



Arborist Report and Tree Protection Plan 4933 Victoria Avenue

4933 Victoria Avenue North, Lincoln, Ontario

Submitted to:

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1. Introduction

GEI Consultants (GEI) was contracted by 4933 Vic Court Globizen LP to complete an Arborist Report and Tree Protection Plan in support of an Official Plan Amendment for the proposed redevelopment on the property located at 4933 Victoria Avenue North in the Town of Lincoln, Ontario (herein referred to as the Subject Lands; **Figure 1, Appendix A**). The Subject Lands are generally located east of Victoria Avenue North, north of Laurie Avenue and south of Lake Ontario.

This report presents the results of the tree inventory, identifies opportunities for tree preservation and protection, recommends measures to protect retainable trees, and proposes compensation for tree removals. The objective of the preservation plan is to retain existing tree cover wherever feasible and to minimize the risk of injury to trees identified for protection.

The preparation of this report was guided by the Town of Lincoln *Tree Protection and Enhancement Policy* (2020), the Town of Lincoln's Site Alteration By-law No. 2020-64 and the Niagara Region *Tree Preservation Guidelines* (2020). The woodland located within and adjacent to the eastern portion of the Subject Lands is governed by the [Niagara Region Woodland Conservation By-law No. 2020-79](#).



2. Existing Conditions and Proposed Redevelopment

The Subject Lands previously contained two buildings; however, those buildings have since been removed from the landscape. There is a cultural woodland (CUW) community located along the eastern limits of the Subject Lands, which contains a portion of Prudhomme Creek. The woodland has been identified as an "other woodlands" within the Scoped Environmental Impact Study (EIS).

The proposed redevelopment of this property includes mixed use hotel and residential condominium development, and some shoreline protection upgrades, which are not expected to impact the existing functions of the woodland located within and adjacent to the eastern portion of the Subject Lands. Minor tree removals are required to permit the proposed development and have been supported within the Scoped EIS. Tree protection measures with regard to the woodland, are further discussed in **Section 5**.



3. Methodology

GEI defined the Study Area as the proposed construction footprint plus an additional 6 m setback. All other areas outside of the Study Area were not included in the tree inventory as they will be retained in place within the retained portions of the CUW. Trees located beyond 6 m with a canopy overhanging the proposed construction footprint were also included in the tree inventory. GEI completed the tree inventory on September 8, 2023, in accordance with the *Tree Protection and Enhancement Policy* (Town of Lincoln, 2020) and the Niagara Region *Tree Preservation Guidelines* (2020). The removal of trees within the Study Area with a diameter-at-breast-height (DBH) of 20 cm or more is regulated under the Town of Lincoln's Site Alteration By-law No. 2020-64.

Trees with DBH of 10 cm and greater within the Study Area were inventoried, as outlined in the Niagara Region Tree Preservation Guidelines (2020). Live trees within the Subject Lands were tagged, and dead trees were mapped and given a label including "D". Trees on adjacent properties were not tagged but were assigned a unique letter for mapping and reference purposes.

The locations for all inventoried trees on the Subject Lands were recorded in UTM coordinates using a sub-meter capable GPS unit. The locations of trees on adjacent properties are approximate and were assigned a letter or letter combination, as they were assessed from a distance. Other information recorded for all live trees consisted of species, DBH, crown radius, health category (biological, structural, and overall), and notes regarding the assigned health category.

Tree health was categorized as good, fair, or poor. Trees categorized as "good" overall had at least 80% live canopy and showed no significant structural defects (e.g., weak limbs, girdling roots, stem lean) or evidence of biological damage (e.g., insect damage, fungal growth, leaf dieback). "Fair" trees were those with 50% to 80% live canopy and showed no significant structural or biological defects, or the tree had over 80% live canopy but did show some evidence of structural defects and/or biological damage. Trees categorized as "poor" were those with less than 50% live canopy and/or had significant structural defects and/or biological damage.



4. Tree Inventory

Within the Study Area there were a total of 158 trees with DBH greater than 10 cm, of which 146 were live and 12 were dead (**Figure 2, Appendix A**).

Table 1 (Appendix B) outlines the results of the tree inventory, including the tree identification number, species, DBH, health category (biological, structural, and overall), and notes regarding the assigned health category. **Table 1 (Appendix B)** also provides the Tree Protection Zone (TPZ), and recommendations for preservation or removal, required compensation, and whether ownership is public or private.

The inventoried trees included 18 different species. Of the live inventoried trees, 42% are native to the Niagara Region (Oldham 2010). It was determined that 92 trees are recommended for preservation and 66 trees are recommended for removal due to proposed construction impacts. Further detail is provided in the following subsections.

4.1 Preservation Trees

Preservation trees are those that are unlikely to be significantly impacted by the proposed construction or can likely be preserved using tree protection measures. Of the 158 trees inventoried, 92 are recommended for protection and preservation.

4.2 Removal Trees

Removal trees include trees that are within the proposed work limits or are likely to be significantly impacted by the proposed works. It is assumed that the shoreline protection alterations will require the removal of any shoreline trees. Of the 158 trees inventoried, 66 trees are recommended for removal.

Of the 66 removal trees, 59 are located on private property and 7 are located within the right-of-way owned by the Town. It should be noted that 20 of the private removal trees are located within a White Cedar (*Thuja occidentalis*) hedgerow that borders the Subject Lands and adjacent property along the southernmost edge. The adjacent landowner should be notified in writing of the proposed tree removals, prior to their removal.

The proponent should ensure that the works are in conformance with the *Migratory Birds Convention Act, 1994* and the *Endangered Species Act, 2007*. Specifically, tree removals should comply with timing window restrictions with regards to the protection of nesting birds (April 1 to August 25) and Species at Risk bats (April 1 to October 1). Where these timing windows cannot be avoided, it is recommended that a qualified ecologist conduct a nest search and bat habitat assessment. Additionally, removal of any tree species protected by the ESA, 2007 will require authorization or permitting for injury or removal.



5. Tree Protection Plan

Tree preservation will be achieved through avoidance and the use of appropriate tree protection measures. GEI inventoried 158 trees within the Study Area, of which 92 are recommended for preservation. The proposed Tree Protection Plan for these preservation trees is described in the following subsections.

5.1 Tree Protection Zones

The area of protection around a tree is referred to as the Tree Protection Zone (TPZ) and is measured outward from the trunk. TPZs were determined in accordance with the International Society of Arboriculture (ISA) Standards for calculating TPZs, where the minimum TPZ was calculated as one foot (0.3m) for each inch (2.5 cm) of trunk diameter. **Table 1 (Appendix B)** indicates the TPZ for each preservation tree.

The TPZs of preservation trees will be fenced off in accordance with the Niagara Region Tree Preservation Guidelines (2020) to prevent physical damage to the tree. The TPZ of preservation trees will remain fully intact and cannot be altered, moved or removed in any way without the written authorization of Town of Lincoln. There will be no grade change, and TPZs will not be used for the temporary storage of any material or equipment, washing of equipment, nor the dumping of any debris.

The objective of the TPZ is to maximize protection of the tree to ensure its long-term survival. It is recognized, however, that encroachment into the TPZ will sometimes be necessary to facilitate construction. Some healthy trees are known to withstand construction impacts such as root cutting, soil compaction, and soil saturation; however, these individual responses are dependent on the species, site condition, and degree of impacts (Matheny & Clark 1998).

5.2 Protection and Preservation Trees

There is potential for construction activities to occur within the TPZ of some preservation trees. Protection and mitigation techniques are expected to prevent these activities from impacting these trees. This tree will be given a modified TPZ prior to construction, which will follow the limit of construction activity. These modified TPZs will require strict adherence to the tree protection measures outlined below. If the trees cannot be adequately protected during construction, it will be identified as removal trees and will require compensation as described in **Section 6**.

Where construction activity is proposed to occur within a TPZ, the TPZ must be properly prepared. The Project Arborist should be on site during all site alteration activities within the TPZ of live preservation trees, including tree removal, canopy or root trimming, and soil stripping, to monitor these activities and propose site-specific mitigation, where appropriate. If any accidental tree damage or encroachment into the TPZ occurs or is observed, the Project Arborist should be notified in order to take appropriate action on site. In addition, the following tree protection measures should be implemented:

- All relevant contractors should meet with the Project Arborist prior to the beginning of site alteration to review tree protection procedures.
- Low branches may be pruned back or removed to accommodate vehicular movement.
- Trees to be removed should be felled in a manner that drops the tree away from adjacent preservation trees and their TPZs.



- Any brush clearing required within the TPZs should be completed using hand-operated equipment and should be lifted out and not skidded out.
- If excavation or grading is proposed within the TPZs, affected tree roots must be cut at a 90° angle at the edge of anticipated disturbance using specialized equipment. Hydro-vac excavation will be necessary to expose the roots prior to cutting if existing conditions prevent machinery from making a clean, 90° cut.
- Tree roots damaged during construction should be exposed and cut cleanly at a 90° angle using hand operated equipment to aid in root regeneration.
- Any roots exposed for longer than four hours should be kept moist using wet mulch or burlap wrap or be directly irrigated. These affected trees should have wood mulch applied to their respective TPZs at a depth of 5–10 cm to help maintain moisture and moderate soil temperature.
- Horizontal root protection should be used in locations where regular movement of equipment through the TPZ is anticipated.
- Where construction activity is proposed to occur within or near the TPZs, irrigation should be implemented during periods of drought, especially during the summer months. A slow soaking of the entire TPZ to a depth encompassing the root system is the preferred method of irrigation, but it may vary depending on the tree species and soil texture. Water should not be directed at or near the trunks. The frequency of irrigation will depend on air temperature and precipitation at the time of construction.
- Sediment control fencing should be installed to provide a protective barrier between areas intended for stockpiling of excavated soil and candidate preservation trees. The sediment control fencing should be installed to Ontario Provincial Standard 219.130.

If preservation trees cannot be adequately protected during construction or if they exhibit canopy dieback post construction, they will be identified as removal trees and will require compensation as described in **Section 6**.



6. Compensation Requirements

The Town of Lincoln requires compensation for the removal of live private trees 20 cm DBH and greater, except for species listed in Appendix A of the Town's *Tree Protection and Enhancement* policy, based on the DBH of the removed trees. A total of 32 trees require compensation for removal through the construction of the development. **Table 2** below provides the ratio of tree replacements required for private trees according to size, reproduced from the *Tree Protection and Enhancement Policy* (Town of Lincoln 2020).

Table 2. Ratio of Tree Replacement for Private Trees

DBH of Tree to be Cut or Removed	Number of Replacement Trees Required per Removal	Number of Live Tree Removals	Number of Proposed Replacement Trees
20 – 29 cm	1:1	13	13
30 – 49 cm	2:1	9	18
50 – 74 cm	3:1	3	9
75 cm or greater	4:1	7	28

Accordingly, a total of 68 trees are proposed to be planted as compensation for the removal of live private trees through the construction of the proposed development. Where replacement planting is not possible on site, replacement planting at another suitable location or cash-in-lieu (according to the Town's Fees & Charges By-law) will be discussed with the Town of Lincoln.

In addition to the compensation described above, 7 removal trees were located along the regional road allowance and compensation will be determined by the Town.



7. Summary

GEI inventoried 158 trees within the Study Area. Of these, 92 are recommended for preservation and 66 are recommended for removal due to anticipated construction impacts. Under the Town of Lincoln's *Tree Protection and Enhancement Policy* (Town of Lincoln 2020), 32 trees require compensation for removal for a total requirement of 68 compensation trees.

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REFERENCES AND BACKGROUND MATERIALS

Matheny, N.P. and J.R. Clark 1998. *Trees and Development: A Technical Guide to Preservation of Trees During Land Development*. Denver, CO, U.S.A.: Dream Books Company.

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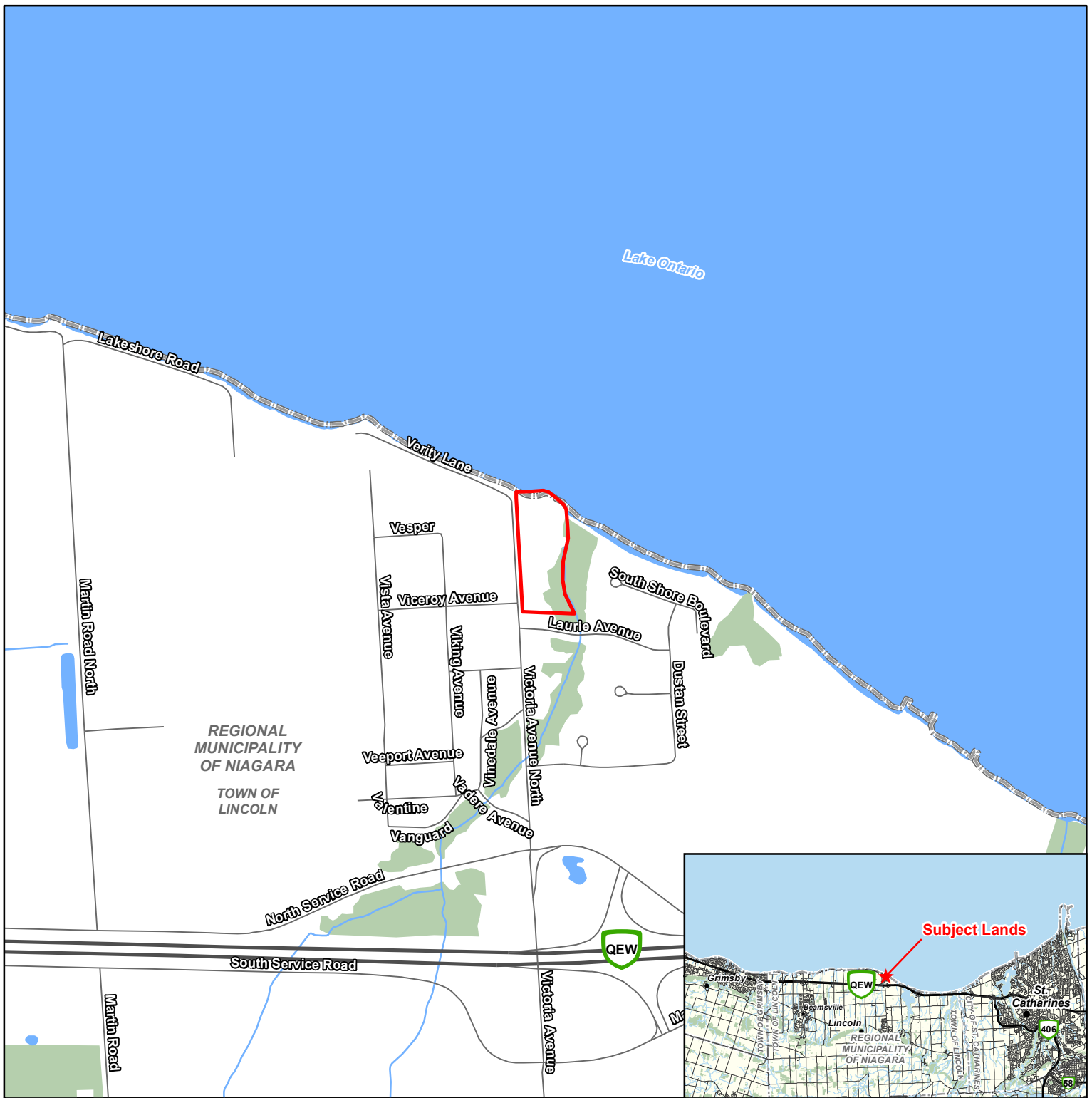
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APPENDIX A

Figures





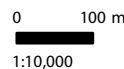
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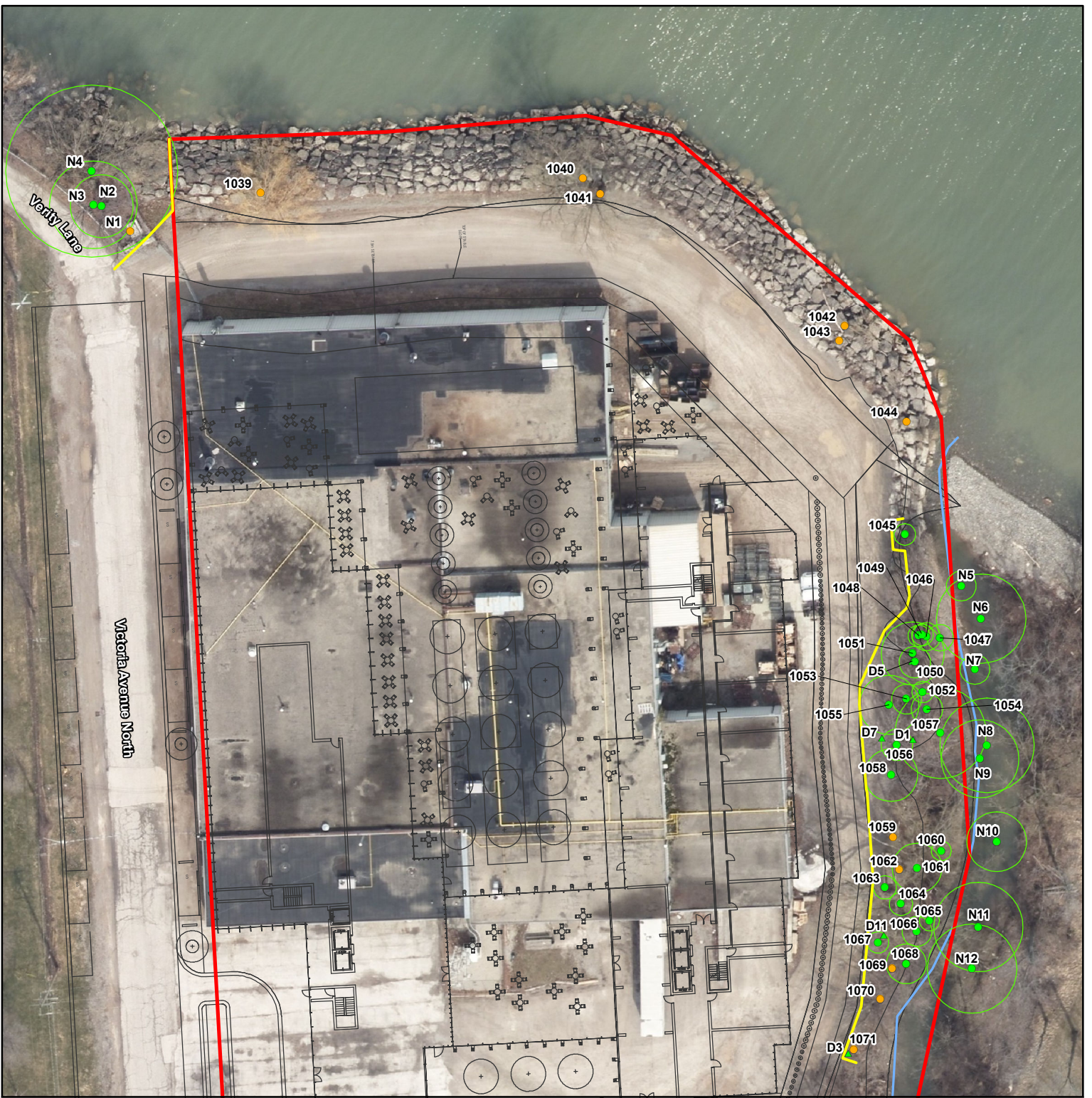
NOTES:
 1. Coordinate System: NAD 1983 UTM Zone 17N.
 2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2023.

- Legend**
- Subject Lands
 - Highway
 - Road
 - Watercourse
 - Waterbody
 - Wooded Area

4933 Victoria Avenue
 Court Holdings Ltd.

Figure 1
 Location of Subject Lands



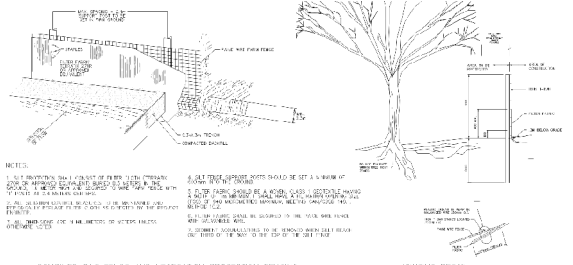


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- NOTES:**
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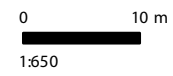
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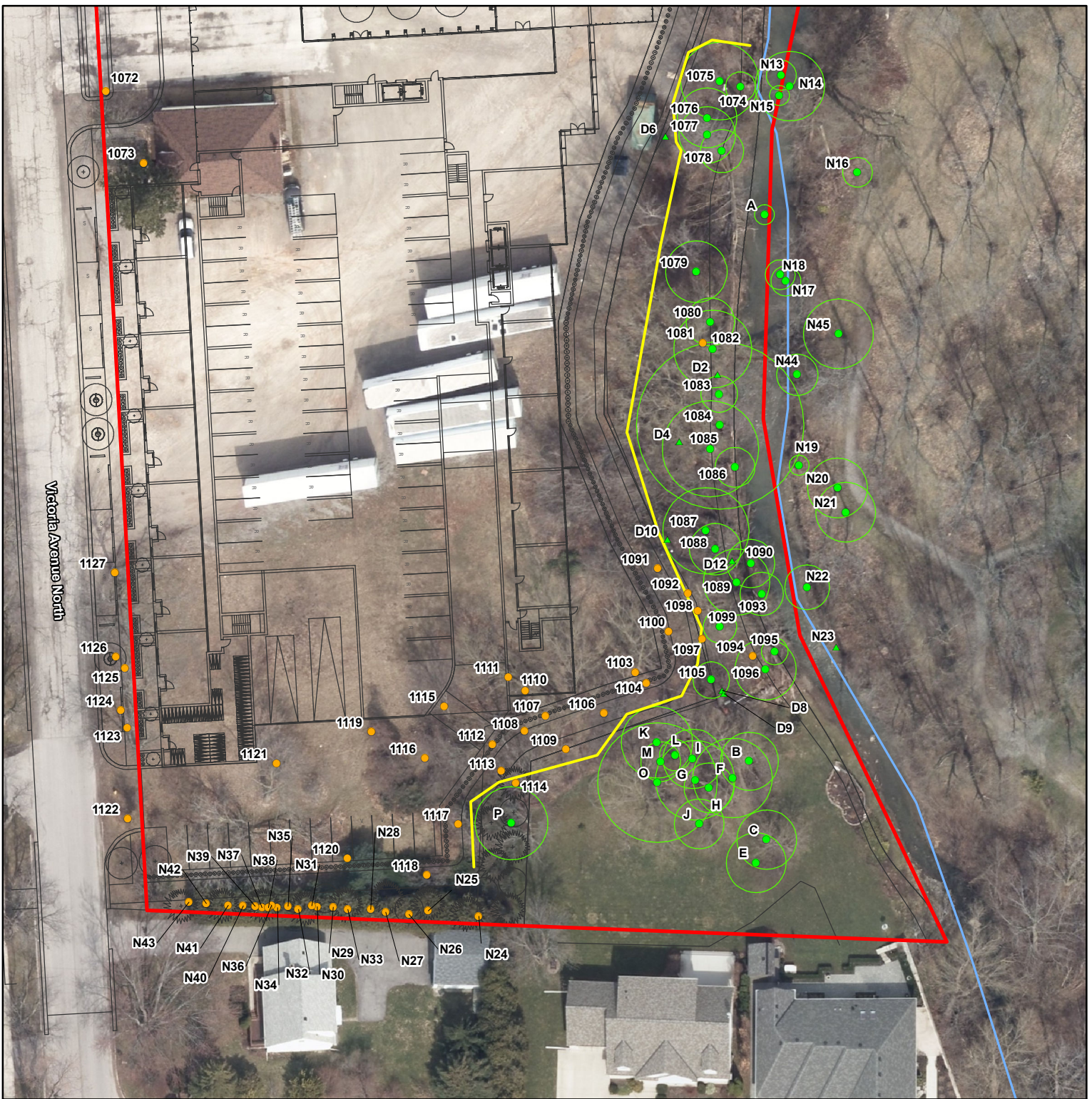
- Subject Lands
- Watercourse
- Tree Protection Zone
- Tree Hoarding Line
- Preservation - Alive
- Remove - Alive
- ▲ Preservation - Dead



4933 Victoria Avenue North, Lincoln Court Holdings Ltd.

Figure 2.1
Tree Inventory



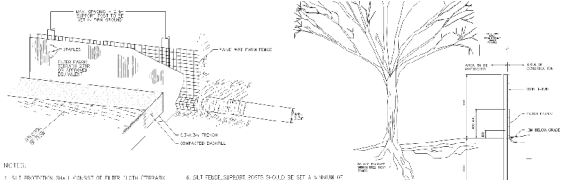


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Legend

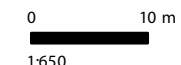
- Subject Lands
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- Tree Hoarding Line
- Preservation - Alive
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- ▲ Preservation - Dead



NOTES:
 1. A REDUNDANT TREE COUNT OF TREES WAS OBTAINED FROM THE PHOTOGRAPHIC SURVEY AND THE FIELD SURVEY. THE FIELD SURVEY IS THE PRIMARY SOURCE OF DATA FOR THIS REPORT.
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4933 Victoria Avenue North, Lincoln Court Holdings Ltd.

Figure 2.2
Tree Inventory



APPENDIX B

Tables



