 LTP1 , L-TP2 (See Appendix B). There were no trees on, or adjacent to, the site rated as unique or endangered.

7. PRESERVATION ANALYSIS

In order to develop the property in accordance with the proposed Site Plan, it will be necessary to remove some existing trees. The existing trees will conflict with potential grading, services or building envelopes.



Tree #723

1.1. Size

Mature specimens add to the aesthetics of the site and maintain the mature vegetation character of the neighbourhood. Mature trees screen unwanted views, provide shade, block winds and improve the visual landscape of the area. Large trees, however, are less tolerant of change. Alteration of soil conditions will reduce the levels of air, water, and nutrients reaching the wide spread roots of mature specimens. Foundations and excavations for foundations will change water flow and cut root systems. The potential life span of a species in a 'fill or cut' situation or proposed new foundations must also be considered. There is less value in preserving a tree that is already at, or past its normal life expectancy and conflicts with the approved plan

1.2. Condition

The health of a tree specimen is factored into that specimen's potential for preservation. A mature, desirable specimen will have a low preservation potential if it is in poor health. A tree's condition is determined visually based on branch structure and growth, trunk irregularities - such as cankers, broken limbs, wounds, heart rot and fungal growth, twig and foliage growth, and root restrictions, limb entanglement with utilities, etc.

1.3. Landscape Function/Location

The relative "landscape" importance of a specimen on this or any site is also dependent on its function. Trees that perform a desirable function - wind break, shade, visual screen, or spatial divides between sites are rated as having medium to high value. Site boundary trees are particularly important to the surrounding landscape and have the highest potential for preservation.

1.3.1. Size

The size of a landscape plant is expressed by the dimensions of its above ground parts. It is typically expressed by trunk diameter, in this case taken at 1.37 meters (rounded to 1.40 meters) known as Diameter at Breast Height (DBH).

1.3.2. Contributing Rating

Functional and aesthetic contributions influence its value in most settings. Benefits may be affect by; plant size, shape, branch structure, foliage density and distribution. Plants contribute to the site by screening, privacy control, creating wildlife habitat opportunities, or energy saving qualities, among others.

High densities of trees lowers individual contribution. For example, if one (1) tree was removed from a windbreak (i.e., Picea abies, Norway Spruce), the benefit of the windbreak would remain

1.3.3. Placement

The placement rating of the plant being appraised determines how effective it is in providing functional and aesthetic attributes. For example: the placement of a deciduous tree to provide summer shade and winter sun for a patio is critical. Placement is eventually important for wind breaks, snow deposition, erosion control and dust reduction. Placement is also important for an aesthetic view point when a plant can provide a landscape focus, frame a view or accent a building.

1.3.4. Location Factor

Location factor is determined as follows:

(Site + Contribution + placement)/3 = location rating


Tree #520B


Tree #539


Tree #536B

8. SCOPE OF WORK

1. Visually inspect all trees regulated under By-law 068-2013 of the City of Burlington.
    a. Assess their condition;
    b. Determine if they are suitable for preservation based upon the proposed development activity.
2. Provide recommendations for tree preservation as per the proposed site plan.
3. Determine if proposed construction will adversely affect the health of such trees.

9. TREE IDENTIFICATION & LOCATION CRITERIA

See Tree Inventory and Preservation Plan (L-TP1) for tree location and species identification, condition and recommendations.

The following chart is reflected on the tree preservation drawing. It demonstrates the identification an classification practices, and is separated by 9 criteria

DBH (mm) Diameter at breast height. Nominally 1.4m and measured in millimetres.

SP (m) Spread. The average diameter of canopy coverage, measured in metres.

HT (m) Height. The nominal height of the tree, measured in metres.

TI Trunk Integrity. An indication of the structural integrity and general health of the tree. Measured as (G)ood, (F)air or (P)oor.

CS Crown Structure. Correlated with tree condition/health. Measured as (G)ood, (F)air or (P)oor.

CV Crown Vigour. General correlation with tree condition/health. Measured as (G)ood, (F)air or (P)oor.

CDB (%) Crown Die Back. Measured as the percent of branch tips in the crown that are dead, as a percentage.

SPP Species Potential. An experiential estimation of the suitability of the tree species compared to the existing/proposed site conditions. Measures as (H)igh (M)edium or (L)ow.

SIP Site Potential. An experiential estimation of the tree's suitability compared to the existing/proposed site conditions. Measured as (H)igh, (M)edium or (L)ow.

Recommendation and Notes: A recommendation based on the noted criteria and design information to the site suitability of the tree.

10. RECOMMENDATIONS

10.1 All trees to be removed under the supervision of an I.S.A. Certified Arborist.

10.2 There is no tree to be protected.

10.3 The removal of trees 539,539B,539C,539D,520B is deemed necessary due to conflicts with the proposed underground parking lots.

10.4 The removal of trees 520, 654, 654B, 654C, 536B,536C is deemed necessary due to conflicts with the proposed road and building.

10.5 The removal of trees 723 and 536B is deemed necessary due to the conflicts with road entrance and will be impacted by construction.

10.6 If grading works do occur within the tree protection zone, precaution and best practices are to be followed to limit damage done to the tree and its root systems.

10.7 If excavation is to occur in the root area of the tree, it is recommended to be done by hand digging or hydrovac as to limit potential damage to existing roots. It is also recommended that all exposed roots are to be cut cleanly with disinfected blades by hand or pruning saw by the contractor. Once trimmed, exposed root ends are to be back filled with clean fill to prevent desiccation.

10.8 No soil compaction or storage of construction materials is to take place within the TPZ. If machinery needs to be used within the TPZ, it is recommended that plywood be placed over a layer of mulch (100mm thick minimum), to limit compaction. These mitigations are to be removed upon completion of work within the TPZ.

10.9 Any damage that occurs to the tree including broken limbs, roots or wounds inflicted to the trunk are to be reported to the consulting Arborist immediately.

APPENDIX A - DISCLAMER / LIMITATIONS

Appendix A: Disclaimer/Limitations

1. Data has been verified insofar as possible; however Henry Kortekaas & Associates Inc. can neither guarantee nor be responsible for the accuracy of information provided by others.

2. Unless otherwise required by law, possession of this report or a copy thereof does not imply right of publication or use for any purpose in whole or in part by any other than the person to whom it is addressed, without the prior expressly written or verbal consent of Henry Kortekaas & Associates Inc.

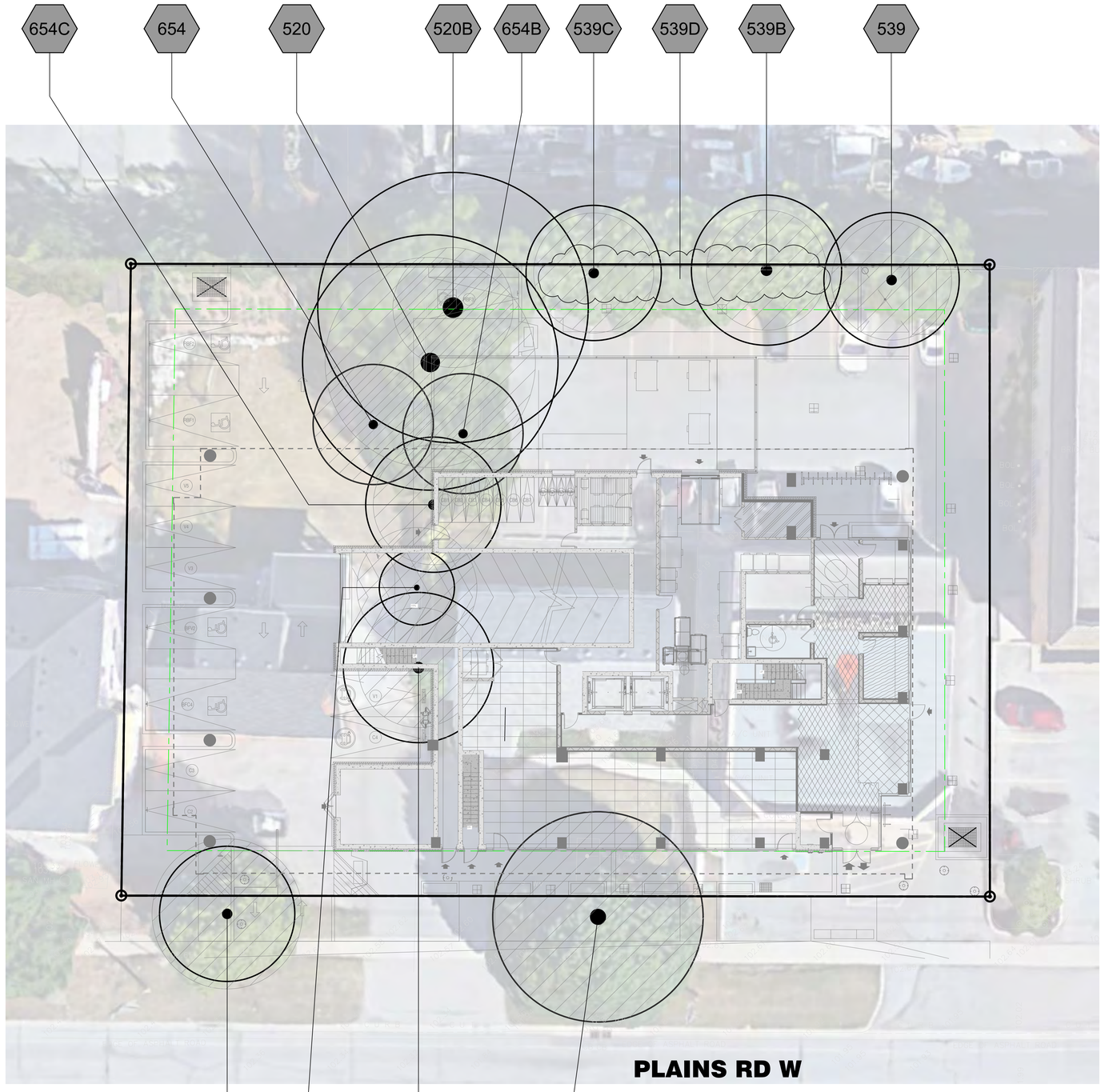
3. Excerpts or alterations to this report, without the authorization of Henry Kortekaas & Associates Inc. invalidates its intent and/or implied conclusions. This report may not be used for any expressed purpose other than its intended purpose and alteration of any part of this report invalidates the report.

4. Unless expressed otherwise: 1) information contained in the report covers only those items that were examined and reflect the condition of those items at the time of inspection; and 2) th inspection was made using accepted arboricultural techniques and is limited to visual examination of accessible items without climbing, dissection, probing or coring, and detailed root examination involving excavation. Weather conditions such as thick snow cover will limit the potential for basal examination and further site visits may be required. While reasonable efforts have been made t asses trees outlined in this report, there is no warranty or guarantee, expressed or implied, that problems or deficiencies with the tree(s) or any part(s) of them may not arise in future. All trees should be inspected and reassessed periodically.

5. The determination of ownership of any subject tree(s) is the responsibility of the owner and any civil or common-law issues, which may exist between property owners with respects to trees, must be resolved by the owner. A recommendation to remove or maintain tree(s) does not grant authority to encroach in any manner onto adjacent private properties.

6. The scope of work undertaken in this report, with the noted site observations and resultant conclusion, was based on existing site conditions and the proposed schematic site development layout as referenced in the EIS.

APPENDIX B - TREE INVENTORY AND PRESERVATION PLAN 2022-142 L-TP1 & L-TP2



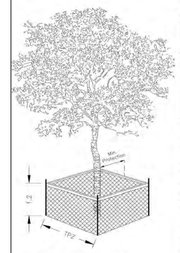
SCALE 1:150
0 1 2 3 4 5 10 15 20m

LEGEND

- 123 — TREES TO BE REMOVED
- 123 — TREES TO BE RETAINED
- TREE PROTECTION FENCE
- CRITICAL ROOT ZONE

Tree Protection and Preservation
Specification No.: SS12A

Detail TP-1 – Tree Protection Detail.



Trunk Diameter (DBH) [1]	Minimum Tree Protection Zone (MTPZ) Distances Required [3]	Critical Root Zone (CRZ) Distances Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:
[1]The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
[2]Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
[3]Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
[4]Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

TREE PROTECTION BARRIER

1. The required barrier is a 1.2 metre (4 ft) high orange plastic web snow fencing on 2" x 4" frame. Where orange plastic web snow fencing creates a restriction to sightlines, page wire fencing with reflective tape can be used.
2. Tree protection barriers are to be erected prior to the commencement of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barriers shall be maintained erect and in good repair throughout the duration of construction operations with breaks and unsupported sections repaired immediately. Tree protection may be not be removed prior to the completion of construction without written authorization from the Manager of Urban Forestry or designate.
3. All supports and bracing used to safely secure the barrier should be located outside the MTPZ. All supports and bracing should minimize damage to roots.
4. Where some fill or excavated material must be temporarily located near a MTPZ, a wooden barrier with silt fencing must be used to ensure no material enters the MTPZ.
5. No materials or fill may be stored within the MTPZ.
6. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the MTPZ.
7. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the MTPZ without written authorization from the Manager of Urban Forestry or designate.
8. A laminated Minimum Tree Protection Zone sign (See Detail TP-3 – Minimum Tree Protection Zone Sign) must be attached to the side of the Tree Protection where it will be visible by persons entering the site. Minimum size must be 10"x14".

1 CITY OF BURLINGTON - TP FENCE
N.T.S. 323133.21-01

TRUNK DIAMETER (DBH) OF THE TREE REMOVED	COMPENSATION RATIO	NUMBER OF TREE
15-35CM	2:1	8
36-74CM	3:1	2
GREATER THAN OR EQUAL TO 75CM	4:1	

✳NOTE:
PRIVATE TREES THAT ARE 15CM IN DBH WILL BE COUNTED TOWARD REPLACEMENT REQUIREMENTS USING THE CITY'S AGGREGATE CALIPER METHOD.

✳NOTE:
PRIVATE REMOVAL TREES: 11
REMOVAL TREES NEED REPLACEMENT: 10
TREE COMPENSATION: (8x2+3x2)=22
PROPOSED PRIVATE TREES: 10
TREES NEED CASH IN LIEU: 12

LOCATION MAP



GENERAL NOTES

THE LOCATION OF PROPERTY LINES, ELEVATIONS AND FACILITIES ON THIS PLAN WERE DRAWN ON THE BASIS OF A DIGITAL SITE PLAN OR SURVEY DATA PROVIDED BY OTHER CONSULTANTS.

IT IS THE RESPONSIBILITY OF THE CLIENT AND HIS CONTRACTORS TO CONFIRM THE ACCURACY OF THE SETBACKS, LOCATIONS AND GRADES ETC. ANY VARIATIONS BETWEEN EXISTING CONDITIONS AND THIS PLAN SHOULD BE ADJUSTED ON SITE AND REPORTED TO THE CONSULTING LANDSCAPE ARCHITECT TO DETERMINE THE IMPACT OF THE VARIATIONS ON THE SUITABILITY OF THE PROPOSED DEVELOPMENT.

CONSTRUCTION MUST CONFORM TO ALL CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

REVISIONS

NO.	DATE	NOTES	BY
8	2024-09-12	UPDATED LANDSCAPE PLAN	RN
7	2024-06-12	UPDATED LANDSCAPE PLAN	KT
6	2024-01-19	UPDATED LANDSCAPE PLAN	KT
5	2023-04-17	REVISED GREEN ROOF PLAN	KT
4	2023-04-06	GREEN ROOF PLAN	KT
3	2023-03-16	REVISED LANDSCAPE PLAN	FL
2	2023-03-01	TIPP	KT
1	2023-01-31	LANDSCAPE PLAN	KX

THESE LANDSCAPE DRAWINGS SHALL ONLY BE USED FOR THE PURPOSES INDICATED BELOW AS NOTED AND WHEN SIGNED BY THE CONSULTING LANDSCAPE ARCHITECT.

- ☐ CONCEPTUAL
- ☐ PRELIMINARY
- ☒ SITE PLAN
- ☐ PERMIT
- ☐ TENDER
- ☐ CONTRACT
- ☐ CONSTRUCTION
- ☐ AS-BUILT

ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS
TYLER J. MAIN
OALA
MEMBER

HKLA
Landscape Architects & Consulting Arborists
230 Westney Road S Unit 308, Ajax, ON L1S 7J5
O: (905) 839-5599 || Email: info@hkla.ca || Web: www.hkla.ca

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND THE LANDSCAPE ARCHITECT RETAINS OWNERSHIP OF THESE DRAWINGS. THEY ARE FOR SITE PLAN APPROVAL ONLY AND MAY REQUIRE FURTHER CONSTRUCTION DETAILING AND COORDINATION WITH OTHER ASSOCIATED PROFESSIONAL DESIGN SERVICES BEFORE ACTUAL TENDER AND CONSTRUCTION COMMENCES. DIMENSIONS ARE TO BE VERIFIED PRIOR TO CONSTRUCTION. DRAWINGS ARE NOT TO BE SCALED. IT IS ADVISED THAT CONTRACTORS CONTACT THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION TO ENSURE THE USE OF THE LATEST REVISED DRAWINGS. THE LANDSCAPE ARCHITECT IS NOT LIABLE FOR ERRORS OR OMISSIONS ARISING FROM UTILIZATION OF THESE PLANS BEFORE THE SAID DRAWINGS ARE SEALED, SIGNED AND DATED, AND THE LANDSCAPE ARCHITECT IS CONTRACTED TO PROVIDE CONSTRUCTION ADMINISTRATION AND CERTIFICATION SERVICES BY THE OWNER. ALL APPARENT DISCREPANCIES ARE TO BE REPORTED IN WRITING TO THE LANDSCAPE ARCHITECT BEFORE CONSTRUCTION COMMENCES.

PROJECT: SPA FILE #
153 PLAINS RD W
Burlington, ON

DRAWING:
TREE PRESERVATION PLAN

DRAWN BY:	SCALE:	
KX	1:150	L-TP1
CHECKED BY:	DATE:	DRAWING
TM	2023-01-06	1 of 8
JOB NO.:	2022-142	

File #2022-142.dwg

Tree Inventory
Project: 141 Plains
Burlington, ON

HKA Job #:

Date: 2024-01-31
Conditions: 2°

Inventory Done By: KL

CODES			
DBH		Diameter at breast height	(mm)
SPR		Spread	(m)
HT		Height	(m)
TI		Trunk Integrity	(G,F,P)
CS		Crown Structure	(G,F,P)
CV		Crown Vigor	(G,F,P)
CDB		Crown Die Black	(%)
SPP		Species Potential	(L,M,H)
SIP		Site Potential	(L,M,H)
PHY		Physical Condition	(text)
CRZ		Critical Root Zone	(m)
~ = Estimate (L)=low (M)=moderate (H)=high (G) = Good, (F) = Fair, (P) = Poor			

Tree Tag #	*Common Name*	*Scientific Name*	*DBH*	*SP*	*HT*	*TI*	*CS*	*CV*	*CDB*	*SPP*	*SIP*	*CRZ*	*PHY*	*Notes*	*Recommendation (REMOVE/RETAIN)*
539	White Ash	Fraxinus americana	40	9	12	F	F-P	F-P	20%	H	L	2.4	Vine throughout canopy, Many broken branches throughout, Growing against chainlink fence	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED PARKING LOTS
539B	White Ash	Fraxinus americana	21	10	17	F-P	F-P	F-P	15%	H	L	2.4	Vine throughout, Growing along chainlink, Broken/removed branches, off prop.	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH UNDERGROUND PARKING LOT
539C	White Ash	Fraxinus americana	26	9	18	F-P	F-P	F-P	15%	H	L	2.4	Vine throughout, Growing along chainlink, Broken/removed branches, off prop.	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH UNDERGROUND PARKING LOT
539D	White Ash/ Manitoba Maple	Fraxinus americana/Acer negundo	5 to 19	2 to 7	5 to 16	P	P	P	25%	H	L	2.4	Naturally regenerating, growing along chainlink, vine throughout, Rhamnus understory, Many broken branches, suckering, snags, off prop, 15+ trees	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH UNDERGROUND PARKING LOT
520	American elm	Ulmus americana	72	18	21	F-P	F-P	F-P	25%	H	L	4.2	Broken branches and vine throughout, Spalding bark, Rhamnus understory,3 leader	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED ROAD
520B	American elm	Ulmus americana	44	17	19	F-P	P	F-P	20%	H	L	2.4	Broken branches and vine throughout, Spalding bark, Rhamnus understory,3 leader	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED PARKING LOTS
654	Manitoba maple	Acer negundo	28	8	12	F-P	F-P	F-P	20%	H	L	2.4	Vine & broken branches throughout,Multi-stem	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED ROAD
654B	Manitoba maple	Acer negundo	45	8	12	F-P	F-P	F-P	20%	H	L	2.4	Maintenance to lower branches overhanging lot, Multi-stem	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED ROAD
654C	Manitoba maple	Acer negundo	28	9	9	P	P	P	30%	H	L	2.4	Growing through old cedar leaders (snag), naturally regenerating suckers & saplings,Multi-stem	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED BUILDING
536	Norway maple	Acer platanoides	67.5	14	14	F	F	F	15%	H	H	4.2	Overhead vines through canopy, some broken interior branches	Public row	REMOVE REQUIRED DUT TO THE DECIMATION BY CONSTRUCTION
723	Horse chestnut	Aesculus hippocastanum	50.5	9	14	F	F-P	F-P	15%	H	H	3.6	Maintenance to branches, broken branches	Public row	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED ROAD ENTRANCE
536B	Elm spp.	Ulmus spp.	21,24	10	16	F-P	F-P	F-P	20%	H	L	2.4	Growing through chainlink	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED BUILDING
536C	Maple spp.	Acer spp.	10,11	5	10	F-P	F-P	F-P	10%	H	L	2.4	Broken branches, Growing through chainlink	Private	REMOVE REQUIRED DUE TO THE CONFLICT WITH PROPOSED BUILDING

LOCATION MAP



GENERAL NOTES

THE LOCATION OF PROPERTY LINES, ELEVATIONS AND FACILITIES ON THIS PLAN WERE DRAWN ON THE BASIS OF A DIGITAL SITE PLAN OR SURVEY DATA PROVIDED BY OTHER CONSULTANTS.

IT IS THE RESPONSIBILITY OF THE CLIENT AND HIS CONTRACTORS TO CONFIRM THE ACCURACY OF THE SETBACKS, LOCATIONS AND GRADES ETC. ANY VARIATIONS BETWEEN EXISTING CONDITIONS AND THIS PLAN SHOULD BE ADJUSTED ON SITE AND REPORTED TO THE CONSULTING LANDSCAPE ARCHITECT TO DETERMINE THE IMPACT OF THE VARIATIONS ON THE SUITABILITY OF THE PROPOSED DEVELOPMENT.

CONSTRUCTION MUST CONFORM TO ALL CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

REVISIONS

NO.	DATE	NOTES	BY
8	2024-09-12	UPDATED LANDSCAPE PLAN	RN
7	2024-06-12	UPDATED LANDSCAPE PLAN	KT
6	2024-01-19	UPDATED LANDSCAPE PLAN	KT
5	2023-04-17	REVISED GREEN ROOF PLAN	KT
4	2023-04-06	GREEN ROOF PLAN	KT
3	2023-03-16	REVISED LANDSCAPE PLAN	FL
2	2023-03-01	TIPP	KT
1	2023-01-31	LANDSCAPE PLAN	KX

THESE LANDSCAPE DRAWINGS SHALL ONLY BE USED FOR THE PURPOSES INDICATED BELOW AS NOTED AND WHEN SIGNED BY THE CONSULTING LANDSCAPE ARCHITECT.

- [ ] CONCEPTUAL
- [ ] PRELIMINARY
- [x] SITE PLAN
- [ ] PERMIT
- [ ] TENDER
- [ ] CONTRACT
- [ ] CONSTRUCTION
- [ ] AS-BUILT

TYLER J. MAIN
ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS
OALA MEMBER

HKLA
KENNY HORTICASA + ASSOCIATES INC.
Landscape Architects & Consulting Arborists
230 Westney Road S Unit 308, Ajax, ON L1S 7J5
O: (905) 839-5599 || Email: info@hkla.ca || Web: www.hkla.ca

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND THE LANDSCAPE ARCHITECT RETAINS OWNERSHIP OF THESE DRAWINGS. THEY ARE FOR SITE PLAN APPROVAL ONLY AND MAY REQUIRE FURTHER CONSTRUCTION DETAILING AND COORDINATION WITH OTHER ASSOCIATED PROFESSIONAL DESIGN SERVICES BEFORE ACTUAL TENDER AND CONSTRUCTION COMMENCES. DIMENSIONS ARE TO BE VERIFIED PRIOR TO CONSTRUCTION. DRAWINGS ARE NOT TO BE SCALED. IT IS ADVISED THAT CONTRACTORS CONTACT THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION TO ENSURE THE USE OF THE LATEST REVISED DRAWINGS. THE LANDSCAPE ARCHITECT IS NOT LIABLE FOR ERRORS OR OMISSIONS ARISING FROM UTILIZATION OF THESE PLANS BEFORE THE SAID DRAWINGS ARE SEALED, SIGNED AND DATED, AND THE LANDSCAPE ARCHITECT IS CONTRACTED TO PROVIDE CONSTRUCTION ADMINISTRATION AND CERTIFICATION SERVICES BY THE OWNER. ALL APPARENT DISCREPANCIES ARE TO BE REPORTED IN WRITING TO THE LANDSCAPE ARCHITECT BEFORE CONSTRUCTION COMMENCES.

PROJECT: SPA FILE #
153 PLAINS RD W
Burlington, ON

DRAWING:
TREE PRESERVATION CHART

DRAWN BY: KX	SCALE: –	L-TP2
CHECKED BY: TM	DATE: 2023-01-06	DRAWING 2 of 8
JOB NO.: 2022-142		

File #2022-142.dwg

APPENDIX C - CITY OF BURLINGTON - PUBLIC TREE BY-LAW (068-2013)

City of Burlington By-law 68-2013

Description

A by-law to regulate planting, maintenance and preservation of trees on or affecting public property. File: 110-04-1 (RPM-9-13)

Preamble

Whereas Council deems it in the public interest to protect and preserve trees growing upon or located upon City-owned land;

And Whereas the City, pursuant to Section 135 of the Municipal Act, S.O. 2001, c. 25, may by by-law prohibit or regulate the injuring or destruction of trees;

And Whereas the City, pursuant to Section 141 of the Municipal Act , S.O. 2001, c. 25, may provide trees to the owners of land adjacent to any highway;

And Whereas the City, pursuant to Section 62(1) of the Municipal Act, S.O. 2001, c. 25, may at any reasonable time, enter upon land lying along any of its highways to inspect trees and conduct tests on trees; and to remove decayed, damaged, or dangerous trees or branches of trees if, in the opinion of the municipality, the trees or branches pose a danger to the health or safety of any person using the highway;

And Whereas the City, pursuant to Section 62(2) of the Municipal Act, S.O. 2001, c. 25, may remove a decayed, damaged or dangerous tree or branch of a tree immediately without notice to the owner of the land upon which the tree is located, if in the opinion of the employee or agent, the tree or branch poses an immediate danger to the health or safety of any person using the highway;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

Content

1.1 In this By-law:

(a) “Arborist” means a person holding a diploma or degree from an accredited College or University which attests to the completion of the course of study of arboriculture or an Arborist as certified by the International Society of Arboriculture;

(b) “City” as the context requires, means “The Corporation of the City of Burlington”;

(c) "City Arborist" means the City Arborist or any designated person acting under his or her direction;

(d) "Contractor" means a person engaged to perform a specific activity or service, on or at a particular land or premises;

(e) "Council" means the Council for the City of Burlington and includes its successor;

(f) "Director" means the Director of Roads and Parks Maintenance for the City and includes the Director's designate or successor;

(g) "Drip Line" means the outer boundary of an area on the surface of the ground directly below and which corresponds with the outer edge of the crown of the tree;

(h) "Permit Fee" means the amount collected by the City at the time of application for a Tree Permit as may be prescribed from time to time in the City's rates and fee schedule pursuant to the City's approved Current Budget;

(i) "Private Property" means land other than public property;

(j) "Public Property" means any land or property owned by the City;

(k) "Public Tree" means any tree all or part of which is located on Public Property;

(l) "Tree" includes all woody vegetation, which at maturity, will reach of height of at least 3.5m;

(m) "Tree Permit" means a permit issued by the City pursuant to section 1.9 of this by-law;

(n) "Tree Protection Zone" means specifications describing the measures required to protect trees not designated for removal that may be impacted by the proposed works within the City of Burlington's road allowance, as prescribed by the City's Standard Specifications for Tree Protection and Preservation available on the city's web site and as may be amended from time to time.

1.2 This by-law shall apply to all Trees growing or living on Public Property throughout the City of Burlington.

Authority

1.3 The Director and the City Arborist are hereby authorized to:

(a) plant or cause to be planted Trees on Public Property;

(b) care for and maintain or cause to be cared for and maintained any Tree located on Public Property;

(c) remove or cause to be removed without notice or compensation to any person, anything which, in his or her opinion, adversely affects a Tree growing or living on Public Property;

(d) remove or cause to be removed without notice or compensation to any person any Tree or part of a Tree on Public Property which, in his or her opinion, is decayed, diseased or poses a direct and immediate threat to Public Property or to individuals using Public Property;

(e) remove a Tree on Public Property that is of poor quality, or undesirable species whose removal is required to facilitate new street Tree plantings;

(f) remove from Public Property any Tree of the species contained in Schedule "A" to this by-law, and as may be amended from time to time;

1.4 The City Arborist is hereby authorized to:

(a) issue Tree Permits;

(b) issue work orders directing as to how and when particular aspects of any authorized work is to be conducted. The authority to issue work orders shall include the authority to order a stoppage of work.

Prohibitions

1.5 No person shall:

(a) injure, remove, disturb, damage, destroy, cut above or below ground, spray, prune, or alter in any way a Public Tree;

(b) deposit, place, store, or maintain any stone, brick, sand, concrete, soil, or any material, equipment, or vehicles that may impede the free passage of water, air, or nutrients to the roots of a Public Tree, or perform any work within the Drip Line of a Public Tree which causes the destruction of, removal of, or injury to the Tree;

(c) excavate any ditch, tunnel, trench, or lay any walkway or driveway, or disturb the soil on Public Property, within the Drip Line of a Public Tree; or

(d) plant or place, or cause or permit the planting or placing of any Trees partially or wholly located or growing on Public Property; without first obtaining a Tree Permit from the City Arborist in accordance with section 1.9 of this bylaw.

1.6 No person shall:

(a) fasten any sign, bill, notice, wire, rope, nail, or other object to, around, on, or through any Public Tree in any manner, or around, on or through the stakes or posts that protect such Tree;

(b) cause or permit any gaseous, liquid, or solid substances which are harmful or toxic to any Public Tree, to come in contact with any Public Tree, or apply to a Public Tree or an area used by said Tree's root system;

(c) set fire to or permit any fire to burn where such fire or the heat thereof will injure any portion of any Public Tree;

(d) interfere with fences, structures, barriers delineating Tree Protection Zones, or associated signage or other protective devices around any Public Tree;

(e) alter or change any soil levels on Public Property within the Drip Line of any Public Tree in a manner likely to cause injury to said Tree; or

(f) climb or permit any person under their care or control to climb any Public Tree.

Trees on Private Property

1.7 Any Tree planted on Private Property, whether planted by the City or by any other person, is the property of the land owner and as such, is the owner's sole responsibility. The owner of property on which a Tree is standing shall not permit or leave the Tree or branches thereof projecting over the highway in such manner as to obstruct the reasonable and safe use of the highway.

1.8 The Director and City Arborist are hereby authorized to:

(a) prune or cause to be pruned, without notice or compensation to any person, the branches of any Tree located on Private Property which extend over Public Property and which, in his or her opinion, are hazardous or create an unsafe condition; and

(b) remove or cause to be removed, without notice or compensation to any person, any Tree located on Private Property which, in their

opinion, is a hazard to the safe passage of traffic and which hazard cannot be removed by any means other than removal of the Tree.

Tree Permit

1.9 A person seeking to undertake or do any of the activities described in paragraph 1.5 above shall apply to the City Arborist for a Tree Permit to undertake or do the specified activity.

1.10 An application for a Tree Permit shall include the following documents and information:

(a) the Permit Fee; and

(b) a report from an Arborist in a form satisfactory to the City Arborist showing, where applicable:

(i) the Tree(s) to be planted, removed or injured, including the location, size and species and condition of each;

(ii) a proposal for the replanting or replacing of Trees that are to be removed or that will be injured by the works;

(iii) confirmation that the Tree Protection Zone established and maintained around any Trees on the property is in accordance with the City's Standard Specifications for Tree Protection and Preservation;

(iv) the minimum frequency of site inspections by an Arborist during proposed works, where applicable;

(v) specifications as to the goals of the work;

(vi) any additional relevant technical information as may be required by the City Arborist.

1.11 The City Arborist shall determine the appropriate conditions to attach to each Tree Permit, in accordance with sound arboriculture practice.

1.12 The conditions for the issuance of a Tree Permit may include, among other things:

(a) a requirement to post securities to ensure that the performance of the work is in accordance with the conditions of the Tree Permit;

(b) a requirement that the authorized work be carried out under the supervision of an Arborist;

(c) a requirement that a Tree or Trees be replaced by a tree or trees of a certain size and species;

(d) a requirement that the site of the work be restored to its original condition;

(e) a requirement to replant or relocate a Tree or Trees;

(f) a requirement that a Tree Protection Zone be established around any Trees that will be preserved on the property.

1.13 The City Arborist may refuse to issue a Tree Permit if he or she determines that:

(a) the proposal is for the injuring, removal or destruction of a healthy Tree;

(b) the methods proposed to be used or the results to be achieved are not in accordance with sound forestry practice;

(c) the proposal is not in accordance with sound planning, recreation, traffic management or engineering principles;

(d) a person or property will be adversely affected;

(e) a nuisance or unsightly appearance may occur;

(f) the subject Tree is a protected species at risk as determined by federal or provincial legislation.

1.14 The City Arborist may revoke a Tree Permit that has been issued:

(a) if the terms and conditions of a Tree Permit are not complied with;

(b) if the specifications and recommendations in the report of the Arborist are not followed;

(c) if the work orders and directions of the City Arborist are not followed;

(d) for any of the reasons listed in Section 1.13;

(e) if any term of this by-law is violated by the work undertaken in connection with that Tree Permit;

(f) if the Tree Permit was issued because of mistaken, false or incorrect information received by the City Arborist.

1.15 The City is exempted from the requirements to obtain a Tree Permit under this by-law.

1.16 Any Tree Permit issued pursuant to this by-law shall be valid for a period of one (1) year from the date of issuance.

1.17 The City Arborist may issue work orders directing as to how and when particular aspects of any authorized work will be conducted. The authority to issue work orders shall include the authority to order a stoppage of work and the authority to order the proponent of the work to obtain a revised report from an Arborist.

1.18 Where a Public Tree(s) is to be removed and where its removal is not required due to age, health or other reasons in accordance with sound arboriculture principles, the applicant shall plant Tree(s) with the total combined diameter being equal to or greater than that of the Tree(s) to be removed. Where the total combined diameter of the Tree(s) to be planted is less than the total combined diameter of the Tree(s) removed, Council approval will be required.

1.19 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.

1.20 Notwithstanding anything set out in this by-law, Council may, by resolution, direct that any Tree or Trees be protected, removed, relocated or trimmed.

1.21 Where any Tree located on Public Property is damaged to the degree that it must be replaced, the City Arborist may take whatever actions are required to obtain compensation for the City for the loss of the Tree.

Enforcement, remedial actions and recovery of expenses

1.22 The Council may from time to time appoint officers to carry out the administrative and enforcement functions of this by-law. An officer or any person acting under his/her instructions may, at any reasonable time and without a warrant, enter and inspect any lands to which this by-law applies.

1.23 When the City becomes aware of a contravention of this by-law by any person, the City may make an Order in writing to the person to rectify and remedy the contravention within a certain time.

1.24 In the event that the order in section 1.23 is not complied with by the person within the time stipulated in the notice, then the City may take such action as is necessary to rectify and remedy the contravention of this by-law at the expense of the person, and the City may send an invoice to the person of the expenses incurred by the City thereto. In the event of failure to pay the entire invoice amount within thirty (30) days of the date of the invoice, at the discretion of the City, the outstanding balance of the invoice may be added to the tax roll of the person's property as municipal taxes and collected in the same manner as municipal taxes.

1.25 The City may also recover all expenses owing under this by-law by a court action as a debt due to the City.

Offence

1.26 Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction is subject to the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended and any successor thereto.

Severance

1.27 Should a court of competent jurisdiction declare a part or whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its remaining terms to the extent possible under law.

Short Title

1.28 The short title of this by-law shall be "The City of Burlington Public Tree By-law".

Repeal

1.29 The following by-laws of the City of Burlington and any amendments thereto are repealed:

By-law numbers 19-1975, and any amendments thereto and 4494.

1.30 This by-law shall come into force and take effect on the date of its passing and enactment.

1.31 After the effective date of this by-law, by-law 19-1975, as amended, shall apply only to properties where a complete Tree Permit application was received prior to the effective date of this by-law or if a Tree Permit has been issued prior to the effective date, and then only to such properties until such time as the work or actions prescribed pursuant to the Tree Permit have been completed or otherwise concluded.

Enactment

Enacted and passed this 15th day of July, 2013.

Mayor Rick Goldring _____

City Clerk Angela Morgan _____

Online version of this document does not contain signatures. Please contact City Clerk to obtain a copy of the signed original.

Schedule "A"

(1) Populus-All Poplar species

(2) Salix-All Willow species

(3) Acer-Acer negundo (Manitoba Maple)

(4) Malus-Apple (fruiting varieties)

(5) Prunus-Cherry (fruiting varieties and ornamental)

(6) Pyrus-Pear (fruiting varieties)

(7) Ulmus parvifolia-Chinese Elm

(8) Fraxinus –(ash species)