

Urban Forest Innovations Inc.
1331 Northaven Drive
Mississauga ON L5G 4E8



April 16, 2024

The Town of Newmarket

395 Mulock Drive, P.O. Box 328, STN Main
Newmarket ON L3Y 4X7

c/o Umar Mahmood – Planner, Secretary-Treasurer of the Committee of Adjustment, and
Cultural Heritage Planner

Re: 693 Sunnypoint Drive – Committee of Adjustment Application for Consent - Peer Review

Mr. Mahmood,

As you have requested, Urban Forest Innovations, Inc. (UFI) has reviewed the arborist report and related application information submitted in support of an Application for Minor Variance - Relief from Zoning By-law 2010-40 for legalizing a new accessory structure (shed recently built in the backyard) at 693 Sunnypoint Drive, Newmarket, ON.

This letter report outlines our review methodology and presents our comments.

Methodology

Document review

The following documents, provided by the Town of Newmarket, were reviewed:

- Arborist Report and Tree Plan, prepared by Harmony Tree Service, dated November 12, 2023
- Site Plan (A1.01), prepared by PLEKS Design Build, dated April 2024

Additional documents provided in the submission package were reviewed briefly for context, but did not form a substantive part of this peer review.

With the exception of documents submitted prior to April, 2018, all reviewed documents are evaluated against the latest revised version of the Town of Newmarket *Tree Preservation*,

Protection, Replacement and Enhancement Policy (April 2018 or latest version), hereinafter referred to as the *Policy*.

Site visit

A site visit was undertaken on April 15, 2024, to assess the site and verify the tree inventory details.

Comments

Based upon our review of the above-referenced documents, we offer the following comments:

Arborist report

1. The root zone of by-law regulated tree #6 has been impacted by excavation to enable the installation of sonotubes for the new shed (Figure 1). Neither tree protection fencing nor root protection measures appear to have been undertaken during the shed construction (as documented on page 7-8 of the Arborist Report). The revised arborist report must identify appropriate tree injury amelioration measures to be undertaken post-construction and which will ensure the health and survival of tree #6. Refer to the *Policy* for appropriate measures.
2. The revised arborist report must clearly describe tree protection fencing for all trees designated for retention on or within 4.5 metres of the subject lands.
3. The Town's standard detail for tree protection fencing must be referenced in the revised arborist report.
4. The scientific (botanical) name of tree #7 is wrongly given as *Picea pungens* 'glauca' and does not match the common name (silver maple). The tree inventory presented in the revised arborist report must accurately reflect the species of all significant trees located on or within 4.5 metres of the subject lands.

Tree protection plan & other tree-related plans

5. The tree plan shows that tree #6 is located at the backyard of 181 Patterson Street, whereas site observation shows that it is located at the backyard (northeast) of 179 Patterson St (Figure 2). The revised tree protection plan must show the correct location of all significant trees located on or within 4.5 metres of the subject lands.
6. The revised tree protection plan must depict the minimum tree protection zone for each significant tree located on or within 4.5 metres of the subject lands.
7. The revised tree protection plan must depict the location of tree protection fencing.

Tree appraisal

8. The revised arborist report must provide a monetary value for 1) all Town-owned trees, and 2) all trees that are equal to or greater than 20cm diameter at breast height (DBH) to be preserved on or adjacent to the subject lands. These values must be calculated using methods in accordance with the Council of Tree and Landscape Appraisers (CTLA) Guide to Plant Appraisal, 9th edition, and the International Society of Arboriculture, Ontario Chapter, (ISAO) Regional Plant Appraisal Committee (RPAC) guidance for application of the Trunk Formula Method. Importantly, the applied appraisal methodology must not utilize a generic Unit Tree Cost (or basic tree cost) of \$6.51/cm². Although the use of a generic Unit Tree Cost was considered acceptable in the past, its use is no longer supported. Current guidelines instruct that actual Unit Tree Costs must be determined for every species considered in an appraisal based upon market prices for nursery stock (or reasonable substitutes) and tree installation. The Unit Tree Cost shall be derived by dividing Installed Cost (cost of tree stock plus installation cost) by the Cross Sectional Area of the Replacement Tree (largest commonly available stock, typically 90 mm for many common species).

Additional comments on trees affected by this application will be provided when the requested additional information is available for further review.

Prior to any further demolition or construction activity on the subject lands, the Town must be notified in order to conduct an inspection of the installed tree protection fencing and other tree protection measures.

We trust that this letter will suffice for your current needs. Should you have any questions or require further assistance, please do not hesitate to contact us.

Selected Figures



Figure 1: The new shed is located within the critical root zone of regulated tree #6.

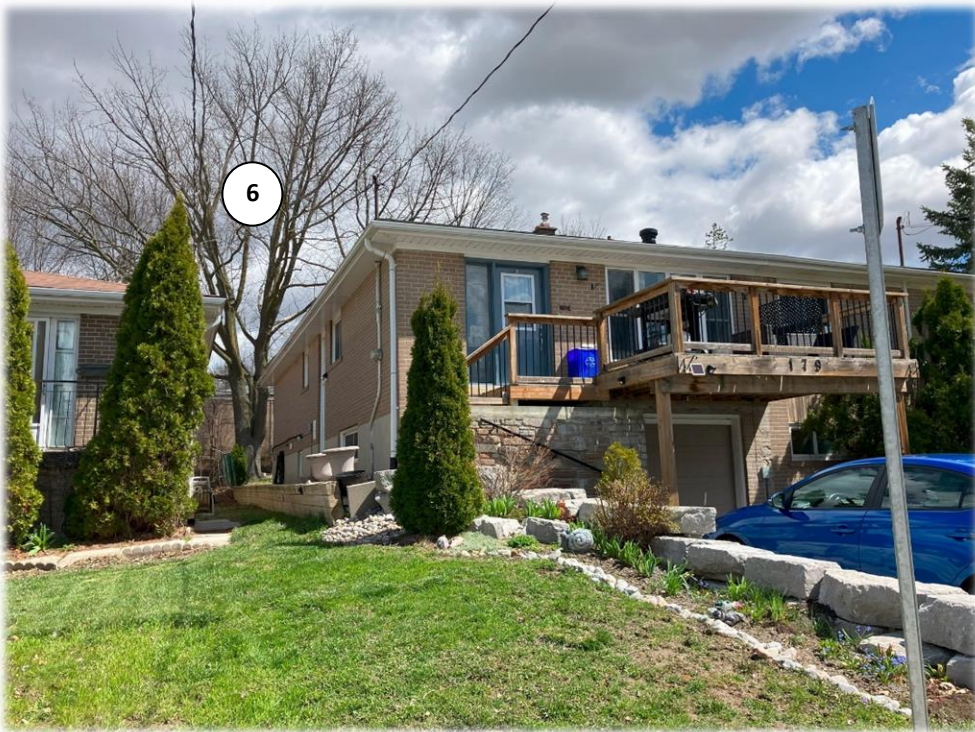
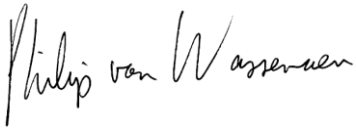


Figure 2: Regulated tree #6 is located at the backyard of 179 Patterson St.

Respectfully submitted by,



Philip van Wassenauer, B.Sc., MFC
ISA Certified Arborist ON-0361A
Member – ASCA, SMA, SAG Baumstatik
E: pwassenauer1022@rogers.com



Shane Jobber, B.Sc.F.
ISA Certified Arborist ON-1746AM
E: shane@urbanforestinnovations.com

Urban Forest Innovations, Inc.
1331 Northaven Drive
Mississauga ON L5G 4E8
T: (905) 274-1022 F: (905) 274-2170
www.urbanforestinnovations.com

Limitations of Assessment

It is our policy to attach the following clause regarding limitations. We do this to ensure that the client is aware of what is technically and professionally realistic in assessing and retaining trees.

The assessment(s) of the tree(s) presented in this report has been made using accepted arboricultural techniques. These may include, among other factors, a visual examination of: the above-ground parts of the tree(s) for visible structural defects, scars, external indications of decay such as fungal fruiting bodies, evidence of pests or pathogens, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of property and people. Except where specifically noted, the tree(s) was not cored, probed, climbed or assessed using any advanced methods, and there was no detailed inspection of the root crown(s) involving excavation.

Notwithstanding the recommendations and conclusions made in this report, it must be recognized that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site or weather conditions, or general seasonal variations. Weather events such as wind or ice storms may result in the partial or complete failure of any tree, regardless of assessment results.

While reasonable efforts have been made to accurately assess the overall condition of the subject tree(s), no guarantee or warranty is offered, expressed or implied, that the tree(s) or any of its parts will remain standing or in stable condition. It is both professionally and practically impossible to predict with absolute certainty the behaviour of any single tree or its component parts, regardless of the assessment methodology implemented. Inevitably, a standing tree will always pose some level of risk. Most trees have the potential for failure under adverse weather conditions, and the risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the tree(s) should be re-assessed periodically. The assessment presented in this report is only valid at the time of inspection.