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28 GERVIN STREET TREE INFORMATION REPORT

Committee of Adjustment
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2024-11-27

City of Ottawa | Ville d'Ottawa
Comité de dérogation



DATE: NOVEMBER 11, 2024

OTTAWA TREE REPORTS
SCOTT PETRIE

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Introduction

Ottawa Tree Reports was retained by Robbie Cavanagh to complete a Tree Information Report in support of a Minor Variance Application for the property located at 28 Gervin Street in Ottawa, Ontario.

The work plan for this Tree Information Report included the following:

- Prepare inventory of the tree resources on the subject property and within vicinity of impact on adjacent neighbouring property;
- Evaluate potential tree protection and preservation opportunities based on proposed site plans; and
- Document the findings in a Tree Information Report.

Contact Information

Owner Information:

Name: Robbie Cavanagh
Phone #: 613-324-4405
Email: rob_cav_72@hotmail.com

Arborist Information:

Name: Scott Petrie
Phone #: 613-204-8687
Email: info@ottawatreeereports.com

Contractor Information:

Name:
Phone #:
Email:

Policy Framework

The subject property is subject to the provisions of the City of Ottawa's Tree Protection By-law 2020-340. The purpose of this by-law is for the protection of municipal trees and municipal natural areas in the City of Ottawa and trees on private property in the urban area of the City of Ottawa.

City of Ottawa tree protection requirements were applied during the Tree Information Report planning process. These protection requirements indicate a minimum distance at which the critical root zone (CRZ) must be protected.

The CRZ distances allow for maximum development potential while providing sufficient space to ensure the tree(s) are not subject to any long term adverse due to the impacts of development. In instances where the CRZ will be encroached upon and impacted, an Adjusted Tree Protection Zone (Adj TPZ) has been calculated based upon impacts to the CRZ; further mitigation measure may be required to ensure there are no adverse long-term impacts to the tree(s).

Tree Information

Field assessments were conducted on July 22, 2024, the results of the assessment are provided in the Tree Information Table found in Appendix “A”.

Tree Inventory and Assessment Methodology

All trees on the subject property and those that maybe impacted on adjacent properties were inventoried and assessed, with specific focus on trees that are protected and thus subject to the provisions of the City of Ottawa’s Tree Protection By-law 2020-340.

Tree inspections were limited to visual, on-ground examinations. No boring, probing, or sonic tomography was employed during the assessments. Any data and information collected is based on the conditions at the time of inspection.

Subject Trees

A total of 4 trees were inventoried and assessed for the project. It was determined that 4 protected trees will be impacted by the proposed works. Please refer to the table below for the number of trees, number of impacted trees, and the distribution of protection status and type of impact.

Table 1 – Tree Information Dashboard

# of Trees Inventoried	# of Protected Trees	# Protected Tree Impacts	Protected Tree Removals		Protected Tree Injuries	
			# of City Trees	# of Private Trees	# of City Trees	# of Private Trees
4	4	4	0	0	0	4

Impacted Trees

Three (3) protected trees have been identified for CRZ injury, the impacted trees will be further discussed below (See Table 2), based on their location and proximity to proposed work, and the nature of impact to be incurred.

Table 2 – Tree Impact Table

Tree #	Species		DBH (cm)	Ownership	By-Law Protected	Condition (Poor/Fair/Good)			Arborist Recommendations
	Common	Botanical				Trunk	Canopy	Canopy	
						Integrity	Structure	Vigour	
1	Sugar Maple	<i>Acer saccharum</i>	83	Adjacent	Yes	G	F	G	Injure & Protect
2	Red Maple	<i>Acer rubrum</i>	35	Adjacent	Yes	G	G	G	Injure & Protect
3	Scots Pine	<i>Pinus sylvestris</i>	35	Adjacent	Yes	G	G	G	Injure & Protect

4	Red Oak	<i>Quercus rubra</i>	93	Private	Yes	F	F	F	Injure & Protect
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Tree 1 is a 83 cm Sugar Maple *Acer saccharum*, completely located on the adjacent property to the east (26 Gervin) with a CRZ of 8.3m. The excavation limits for the proposed retaining wall will impact the SW quadrant of the CRZ, an adj TPZ has been recommended. It is recommended that any, and all roots that are exposed or damaged during excavation, shall be pruned in accordance with good arboricultural practices.

Tree 2 is a 35 cm Red Maple *Acer rubrum*, completely located on the adjacent property to the east (26 Gervin) with a CRZ of 3.5m. Tree 2 is located approximately 3.5 m from the excavation limits of the proposed addition and 2.08m from the proposed retaining wall. The excavation limits for the retaining wall will impact the CRZ of this tree an adj TPZ of 2.08m has been recommended. It is recommended that any, and all roots that are exposed or damaged during excavation, shall be pruned in accordance with good arboricultural practices.

Tree 3 is a 35 cm Scots Pine *Pinus sylvestris*, completely located on the adjacent property to the east (26 Gervin) with a CRZ of 3.5m. Tree 3 is located approximately 1.47 m from the excavation limits of the proposed retaining wall. The CRZ will be impacted by the proposed works, and adj TPZ of 1.42 m has been recommended. It is recommended that any, and all roots that are exposed or damaged during excavation, shall be pruned in accordance with good arboricultural practices.

Tree 4 is a 93 cm Red Oak *Quercus rubra*, completely located on the subject property with a CRZ of 9.3m. Tree 4 is located approximately 9.5 m from the excavation limits of the proposed addition. It is recommended some preconstruction clearance pruning be performed. There's a potential that the outer most limits of the CRZ may be impacted by the proposed works.

Tree Protection Details

Four (4) protected trees are required to have tree protection measures installed as outlined in the City of Ottawa's Tree Protection Specification in Appendix "B". Tree protection measures are recommended to be installed prior to the commencement of the proposed works to ensure tree resources designated for retention and protection are not impacted by the development. The tree protections should be maintained throughout the duration of the proposed works until final grading and landscaping are complete, or as otherwise directed by City of Ottawa staff.

Unless otherwise indicated, tree protection shall be installed at the minimum extent of the CRZ.

Table 3 – Tree Protection Table

Tree #	Species		DBH (cm)	Ownership	By-Law Protected	Arborist Recommendations	CRZ (m)	CRZ Impacted	Recommended Excavation Limit (m)	Adj TPZ (m)	Specification Recommendations	Notes
	Common	Botanical										

1	Sugar Maple	<i>Acer saccharum</i>	83	Adjacent	Yes	Protect	8.3	Yes	5.3	5.3	Snow fence	~10 m to addition, 5.3 to retaining wall
2	Red Maple	<i>Acer rubrum</i>	35	Adjacent	Yes	Injure & Protect	3.5	Yes	2.08	2.08	Plywood	~4.8 m to addition, 2.08 to retaining wall
3	Scots Pine	<i>Pinus sylvestris</i>	35	Adjacent	Yes	Injure & Protect	3.5	Yes	1.42	1.42	Plywood	~4.2m to addition, 1.42 to retaining wall
4	Red Oak	<i>Quercus rubra</i>	93	Private	Yes	Injure & Protect	9.3	Yes	4.65	4.65	Plywood	~11m to addition

Tree 1 is a 83 cm Red Maple *Acer rubrum*, completely located on the adjacent property to the east (26 Gervin) with a CRZ of 8.3m. The SW CRZ limit will be impacted by the proposed retaining wall, Tree Protection measures shall be installed according to the Tree Protection Plan in Appendix B.

Tree 2 is a 35 cm Red Maple *Acer rubrum*, completely located on the adjacent property to the east (26 Gervin) with a CRZ of 3.5m an Adj TPZ of 2.08m has been recommended. Plywood shall be installed according to the Tree Protection Plan in Appendix B.

Tree 3 is a 35 cm Scots Pine *Pinus sylvestris*, completely located on the adjacent property to the east (26 Gervin) with a CRZ of 3.5m Adj TPZ of 1.42m has been recommended. Plywood shall be installed according to the Tree Protection Plan in Appendix B.

Tree 4 is a 93 cm Red Oak *Quercus rubra*, completely located on the subject property with a CRZ of 9.3m. Tree Protection measures shall be installed at the CRZ limit according to the Tree Protection Plan in Appendix B.

Tree Compensation and Replanting

At this time no trees are proposed to be removed, therefore no compensation is required.

Summary

Ottawa Tree Reports was retained by Robbie Cavanagh to complete a Tree Information Report in support of a Minor Variance Application for the property located at 28 Gervin Street in Ottawa, Ontario.

The findings of the tree inventory indicate a total of four (4) trees on the subject property or within vicinity of impact on neighbouring property, all tree resources may be preserved and retained provided appropriate tree protection measures are implemented.

The following recommendations are suggested to minimize impacts to trees identified for protection. Refer to Tree Protection Drawing in Appendix “B” for additional tree preservation plan notes and the tree protection fence details.

- Tree protection barriers and fencing should be erected at locations prescribed on Tree Protection Drawing in accordance to the Tree Protection Specification in Appendix “B”.
- Tree protection measures will have to be implemented prior to construction phase to ensure the trees identified for preservation and protection are not impacted by the development.
- Branches and roots that extend past prescribed critical root zone and/or adjusted tree protection zones that require pruning must be pruned by a qualified Arborist or other tree professional. All pruning of tree roots and branches must be in accordance with good arboricultural practices.
- Site visits, pre, during and post construction is recommended by Ottawa Tree Reports to ensure proper utilization of tree protection barriers.

Trees should also be inspected for damage incurred during construction to ensure appropriate corrective pruning or other mitigation measures are implemented.

Application Fees

There is no requirement for application fees required to be paid at the time of this application.

Respectfully Submitted,

Scott Petrie

**Scott Petrie, Dip EMT, EDDM
Ottawa Tree Reports**

APPENDIX A

Tree Information Table

Table 4 – Tree Information Table

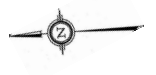
Tree #	Species		DBH (cm)	Ownership	By-Law Protected	Condition			Arborist Rec	Tree Planting Required	Planting #s	CRZ (m)	CRZ Impacted	Rec Excavation Limit (m)	Adj TPZ (m)	Specification Recommendations	Notes
	Common	Botanical				Trunk Integrity	Canopy Structure	Canopy Vigour									
1	Sugar Maple	<i>Acer saccharum</i>	83	Adjacent	Yes	G	F	G	Protect	No	0	8.3	Yes	5.3	5.3	Snowfence	~10 m to addition, 5.3 to retaining wall
2	Red Maple	<i>Acer rubrum</i>	35	Adjacent	Yes	G	G	G	Protect	No	0	3.5	Yes	2.08	2.08	Plywood	~4.8 m to addition, 2.08 to retaining wall
3	Scott's Pine	<i>Pinus sylvestris</i>	35	Adjacent	Yes	G	G	G	Protect	No	0	3.5	Yes	1.42	1.42	Plywood	~4.2m to addition, 1.42 to retaining wall
4	Red Oak	<i>Quercus rubra</i>	93	Private	Yes	F	F	F	Protect	No	0	9.3	Yes	NA	NA	Plywood	~11m to addition

28 Gervin Street

Tree Identification Plan

Tree Information Table

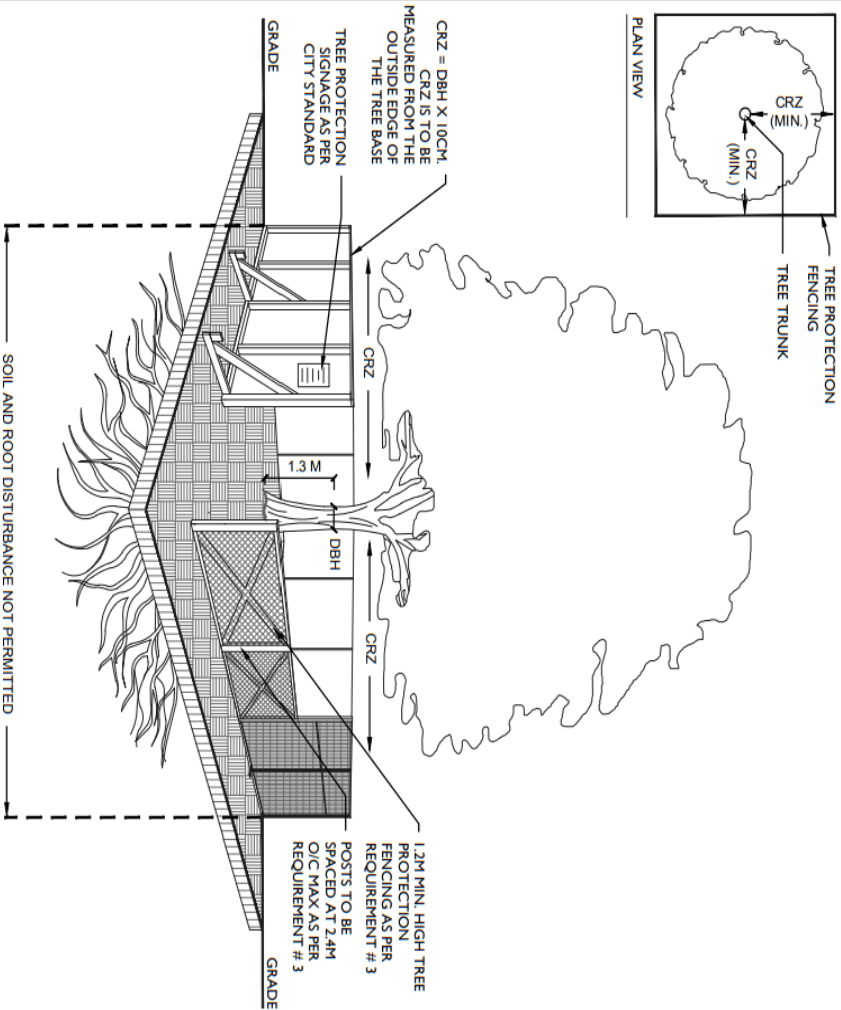
Tree #	Species		Test (cm)	Ownership	By Law Protected	Condition (Poor/Fair/Good)			Advisive Note
	Common	Botanical				Trunk Integrity	Canopy Structure	Canopy Vigor	
1	Sugar Maple	Acer saccharum	83	Adjacent	Yes	G	F	G	Protect
2	Red Maple	Acer rubrum	56	Adjacent	Yes	G	G	G	Retain/Protect
3	Scots Pine	Pinus sylvestris	56	Adjacent	Yes	G	G	G	Retain/Protect
4	Red Oak	Quercus rubra	93	Private	Yes	F	F	F	Retain/Protect



OTTAWA TREE REPORTS
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 613-204-8687

APPENDIX B

Tree Protection Specification



ACCESSIBLE FORMATS AND COMMUNICATION SUPPORTS ARE AVAILABLE, UPON REQUEST

- TREE PROTECTION REQUIREMENTS:**
1. PRIOR TO ANY WORK ACTIVITY WITHIN THE CRITICAL ROOT ZONE (CRZ = 10 X DIAMETER) OF A TREE, TREE PROTECTION FENCING MUST BE INSTALLED SURROUNDING THE CRITICAL ROOT ZONE, AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETE.
 - UNLESS PLANS ARE APPROVED BY CITY FORESTRY STAFF, FOR WORK WITHIN THE CRZ:
 - DO NOT PLACE ANY MATERIAL OR EQUIPMENT - INCLUDING OUTHOUSES;
 - DO NOT ATTACH ANY SIGNS, NOTICES OR POSTERS TO ANY TREE;
 - DO NOT RAISE OR LOWER THE EXISTING GRADE;
 - TUNNEL OR BORE WHEN DIGGING;
 - DO NOT DAMAGE THE ROOT SYSTEM, TRUNK, OR BRANCHES OR ANY TREE;
 - ENSURE THAT EXHAUST FUMES FROM ALL EQUIPMENT ARE NOT DIRECTED TOWARD ANY TREE CANOPY;
 - DO NOT EXTEND HARD SURFACE OR SIGNIFICANTLY CHANGE LANDSCAPING
 2. TREE PROTECTION FENCING MUST BE AT LEAST 1.2M IN HEIGHT, AND CONSTRUCTED OF RIGID OR FRAMED MATERIALS (E.G. MODULOC -STEEL, PLYWOOD HOARDING, OR SNOW FENCE ON A 2"x4" WOOD FRAME) WITH POSTS 2.4M APART, SUCH THAT THE FENCE LOCATION CANNOT BE ALTERED. ALL SUPPORTS AND BRACING MUST BE PLACED OUTSIDE OF THE CRZ, AND INSTALLATION MUST MINIMIZE DAMAGE TO EXISTING ROOTS. (SEE DETAIL)
 3. THE LOCATION OF THE TREE PROTECTION FENCING MUST BE DETERMINED BY AN ARBORIST AND DETAILED ON ANY ASSOCIATED PLANS FOR THE SITE (E.G. TREE CONSERVATION REPORT, TREE INFORMATION REPORT, ETC). THE PLAN AND CONSTRUCTED FENCING MUST BE APPROVED BY CITY FORESTRY STAFF PRIOR TO THE COMMENCEMENT OF WORK.
 4. IF THE FENCED TREE PROTECTION AREA MUST BE REDUCED TO FACILITATE CONSTRUCTION, MITIGATION MEASURES MUST BE PRESCRIBED BY AN ARBORIST AND APPROVED BY CITY FORESTRY STAFF. THESE MAY INCLUDE THE PLACEMENT OF PLYWOOD, WOOD CHIPS, OR STEEL PLATING OVER THE ROOTS FOR PROTECTION OR THE PROPER PRUNING AND CARE OF ROOTS WHERE ENCOUNTERED.
 5. THE CITY'S TREE PROTECTION BY-LAW, 2020-340 PROTECTS BOTH CITY-OWNED TREES, CITY-WIDE, AND PRIVATELY-OWNED TREES WITHIN THE URBAN AREA. PLEASE REFER TO WWW.OTTAWA.CA/TREEBYLAW FOR MORE INFORMATION ON HOW THE TREE BY-LAW APPLIES.

TREE PROTECTION SPECIFICATION

TO BE IMPLEMENTED FOR RETAINED TREES, BOTH ON SITE AND ON ADJACENT SITES, PRIOR TO ANY TREE REMOVAL OR SITE WORKS AND MAINTAINED FOR THE DURATION OF WORK ACTIVITIES ON SITE.



SCALE: NTS

DATE: MARCH 2021

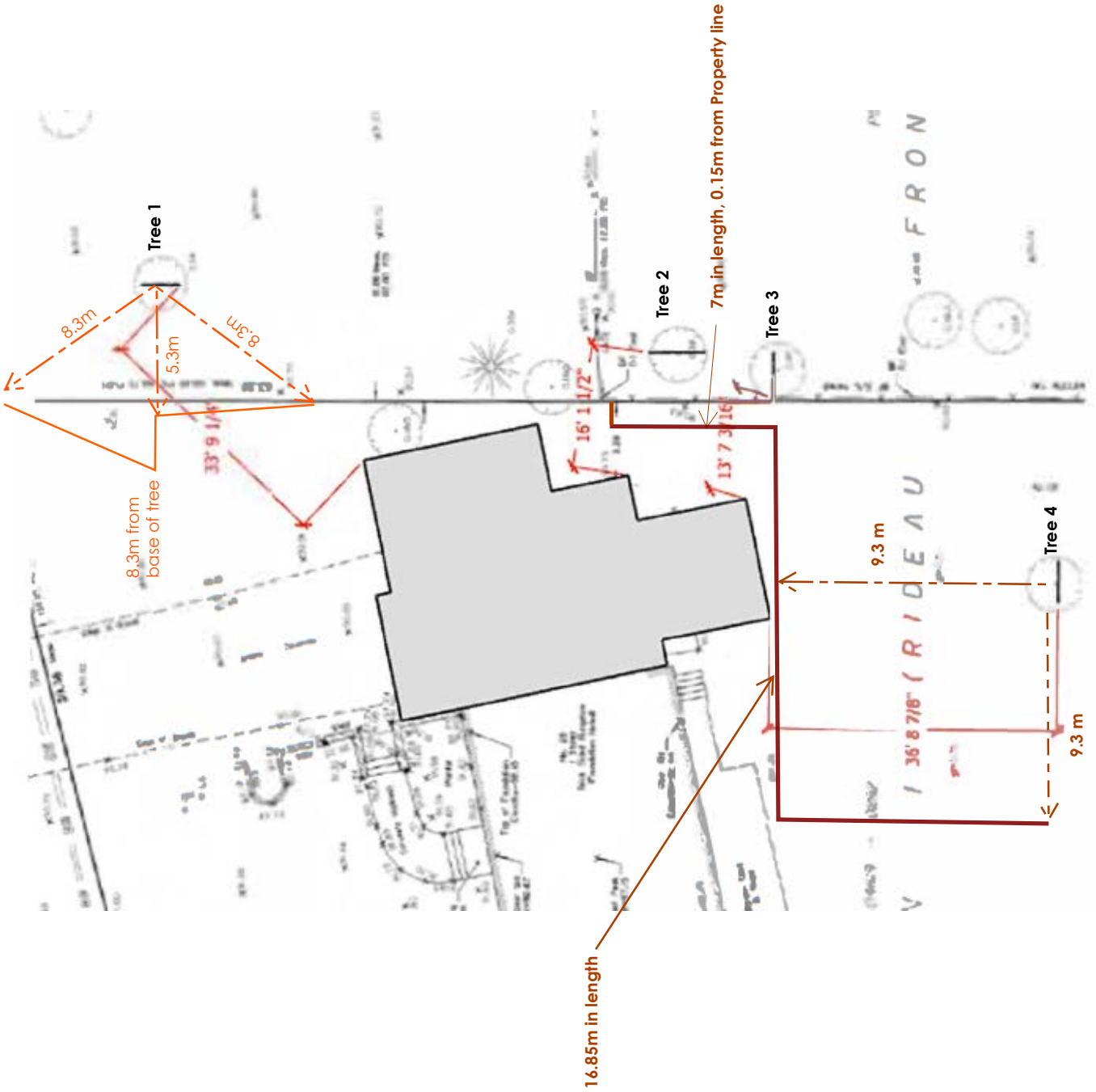
DRAWING NO.: 1 of 1

28 Gerwin Drive

Tree Protection Plan

LEGEND

- Plywood
- Snow Fence



NOTES:

Tree Protection Zones identified on this plan are for graphical representation only and should not be used for scaling purposes. Where not outlined Tree Protection should be installed at the CRZ limit.

Tree Protection Layer was added to a drawing provided by the client.

Tree Protection measures shall be installed according to City of Ottawa Specifications



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 613-204-8687

Self-Declaration Statement

By signing this application declaration, the owner, arborist and contractor (if known at time of application) which confirms that all parties agree with the information provided and will respect the proposed work and mitigation measures (if required). Furthermore, the signature of the owner is also acknowledging and understanding that a City of Ottawa Forestry Staff may enter your property at a reasonable time for the purpose of carrying out an inspection. You also acknowledge and understand that failure to abide by the recommendations of the approved Tree Information Report, damaging or destructing trees identified for protection, you will be responsible to bear fully the cost of compensation, removal and replacement.

It is the owner/applicant's responsibility to ensure that all protection and mitigation measures described in the Tree Information Report are followed, and where necessary are done so under the supervision of an arborist.

Owner/Applicant

Print Name

Signature

Arborist

Scott Petrie

Print Name

Scott Petrie

Signature

Contractor

Print Name

APPENDIX C

ASSUMPTIONS AND LIMITING CONDITIONS

Intended Use of the Report

This Report was prepared by Ottawa Tree Reports (hereafter “OTR”) at the request of the Client. The results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report are to be used solely for the purposes outlined within this Report. All other uses are impermissible and unintended, unless specifically stated in writing in the Report.

Intended User of the Report

This Report was prepared by OTR for the exclusive use of the Client and may not be used or relied upon by any other party. All other users are unintended and unauthorized, unless specifically stated in writing in the Report.

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 OTR. On-site conditions may limit the extent of the on-site inspection(s) conducted by OTR, 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. OTR 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 OTR relied in preparing this Report.

No assessment of any other trees or plants has been undertaken by OTR. OTR 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 OTR 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

This Report is based on the circumstances and conditions as they existed at the time of the site inspection and the information provided by the Client and/or third parties to OTR. Where documents, records, site and grading plans, permits, representations, and any other information was provided to OTR for the purpose of preparing this Report, OTR assumed that said information was correct and up-to-date and prepared this Report in reliance on that information. OTR and its agents, assessors, and/or employees, are not responsible for the veracity or accuracy of such information. OTR and its agents, assessors, or employees are not liable for any damages, injuries, or losses arising from inaccuracies, errors, and/or omissions in the documents, records, site and grading plans, permits, representations, or other information upon which OTR relied in preparing this Report.

For the purpose of preparing this Report, OTR and its agents, assessors, and/or employees assumed that the property which is the subject of this Report is in full compliance with all applicable federal, provincial, municipal, and local statutes, regulations, by-laws, guidelines, and other related laws. OTR and its agents, assessors, and/or employees are not liable for any issues with respect to non-compliance with any of the above-referenced statutes, regulations, bylaws, guidelines, and laws as it may pertain to or affect the property to which this Report applies. For the purpose of preparing this Report, OTR 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

The Client acknowledges and agrees that all intellectual property rights and title, including without limitation, all copyright in this Report shall remain solely with OTR. Possession of this Report, or a copy thereof, does not entitle the Client or any third party to the right of publication or reproduction of the Report for any purpose save and except where OTR has given its prior written consent. Neither all nor any part of the contents of this Report shall be disseminated to the public through advertising, public relations, news, sales, the internet or other media (including, without limitation, television, radio, print or electronic media) without the prior written consent of OTR.

Implementing the Report Recommendations

OTR and its agents, assessors, and/or employees accept no responsibility for the implementation of any part of this Report unless specifically requested to provide oversight on the implementation of the recommendations. In the event that inspection or supervision of all or part of the implementation of the within recommendations is requested, that request shall be in writing and the details agreed to in writing by both parties. OTR and its agents, assessors, and/or employees are not liable for any damages or injuries arising from the manner in which the recommendations in this Report are implemented, including failure to, incorrect, or negligent implementation of the recommendations.

Further Services

Neither OTR nor any assessor employed or retained by OTR for the purpose of preparing or assisting in the preparation of this Report shall be required to provide any further consultation or services to the Client, save and except as already carried out in the preparation of this Report and including, without limitation, to act as an expert witness or witness in any court in any jurisdiction unless the Client has first made specific arrangements with respect to such further services, including, without limitation, providing the payment of the Report's regular hourly billing fees.

Limits of Liability

In carrying out this Report, OTR 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 OTR for:

- a) any legal description provided with respect to the Property;
- 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 OTR by the Client or third parties;
- e) any consequential loss, injury or damages suffered by the Client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and
- f) the unauthorized distribution of the Report.

The total monetary amount of all claims or causes of action the Client may have as against OTR, including but not limited to claims for negligence, negligent misrepresentation, and breach of contract, shall be strictly limited solely to the total amount of fees paid by the Client to OTR pursuant to the Contract for Services dated July 22, 2024, for which this Assessment was carried out. Further, under no circumstance may any claims be initiated or commenced by the Client against OTR 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.

No Third-Party Liability

This Report was prepared by OTR exclusively for the Client for the purpose set out in the Report. Any use which a third party makes of this Report, or any reliance on or decisions a third party may make based upon this Report, are made at the sole risk of any such third parties. OTR accepts no responsibility for any damages or loss suffered by any third party or by the Client as a result of decisions made or actions based upon the unauthorized use or reliance of this Report by any such party.

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. OTR 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.