



Dendron Forestry Services

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Tree Conservation Report Addendum Update

Submitted as part of Site Plan Control Application

Address: 253, 255 and 257 York Street and 78 and 80 Nelson Street

Date of Report: May 15th, 2024

Date of Site Visit: Jan 30, February 8 and February 14, 2024

Prepared by: Astrid Nielsen, RPF, ISA Certified Arborist ®

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This Report must be read in its entirety, including the Assumptions and Limiting Conditions attached herein.

Note: The only addition to this report is to indicate that the client has provided an update on May 7th that both parties have agreed to retain the tree, and that the status of the tree has been officially changed to retention.

Update to original report

This report update is provided as a follow up to the Tree Conservation Report Addendum prepared by Dendron Forestry Services on February 1st. Since that report was prepared, a meeting was held with the adjacent property owner (partial tree owner) and a more detailed assessment of tree health was completed. The previous report had recommended removal of the tree based on: current tree health combined with the stresses of the proposed construction; and the associated risk of failure being beyond acceptable to the client. However, after meeting with the adjacent property owners, it was evident that tree retention was their objective for the jointly owned tree, and the possibility of doing this both effectively and safely, was further explored.

The site visit on Feb 14th included a consultation with David Buttivant, a Certified Arborist from Eastern Ontario Arborists regarding tree health. Mr. Buttivant was able to view the junction with the main concern around decay and structural weakness (photos provided). He confirmed that there is significant decay at the junction of the main stems that are leaning over the subject property that extends through the trunk of the tree. However, in his professional opinion, the tree could be retainable, and risk of failure of the larger stems could be reduced through a *crown reduction* prune. This type of pruning would reduce the crown of the *entire* tree, and thus, reduce the weight and stress on the tree branch unions lower down. As part of this procedure, clearance pruning could be achieved to remove those



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branches that are in conflict with the proposed new building and construction activities required to build it. Note that this reduction pruning is a recommended practice regardless of what construction activities occur on the site. Regular maintenance of larger, mature silver maples is required in urban settings to lower the risk of impacts through failures, especially during inclement weather. Furthermore, maintenance of private trees is the responsibility of all the owners of the tree.

In addition to the reduction prune, installing a structural support system in the tree is also recommended and would reduce the risk of significant branch failures. A formal tree risk assessment was not completed; however, it is the opinion of the undersigned (Astrid Nielsen), that the tree will not become hazardous as a result of the construction on the site if these risk reduction activities are followed.

Additional mitigation measures to reduce impact to the tree during construction of the new building were also discussed. Since shoring will be used to install the new building, excavation has already been reduced to a minimum. The severing of roots ahead of the shoring was also discussed but not a realistic option given the hard packed nature of the soil. Furthermore, the potential tree protection area is already hard packed soil that has had vehicle traffic on it for many years. Protection of the trunk and branches to avoid direct damage will be the most important mitigation measure during construction. Once the protection measures have been implemented, they should be assessed by a certified arborist.

Note: during the second site visit on February 14th, the snow cover had melted somewhat, and more of the trunk was visible than the previous site visit. Some damage to the base of the trunk was noted (see picture) and this should be further explored once the ground has thawed to ensure that there is no visible evidence of significant decay in the roots and base of the tree.

If all tree owners agree to tree retention based on the commitment for a reduction prune and installation of a structural support system, the recommended action for the tree can be changed to retention, and the Tree Conservation Report Addendum can be amended to reflect this.

The undersigned personally inspected the property and issues associated with this report on Jan 30, February 8 and February 14, 2024. On Behalf of Dendron Forestry Services,



Astrid Nielsen, MFC, RPF (Registered Professional Forester)

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ISA Tree Risk Assessment Qualified

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Figure 1: Large silver maple, note the location relative to the fence



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Figure 2: Large seam extending from the main junction to the base of the tree



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Figure 3: branches growing from centre of tree that have decayed



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Figure 4: Decay in the main junction of the large branch leaning over the subject property



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Figure 5: Damage to trunk visible on Feb 14, 2024



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Limitations of this Report

This Report is based on the circumstances and on-site conditions as they existed at the time of the site inspection and the information provided by the Client and/or third parties to Dendron. On-site conditions may limit the extent of the on-site inspection(s) conducted by Dendron, including weather events such as rain, flooding, storms, winds, tornados, snowfall, snow cover, hail; obstructions including fencing, dwellings, buildings, sheds, plants, and animals; lack of access to the entire perimeter of the tree due to adjacent properties; the shape of the tree; and accessibility of the tree crown, branches, trunk, or roots for examination.

In the event that information provided by the Client or any third parties, including but not limited to documents, records, site and grading plans, permits, or representations or any site conditions are updated or change following the completion of this Report, this Report is no longer current and valid and cannot be relied upon for the purpose for which it was prepared. Dendron and its agents, assessors, and/or employees are not liable for any damages, injuries, or losses arising from amendments, revisions, or changes to the documents, records, site and grading plans, permits, representations, or other information upon which Dendron relied in preparing this Report.

No assessment of any other trees or plants has been undertaken by Dendron. Dendron and its agents, assessors, and/or employees are not liable for any other trees or plants on or around the subject Property except those expressly identified herein. The results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report apply only to the trees identified herein.

Trees and plants are living organisms and subject to change, damage, and disease, and the results, observations, interpretations, analysis, recommendations, and conclusions as set out in this Report are valid only as at the date any inspections, observations, tests, and analysis took place. No guarantee, warranty, representation, or opinion is offered or made by Dendron as to the length of the validity of the results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report. As a result the Client shall only rely upon this Report as representing the results, observations, interpretations, analysis, recommendations, and conclusions that were made as at the date of such inspections, observations, tests, and analysis. The trees discussed in this Report should be re-assessed periodically and at least within one year of the date of this Report.

No Opinion regarding ownership of the Tree

This Report was not prepared to make a determination as to ownership of the subject tree(s). Where ownership of the subject tree(s) is identified within this Report, said identification is based on the information provided by the Client and third parties, including surveys, permits, and site and grading plans and may not be relied upon as a guarantee, warranty, or representation of ownership.

Assumptions

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For the purpose of preparing this Report, Dendron and its agents, assessors, and/or employee assumed that there are no hidden or unapparent conditions affecting the results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report.

No Publication



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Limits of Liability

In carrying out this Report, Dendron and its agents, assessors, and/or employees have exercised a reasonable standard of care, skill, and diligence as would be customarily and normally provided in carrying out this Report. While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or all parts of them will remain standing. It is professionally impossible to predict with absolute certainty the behaviour of any single tree or group of trees, or all their component parts, in all given circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential to fall, lean, or otherwise pose a danger to property and persons in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Without limiting the foregoing, no liability is assumed by Dendron for:

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- b) issues of title and or ownership respect to the Property;
- c) the accuracy of the Property line locations or boundaries with respect to the Property; and
- d) the accuracy of any other information provided to Dendron by the Client or third parties;
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Further, under no circumstance may any claims be initiated or commenced by the Client against Dendron or any of its directors, officers, employees, contractors, agents, assessors, or Assessors, in contract or in tort, more than 12 months after the date of this Report.

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General

Any plans and/or illustrations in this Report are included only to help the Client visualize the issues in this Report and shall not be relied upon for any other purpose. This report is best viewed in colour. Any copies printed in black and white may make some details difficult to properly understand. Dendron accepts no liability for misunderstandings due to a black and white copy of the report.

Notwithstanding any of the above, nothing in this Report is taken to absolve the Client of the responsibility of obtaining a new Report in the event that the circumstances of the tree change.