



Tree Conservation Report Addendum submitted as  
Partial Requirements for a Site Plan Control Application,  
August 25, 2026

**Dendron Forestry Services**

Application: D02-02-26-0012 (Minor ZBLA) and D07-  
12-26-0014 (SPC)

TREE CONSERVATION REPORT ADDENDUM 4.0

71 Russell Ave



## **Tree Conservation Report Addendum 4.0**

**Address:** 71 Russell Ave

**Date of Report:** August 25, 2026

**Date of Site Visits:** April 9, 2026, May 25<sup>th</sup>, July 2, 2026, July 29<sup>th</sup> and August 18, 2026

**Prepared by:** Astrid Nielsen, RPF, ISA Certified Arborist ®  
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**Client:** Colin Miller, [Colin@pinehillbuilders.ca](mailto:Colin@pinehillbuilders.ca)

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

### **Introduction**

This Tree Conservation Report Addendum has been prepared to provide supplementary information regarding the potential for tree retention in the Tree Conservation Report prepared by James B. Lennox & Associates Inc dated Jan 30, 2026. It is supplementary information to the previous Addendums prepared by Dendron Forestry Services dated April 10<sup>th</sup> (Version 1.0) , May 29<sup>th</sup> (Version 2.1), July 12<sup>th</sup> (Version 3.0), and July 17<sup>th</sup> (Version 3.1) .

The primary purpose of this version is to provide updated health and measurements for **Tree 10** following subsequent site inspections conducted on July 29 and August 18, 2026. Furthermore, this document addresses the comments issued by the City on August 6, 2026, regarding the July 20 submission.

In response to the City's latest feedback, the project team had Tree 10 accurately plotted on the site survey. Furthermore, the retaining wall and shoring systems have been redesigned to incorporate a protective notch around the tree. This modification aligns the new shoring and retaining wall with the footprint of the original wooden wall, preserving the existing root structure on the subject property immediately adjacent to the tree.

### **City Comments and Responses**

The following city comments were received on August 6, and are followed with responses:

*The Tree Conservation Report addendum 3.0 dated July 12, 2026 provides additional details on the current site condition surrounding tree 10. The TCR cannot be approved as submitted. The reasons why the TCR cannot be approved are listed below:*

*o The City cannot approve a document requiring the neighbour (69 Russell Ave) to sign a liability waiver*



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*associated with retention of their tree. This is not supported by the City's Tree Protection By-law (No. 2020-340). This needs to be removed from the TCR. Outside of the requirements of the Tree Protection By-law, any agreements made between neighbours would need to be done privately.*

The liability waiver was a recommendation included in the TCR as independent guidance for the property owner, irrespective of the proposed site development. The tree has outgrown its rooting space, and there is evidence throughout the adjacent property that there is significant soil instability. There is also evidence that the tree has likely not been maintained as the large branch with a significant wound hanging over the adjacent residence has not been addressed. Regardless of whether the development moves forward, this tree should be monitored and maintained by the owner to ensure public safety

The proposed development at the site will include shoring and a retaining wall that will increase soil stability, which should help to reduce the risk of tree failure brought on by soil erosion. While Dendron Forestry Services respectfully disagrees with the request to remove the recommendation for a liability waiver, we consent to its removal from the TCR to comply with the current review parameters. Please consider this statement a formal retraction of that specific recommendation.

*o The diameter of tree #10 must be confirmed as prior versions of the TCR, provided by Lennox and Associates, identified the tree as being 60cm in diameter. Please provide written confirmation ( by email) of the tree's current diameter. It must be updated in the TCR addendum if it is not 45cm in diameter.*

The diameter measured at the base was 49 cm, and it is estimated to be 47 at breast height (1.3 m above grade). Based on this diameter, the static root zone would be approximately 1.4 m from the tree.

*o The static root zone of a tree is defined by the International Society of Arboriculture Best Management Practices as the tree's diameter times three. For a 45cm diameter tree, the static root zone would be 1.35m. No lateral cut to a root shall be made in this area without risking instability. The TCR states the wooden structure on site was 40cm from the L bend and 90 cm to centre of the tree. The excavation to install the shoring is stated as being 20 cm closer to the tree than the wooden wall. This does not align with the ISA BMPs that suggest no roots should be cut in a tree's static root zone. The TCR needs to outline what the static root zone for this tree is and how far excavation/root pruning would need to be from the tree to avoid compromising this trees health and stability. This must align with the civil plans.*

The project team has redesigned the wall to include a notch around the tree that relocated the shoring and proposed retaining wall to follow the path of the previous wooden wall, which followed the extent of the roots on the subject property immediately adjacent to the tree. The image below shows the updated site plan that includes the surveyed location of the tree and the location of the old wooden wall (extent of roots) as the dashed blue line. The green line represents the extent of excavation via shoring. This notching also demonstrates how the roots beyond the elbow of the old wall that will be severed as part of the shoring installation are outside of the static root zone, which is defined as three times the diameter of the tree. Although the diagram shows the measurement of the static root zone from the centre of the tree, the excavation is still outside of the static root zone if measured from the edge of the tree (an additional 23 cm).

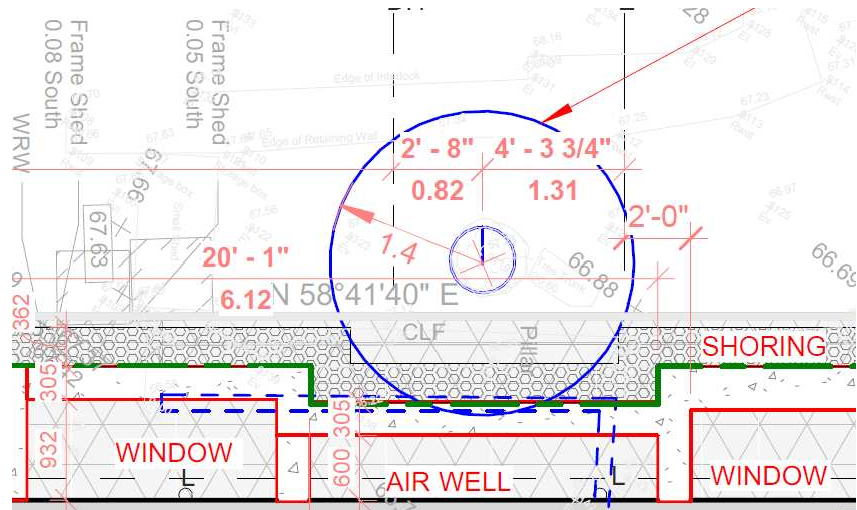


Figure 1: Image of updated site plan with the surveyed location of tree 10 and proposed notch. The static root zone is shown in blue, the proposed excavation in green, and the old wooden wall in the hashed blue line

The grading plan prepared by TL Mak was also updated on August 24, 2026, to reflect the addition of this notch. Below is a snapshot of this plan that includes the static root zone of the tree:

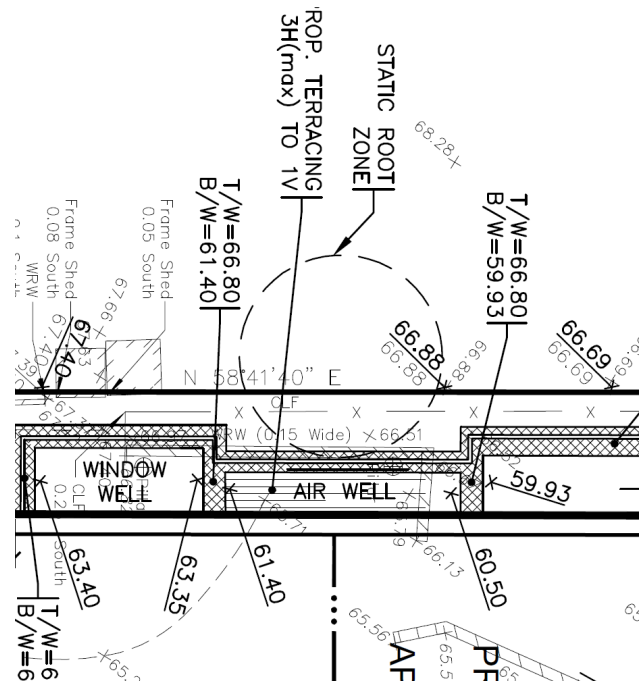


Figure 2: Updated grading plan to include the notch and surveyed location of tree#10

o The TCR notes no structural roots were observed in the area exposed by the wooden wall removal.



*Please explain how a structural root is being categorized in the TCR. As it cannot be confirmed whether there are structural roots in this area until excavation begins, it must be noted that 6 roots between 1 and 5cm in diameter were observed in this area. Pruning these roots at less than 1.0m from the tree will impact the trees health. Severing a major root, can cause the loss of 15 – 25% of a tree's root system (ISA Arborists Certificate Study Guide, 2010). A greater setback to excavation from the trees, maintaining more of the root system reducing health impacts, must be provided.*

The notch will avoid the need to sever any of the roots that were exposed during the removal of the wooden wall. The roots that may be severed on the subject property extend past the elbow of the old wooden wall and are outside of the static root zone where it is expected that the majority of structural roots reside.

*o ISA BMPs for pruning a trees crown in one season is 25% for a healthy tree. Elm trees are vulnerable due to the possible spread of Dutch Elm Disease. Pruning a significant portion of the roots and 25% canopy would cause significant stress to this tree. It cannot be supported that this degree of impact would be tolerated by this vulnerable tree. Please address the compounding impacts of root and crown pruning on the trees health. Sufficient space between the shoring and trees roots needs to be provided to minimize damage and the same goes for the overhead canopy conflicts. Please provide references, to case studies, to support the updated site design aligns with retention of this tree.*

During the site visit on August 18<sup>th</sup>, a clinometer was used to measure the tree height which is estimated at approximately 25 m and the union of the first branch to be at an elevation of approximately 7 m. The height of the new building relative to the base of the tree will be 13.16 m, and the wall at approximately 1.8 m from the edge of the tree. The branches of the tree overhanging the subject property bend at approximately 13-15 m. These measurements provide new insights to indicate that less pruning than previously thought will be required. It is estimated that the amount of pruning required for clearance and access will be 10 - 15% of the crown.

#### *Dutch elm disease mitigation*

Measures to protect against Dutch elm disease (DED) will be taken at the time of severing both the roots and the crown. Any open wounds on an elm release volatile compounds that actively attract elm bark beetles, the primary vectors for the *Ophiostoma* fungi responsible for DED. The following mitigation measures will be employed to minimize the risk of contracting DED:

- 1) All canopy pruning will occur during the **Dormant Season (September 1 to March 31)**: Elm bark beetles are inactive during late fall and winter. Pruning during the dormant season allows wounds to dry and begin compartmentalizing before the beetles emerge in the spring.
- 2) If the canopy suffers accidental damage from construction equipment or weather during the active season, the broken branches must be pruned to a proper lateral immediately. These fresh wounds should be promptly coated with a non-phytotoxic pruning paint or wound dressing to mask the chemical attractants from beetles.
- 3) Root damage induces tree stress, lowering the resistance to pathogens. Root pruning and excavation should ideally align with the dormant canopy pruning window, but if summer excavation is unavoidable, the following protocols must be followed:



- **Root Severance:** Roots must not be ripped by excavators. All roots requiring removal must be exposed manually or via hydro-vac and cleanly severed using sharpened hand tools. Clean cuts minimize the exposed surface area and promote rapid wound closure, limiting access points for soil-borne decay fungi.
- **Preventing Desiccation:** Roots exposed during active-season excavation are susceptible to drying out. Any exposed roots that are to be retained must be immediately covered with damp burlap and kept consistently moist until proper backfilling occurs.

**Note:** During the site assessment on August 18, slight foliar wilting was observed within the elm's canopy. While wilting is frequently a symptom of summer drought, the record rainfall experienced this season indicates a possible vascular issue rather than a lack of soil moisture. This wilting *may* be a very early indicator of Dutch Elm Disease (DED), which obstructs the tree's vascular system and prevents the upward transport of water. To confirm or rule out the pathogen, it is recommended that the arborist performing the planned canopy pruning inspect symptomatic branches for vascular staining—specifically looking for brown streaks or a solid brown ring in the outer sapwood (xylem) beneath the bark.



Figure 3: Photo of tree 10 taken on August 18, 2026



**Figure 4: Close up of canopy. Note the thin canopy and slightly wilted leaves**

*o The extent of excavation must be clearly shown on the TCR. The location of the tree protection fencing for tree #10 must be shown on the civil plans. This is to ensure the plans align with one another.*

Please see the updated TCR prepared by James B Lennox & Associates Inc.

The undersigned personally inspected the property and issues associated with this report on April 9, May 29<sup>th</sup>, and August 18<sup>th</sup>, 2026. On Behalf of Dendron Forestry Services,



Astrid Nielsen, MFC, RPF (Registered Professional Forester)  
ISA Certified Arborist®, ON-1976  
ISA Tree Risk Assessment Qualified



## Assumptions and Limiting Conditions

### **Intended Use of the Report**

This Report was prepared by Dendron Forestry Services (hereafter “Dendron”) 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**

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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.

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### **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 Dendron. Where documents, records, site and grading plans, permits, representations, and any other information was provided to Dendron for the purpose of preparing this Report, Dendron assumed that said information was correct and up-to-date and prepared this Report in reliance on that information. Dendron and its agents, assessors, and/or employees, are not responsible for the veracity or accuracy of such information. Dendron 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 Dendron relied in preparing this Report.

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Neither Dendron nor any assessor employed or retained by Dendron 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.

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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;
- 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 Dendron Forestry, 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 Dendron Forestry pursuant to the Contract for Services dated April 5, 2026, for which this Assessment was carried out.

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**

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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.