

File No.: 04-1000-20-2021-597

March 21, 2022

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am responding to your request of November 22, 2022 under the ***Freedom of Information and Protection of Privacy Act, (the Act)***, for:

**Arborist Report submitted regarding the safety of a tree at 2750 Waterloo Street.
Date range: September 1, 2021 to November 22, 2021.**

All responsive records are attached.

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2021-597); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

[Signed by Cobi Falconer]

Cobi Falconer, MAS, MLIS, CIPP/C
Director, Access to Information & Privacy
cobi.falconer@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4

If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604-871-6584.

Encl. (Response Package)

:kt



ON STAFF

604-926-8733 | office@burleyboys.com | www.burleyboys.com

Arborist Report

Authored by: Sean Wightman

ISA Certification #: PN2013A

Business License #: 21-112256

File #:	19-072.1
Date:	07 September 2021 Updated November 1, 2021
Weather:	Sunny
Client:	Blackfish Homes
Telephone:	604-649-4667
Email:	rob@blackfishhomes.ca
Site Address:	3375 West 12th Avenue, Vancouver, British Columbia V6R 2M8

Purpose:

This letter is to detail findings from a post construction site assessment regarding a retained tree on the neighbour's property. Burley Boys Tree Service Ltd. had been retained to be called to site to monitor construction activity near the critical root zones (CRZ's) of the retained trees for the duration of the project and to ensure that all works for the development project have been completed in accordance with the Arborist Report(s), File #19-017 (19-017.1) dated 11 February 2019.

The scope of work for this report includes the following:

- Assess construction activity impact on the retained tree and make recommendations for mitigation / remediation and soil reinstatement as required within the protected root zones.

Method/ Limitations:

The client and contractor failed to notify Burley Boys Tree Service of construction activity as they claim to have misinterpreted the requirements and thought that they only had to call the project arborist to site if they encountered large, structural roots during the construction which they did not.

The site was visited with all trees being assessed from the ground from the subject site only, using the Visual Tree Assessment (VTA) technique. Though our site visit was post construction and we were not present during the construction activity, the client has provided images that they took during the process (Included below). The City of Vancouver has also provided some documented images and notes for review (not included as original photos were not shared).

The City of Vancouver has requested a risk assessment of the tree be complete. This may help to determine if the level of risk presented by the tree has changed due to the construction activity. There was no risk assessment completed on this tree prior to the development so there is no real way to compare the change in tree risk, though as is outlined below, the construction activity is not believed to have changed the level of risk associated with this tree.

The tree risk assessment is inclusive of the impacts of activity on the property at 3375 only; there has been no access to the property where the tree is located. Any construction / landscape work or grade changes within any properties other than at 3375 W. 12th Ave. were not considered. The construction activity did not impact the upper canopy, nor was it inspected other than to use the visual tree assessment technique to assess the tree's general health and vigor.

Copyright 2019, 2021, Burley Boys Tree Service Ltd. This report is not to be copied, reprinted, published or otherwise distributed without prior approval by Burley Boys Tree Service Ltd. This report is to be used in its entirety, for its purpose only. Only the subject trees were inspected, and no others. This report does not imply or in any other way infer that other trees on neighboring sites are sound and healthy. The inherent characteristics of trees or parts of trees to fall due to environmental conditions and internal problems are unpredictable. Defects are often hidden within the tree or underground. The project arborist has endeavored to use his skill, education and judgment to assess the potential for failure, with reasonable methods and detail. It is the owner's responsibility to maintain the trees to reasonable standards and to carry our recommendations for mitigation suggested in this report.

Observations:

The purpose of the site visit was to assess any damage that may have occurred & recommend remediation works, following unauthorized construction activities on the site.

1 retained tree on the neighbour's property was assessed. The subject tree is a twin-stem Douglas fir growing on the west neighbour's property (referred to as Tree #6 in previous reports). This tree was previously noted to be in good condition. Its condition remains unchanged.

Minimal grade changes were conducted approximately 3m from the tree using a small excavator & hand tools to install a new pathway & landscaping. Supervision was a requirement during construction activity within this Tree's CRZ, however, the client and/or any third party contractors did not notify the Arborist of the activities.

The neighbour recently installed a new fence along the property, no record of any roots which were uncovered or damaged during this process has been shared. The new fence boards on the client's side of the fence were added to the installed posts; no excavations or grade changes took place to do this. There is also a shed inside the tree's CRZ on the neighbour's property, method of construction or impact to the tree's root system is unknown.

The tree appears to be unaffected as a result of this construction. The previous grade has been restored. As can be seen in the provided images, only small fibrous roots were impacted by the shallow excavations. Small landscape plants were installed along the inside of the property line, and the new fence was installed at the same location as the previously existing fence. A small row of black bamboo hedging was installed and a semi-porous paver walkway with a small lawn area was installed.

The construction activity has affected less than 25% of the tree's CRZ and the area is permeable. In my experience managing tree retention through construction, Douglas fir trees are generally very resilient to such excavations; in well drained soils with little to no bedrock they are some of the deepest rooted trees in the area.

There is no evidence or suspicion that any of the tree's large, structural roots were damaged or severed during construction. no adverse effects are expected to the health or condition of this tree. This tree is deemed to present moderate risk. This is within an acceptable threshold. Retention is recommended.

TRAQ Sheet:

ISA Basic Tree Risk Assessment Form

Client **BLACKFISH HOMES** Date **07SEPT21** Time **2:00PM**
 Address/Tree location **3375 W. 12TH AVE, VANCOUVER, BC** Tree no. **1** Sheet **1** of **1**
 Tree species **DOUGLAS FIR** dbh **70CM (APPROX.)** Height **30M** Crown spread dia. **15M**
 Assessor(s) **SENA WIGHTMAN** Tools used **VTA** Time frame **DAY OF**

Target Assessment

Target number	Target description	Target protection	Target zone			Occupancy rate 1 - none 2 - occasional 3 - frequent 4 - constant	Potential to move target?	Restriction practical?
			Target within drop line	Target within 1 x HtL	Target within 1.5 x HtL			
1	HOMES	NIL	X	X		4	N	N
2	GARAGE	NIL		X	X	3	N	N
3	YARDS (INCL. LANDSCAPED/PATIO AREAS)	NIL	X	X	X	2	N	N
4								

Site Factors

History of failures **NONE KNOWN** Topography Flat Slope % Aspect _____
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe **SMALL NON-STRUCTURAL 3M FROM TREE**
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots % Describe _____
 Prevailing wind direction **E, NE** Common weather Strong winds Ice Snow Heavy rain Describe _____

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal **95** % Chlorotic **0** % Necrotic **5** %
 Pests/Abiotic **NIL** Abiotic **NIL**
 Species failure profile Branches Trunk Roots Describe **COMMONLY SHED LIMBS DURING WINDS**

Load Factors

Wind exposure Protected Partial Full Wind tunneling Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss **NIL**
 Recent or expected change in load factors **NIL**

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR **95** %
 Dead twigs/branches **5** % overall Max dia **5CM**
 Broken/hangers Number _____ Max dia _____
 Over-extended branches
 Pruning history
 Crown cleaned Thinned Raised
 Reduced Topped Lion-tailed
 Flush cuts Other _____
 Cracks Lightning damage
 Codominant **TWO MAIN STEMS** included bark
 Weak attachments **NOT ASSESSED** Cavity/nest hole _____ % circ.
 Intra-axial branch failures **N/A** Similar branches present
 Dead/missing bark Cankers/Galls/Burls Sapwood damage/decay
 Conks Heartwood decay
 Response growth **N/A**
 Condition(s) of concern **EPICORMIC GROWTH ON LOWER MAIN STEM DUE TO RAISING CANOPY**
 Part Size _____ Fall Distance _____
 Load on defect **N/A** Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/nest hole _____ % circ. Depth _____ Poor taper
 Lean **5-10** Corrected? **YES**
 Response growth _____
 Condition(s) of concern _____
 Part Size _____ Fall Distance _____
 Load on defect **N/A** Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Roots and Root Collar —

Collar buried/Not visible Depth _____ Stem girdling
 Dead Decay Cankers/Mushrooms
 Ooze Cavity _____ % circ.
 Cracks Cut/Damaged roots Distance from trunk **3M**
 Root plate lifting Soil weakness
 Response growth _____
 Condition(s) of concern **NO CHANGE TO RISK OF FAILURE**
 Part Size **70CM** Fall Distance **30M**
 Load on defect **N/A** Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Remediation Required / Completed:

As a beneficial option, Tree #6's CRZ should be considered to be aerated, vertically mulched & deep root fertilized by a Certified Arborist, this will alleviate any soil compaction that may have occurred and to help the tree re-generate the small fibrous roots that were lost during the shallow excavations. **This work has been completed.**

There is no concern that the newly planted small landscape plants will prohibit the tree's ability to re-grow small, fibrous roots.

No further remediation is viewed to be required at this time.

Images:



Images provided by client showing construction activity conducted inside CRZ





FILE # 19-017.2 | BLACKFISH HOMES | 3375 W. 12TH AVE, VANCOUVER, BC | 07SEPT21

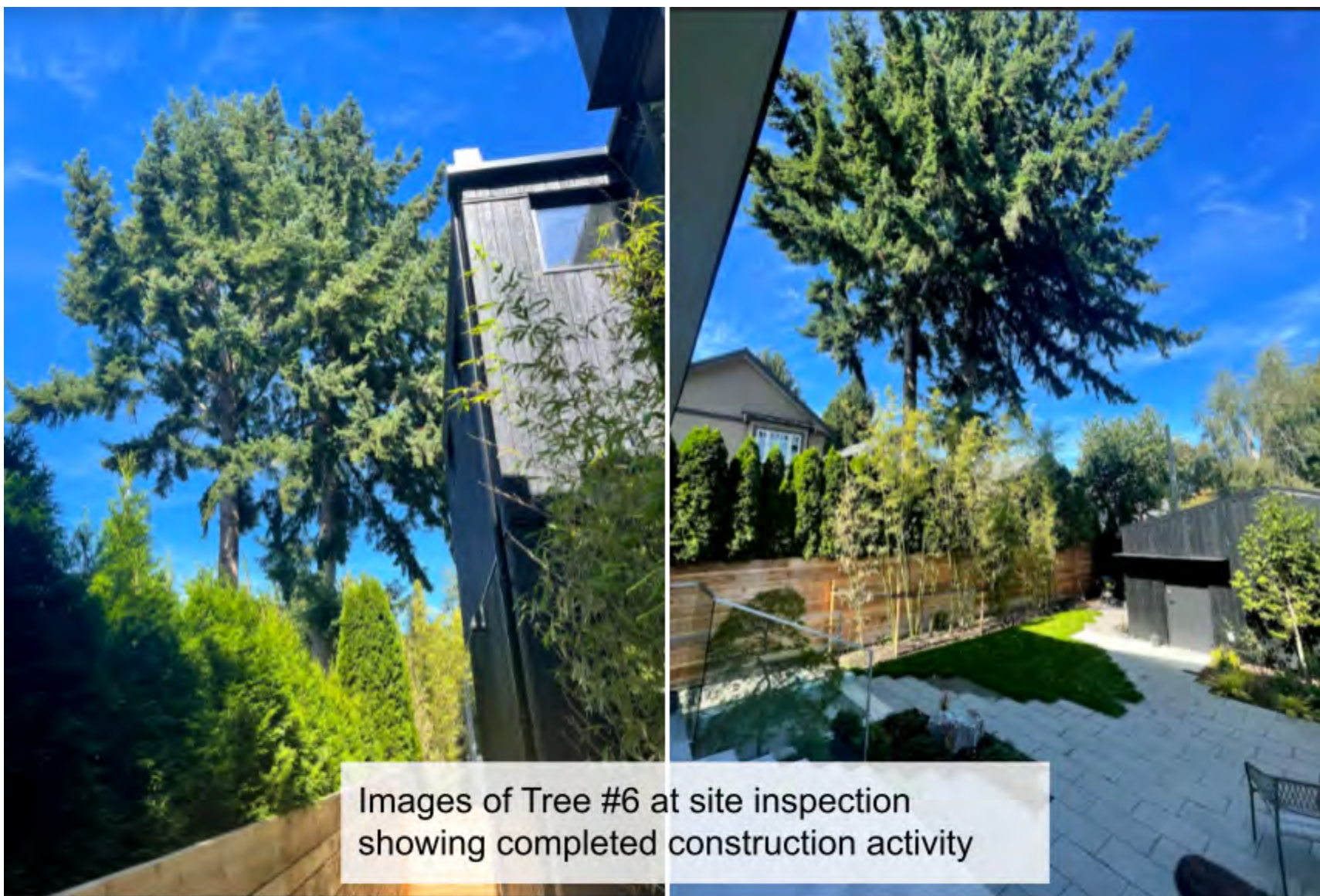




Image showing new landscaping installed adjacent to Tree #6