

Policy #: MS 017

Issued: July 27, 2020

Reviewed/Revised: 0

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Reviewed By: A. Plancke

Approved By: Council

1.0 PURPOSE

1.1 The purpose of this policy is to outline the management of trees on Town owned property or occupied land. This includes guidelines for the protection, removal, and planting of trees.

2.0 SCOPE

2.1 This policy applies to trees within the municipal right-of-way or Town Property.

2.2 The primary objective of the Town is to ensure the long-term sustainability of its Tree canopy.

3.0 DEFINITIONS

“Arborist” means a person who is:

- a) Certified by the International Society of Arboriculture (ISA);
- b) Certified as a Risk Tree Assessor by the ISA.

“Contactor” refers to any corporation, company, partnership, trust, sole proprietorship or individual engaged in works on behalf of the Town of Kingsville.

“Injure”, “Destroy”, “Damage” means the removal, cutting, girdling of a Tree or its roots; negatively interfering with its water supply or applying chemicals to a Tree; compaction and regrading within the drip line of a Tree; irreversible injury which may result from neglect, accident or design; the tacking, pasting or attaching of any object or thing to a Tree; or the removal of the stack, post, guard or other object supporting or protecting a Tree.

“Landmark Trees” are those which have developed exceptional historical, cultural, or aesthetic value because of their age, descent, stature, rarity, or association with an important event or person.

“Manager” means the Manager of Public Works for the Town of Kingsville, or their designate.

“Person” means an individual, firm, corporation, association or partnership.

“Planting Season” means the months of October and/or November each year.

“Property Line” means the line between the public right-of-way and abutting property.

“Town” means The Corporation of the Town of Kingsville.

“Town Property” means property owned or under the jurisdiction of the Town.

“Tree(s)” means any species of woody plant, which has reached or can reach a height of at least 4.5 metres at physiological maturity.

“Tree Hazards” or “Hazardous Trees” includes dead or dying trees, dead parts of live trees, or unstable live trees that are within striking distance of people or property.

4.0 REFERENCE DOCUMENTS

- 4.1 Town By-law 71-2014 Being a By-law to prohibit the injury or destruction of trees on public property.
- 4.2 Town By-law 22-2019 Being a By-law to adopt a policy with respect to the manner in which the Corporation of the Town of Kingsville will protect and enhance the tree canopy and natural vegetation in the municipality.

5.0 RESPONSIBILITIES

- 5.1 The Manager will be responsible for interpreting and administering the terms of this Policy.
- 5.2 The management of Trees on Town Property is the responsibility of the Municipal Service Department.

6.0 PROCEDURE

6.1 Part I: Tree Protection

- 6.1.1. Two (2) Trees will be planted for every one (1) Tree that is removed from Town Property where budget restraints allow.
- 6.1.2. Only Town staff or Contractors approved by the Manager are authorized to carry out work on Town Trees.
- 6.1.3. Small pruning and Tree maintenance will be performed by Town Staff.

- 6.1.4. No Person may plant, prune, remove, or otherwise undertake any activity that may affect the health and welfare of a Tree on Town Property without authorization from the Manager.
- 6.1.5. Penalties for the unauthorized cutting, breaking, Injuring, removal or damaging of Town Trees are included in By-law 71-2014 A by-law to prohibit the injury or destruction of trees on public property.
- 6.1.6. Trees are considered joint property when any portion of the trunk crosses a Property Line. The costs associated with removal of the tree will be shared equally between the two property owners.

6.2 Part II: Tree Removal

- 6.2.1. Requests for the removal of Trees from Town Property will not be considered:
 - a) For the enhancement or maintenance of view corridors;
 - b) Due to shade becoming an issue with neighbouring properties;
 - c) Due to natural occurring processes such as protruding roots or due to deposits such as leaves, flowers or seeds;
 - d) Due to driveway or sidewalk upheaval;
 - e) If in contravention of Federal or Provincial legislation.
- 6.2.2. Requests for removal will only be considered in the following circumstances:
 - a) The Tree is determined to be a Hazardous Tree by an Arborist;
 - b) An extreme public nuisance or risk is created due to size, species, location, or overall condition of the Tree;
 - c) A traffic safety and/or sightline problem is caused by the Tree encroaching into a road in such a way that visibility, pedestrian, or vehicle clearance is reduced and such problems cannot be mitigated by other means;
 - d) The Tree has been severely damaged by natural causes and poses an imminent danger of falling and injuring persons or property;
 - e) The removal of the Tree has been approved as part of a development plan or capital project.
- 6.2.3. Removal Process
 - a) All Tree removal work is to be approved by the Manager;
 - b) A condition assessment will be provided by a Arborist prior to the removal of Landmark Trees;

- c) Tree complaints will be investigated as urgency requires and documented for future reference;
- d) Tree Hazards and/or large Tree removals will be performed by the Town's Contractor;
- e) Complete removal includes all branches, trunk, and grinding of the stump.

6.2.4. Notification

- a) Senior administration and Town Council will be notified electronically prior to Tree removal when:
 - Removal of the Tree will significantly alter the streetscape or natural features of an existing neighbourhood;
 - When it is necessary to remove Landmark Trees;
- b) Notification will occur three (3) days prior to removal of the Tree;
- c) Landmark Trees will be identified for removal by marking the base of the Tree with paint;
- d) The emergency removal of Hazardous Trees, as determined by the Manager, can be undertaken without advanced notification.

6.3 Part III: Tree Planting

6.3.1. Residents can formally request a Tree by filling out the Tree Planting Application Form in Schedule A. The Town offers two (2) programs under which residents can request the planting of a Tree:

- a) Street Tree Program: A Tree will be planted free of charge within the Municipal Boulevard pending review and approval by the Manager.
- b) Commemorative Tree Program: A cost sharing initiative between the Town and applicant for the purpose of commemorating a special event and/or person. This program involves the supply of a Tree and the installation of a 6" x 4" engraved bronze memorial plaque. The Tree must be planted on Town Property, such as within a park or at a Town facility. Location requests and engravings must be approved by the Manager. This service is subject to the fee specified on the Tree Planting Application Form found in Schedule A.

6.3.2. Plantings will occur during the Planting Season each year unless otherwise permitted by the Manager.

6.3.3. The Town will not plant Trees within ongoing developments. Once the Town has assumed ownership of a development, applications will be included in the next Planting Season.

6.3.4. The Town will only plant Trees species listed in Schedule B of this policy, or as otherwise deemed appropriate by the Manager.

6.3.5. No Tree shall be planted on Town Property where there may be a potential for conflict with infrastructure or where it is deemed a safety hazard.

7.0 REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Questions about this policy can be referred to the Public Works Manager.



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

SCHEDULE A: TREE PLANTING APPLICATION FORM

Name: _____
Mailing Address: _____

Phone Number: _____
Email Address: _____

Please complete this form and return it to Town Hall, 2021 Division Rd. North, Kingsville by August 30.

OPTION 1: Street Tree Request (No Charge)

All applications are subject to review and approval by the Municipal Services Department. Trees will be planted in front of your residence within the municipal right-of-way. Residents are required to water and maintain the tree after it has been planted.

OPTION 2: Commemorative Tree Request (Fee: \$350.00)

Commemorative message on 6 inch wide by 4 inch high engraved bronze plaque:

Location of Tree Planting:

- | | |
|--|---|
| <input type="checkbox"/> Lakeside Park | <input type="checkbox"/> Remark Park |
| <input type="checkbox"/> Cedar Island Park | <input type="checkbox"/> Ridgeview Park |
| <input type="checkbox"/> Prince Albert Street North Park | <input type="checkbox"/> OTHER: _____ |

Type of Tree is subject to availability in conjunction with the annual tree planting program

Requestor's Signature

Date

SCHEDULE B: Approved Trees

OPALS Rating: Ogren Plant Allergy Scale

1= Allergy Free

10= Most Allergenic

Deciduous Species

Tree Species	Native Range	Use	Comments	Size	Form	OPALS Rating
<i>Acer nigrum</i> <i>Black Maple</i>	Native to Ontario	Boulevard Parks	Many seeds for winter; Rare; Needs moist soil.	Large	Oval	7
<i>Acer pensylvanicum</i> <i>Striped Maple</i>	Native to Ontario	Boulevard Parks	Specify single stem; Leaves have a pinkish tinge and change to a vibrant yellow in the fall.	Medium	Rounded	6
<i>Acer pseudoplatanus</i> <i>Sycamore Maple</i>	Non-Continental	Boulevard	Very pollution and salt tolerant; Leaves are a dark green in the summer and turn dingy brown/yellow in the fall; Cankers cause high maintenance.	Large	Oval-Rounded	8
<i>Acer rubrum</i> <i>Red Maple</i> <i>(October Glory)</i>	Native to Ontario	Boulevard Parks	Green summer foliage & yellow to red fall colour; May not turn red in fall; Tolerates wet soil.	Medium	Oval-Rounded	1
<i>Acer saccharinum</i> <i>Silver Maple</i>	Native to Ontario	Boulevard Parks	Fast growing softwood maple; Maintenance issues as tree nears maturity due to weak wood.	Large	Oval-Rounded	Males: 9 Females: 1
<i>Acer saccharum</i> <i>Sugar Maple</i>	Native to Ontario	Boulevard Parks	Upright form; Fall colour varies; Prefers good drainage; Shallow roots; Salt sensitive.	Large	Oval-Rounded	7
<i>Acer tataricum</i> <i>Tatarian Maple</i>	Non-Continental	Boulevard	Specify single stem; Good red & yellow fall colour.	Medium	Rounded	5
<i>Amelanchier arborea</i> <i>Downy Serviceberry</i>	Native to Ontario	Boulevard Parks	Showy flower & fruit; Leaves are medium to dark green turning orange/red in the fall; Tolerant of wet & dry soil	Small	Rounded	N/A
<i>Amelanchier laevis</i> <i>Smooth Serviceberry</i>	Native to Ontario	Boulevard Parks	Multi-stem specimens by prior approval only; Flowers in late May; Leaves are a distinct purple/bronze.	Small	Rounded	3
<i>Betula alleghaniensis</i> <i>Yellow Birch</i>	Native to Ontario	Parks	Interesting bark features; Green/Yellow leaves turning yellow in the fall.	Large	Rounded-Spreading	7

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Tree Species	Native Range	Use	Comments	Size	Form	OPALS Rating
<i>Betula papyrifera</i> <i>White Birch</i>	Native to Ontario	Parks	Interesting bark features; Dark green leaves in the summer turning yellow in the fall.	Large	Rounded-Oval	7
<i>Carya cordiformis</i> <i>Bitternut Hickory</i>	Native to Ontario	Parks	Difficult to transplant due to large taproot; Light green leaves; Messy fruit.	Large	Oval-Vase	8-10
<i>Carya glabra</i> <i>Pignut Hickory</i>	Native to Ontario	Parks	Difficult to transplant due to large taproot; Green leaves turning golden yellow; Messy fruit.	Large	Oval-Vase	8-10
<i>Carya laciniosa</i> <i>Big Shellbark Hickory</i>	Native to Ontario	Parks	Difficult to transplant due to large taproot; Interesting shaggy bark; messy fruit.	Large	Oval-Vase	8-10
<i>Carya ovata</i> <i>Shagbark Hickory</i>	Native to Ontario	Parks	Difficult to transplant due to large taproot; Leaves are yellow/green turning bright yellow; messy fruit.	Large	Oval-Vase	10
<i>Celtis Occidentalis</i> <i>Common Hackberry</i>	Native to Ontario	Boulevard Park	Requires pruning for general form; Light green leaves turning yellow/green in fall; Very tolerant.	Large	Vase	8
<i>Cercidiphyllum japonicum</i> <i>Katsura Tree</i>	Non-Continental	Boulevard	Difficult to transplant; Thin bark; Leaves start purple and change to bluish green; Yellow leaves in fall; Needs supplemental water.	Large	Rounded	Males: 8 Females: 1
<i>Cercis Canadensis</i> <i>Redbud</i>	Native to Ontario	Boulevard Parks	Seeds readily; Leaves start reddish and turn dark green changing to yellow/green in fall;	Medium	Vase-Rounded	5
<i>Cornus alternifolia</i> <i>Pagoda Dogwood</i>	Native to Ontario	Boulevard Parks	Use local winter hardy material only; Leaves are dark green turning a mild reddish/purple; Specify single stem.	Medium	Rounded	5
<i>Cornus florida</i> <i>Flowering Dogwood</i>	Native to Ontario	Parks	Specify single stem only; Use local winter hardy material; Dark green leaves turning reddish/purple; Green flower; Prefers acidic soil.	Small	Rounded	5

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Tree Species	Native Range	Use	Comments	Size	Form	OPALS Rating
<i>Fagus grandifolia</i> <i>American Beech</i>	Native to Ontario	Boulevard Parks	Bark is thin smooth light blue/grey; Leaves are dark green and turn bright golden in the fall; Prefers dry soils; Difficult to transplant.	Large	Oval	7
<i>Fagus sylvatica</i> <i>European Beech</i>	Non-continental	Parks	Needs moist soil; Different leaf colours with varieties; Sensitive to activity within root zone; Leaves persist through winter; Thin Bark.	Large	Oval-Rounded	7
<i>Ginkgo biloba</i> <i>Maidenhair Tree</i>	Non-continental	Boulevard	Good yellow fall colour; Thin bark; Tolerant of city conditions and pollution; Slow growing but very large at maturity;	Large	Pyramidal-Spreading	Males: 7 Females: 2
<i>Gleditsia triacanthos</i> var. <i>inermis</i> <i>Thornless Honey Locust</i>	Native to North America	Boulevard	Provides a filtered shade; Susceptible to defoliation by leafhopper; Susceptible to canker and other pests and diseases.	Medium	Spreading	Males: 7 Females: 1 Bisexual: 4
<i>Gymnocladus dioicus</i> <i>Kentucky Coffeetree</i>	Native to Ontario	Boulevard Parks	Male variety in boulevard; Leaves come late; Bluish green leaves turning yellowish.	Large	Oval	Males: 9 Females: 1
<i>Koelreuteria paniculata</i> <i>Goldenrain Tree</i>	Non-continental	Boulevard Parks	Good yellow flower & fruit; Susceptible to winter damage; Weak	Medium	Rounded	4
<i>Liriodendron tulipifera</i> <i>Tuliptree</i>	Native to Ontario	Boulevard Parks	Greenish/Yellow flowers and yellow fall colour; Moist well-drained soil; Somewhat weak wooded.	Large	Rounded	4
<i>Magnolia acuminata</i> <i>Cucumber tree</i>	Native to Ontario	Boulevard Parks	Endangered; Leaves are green changing to brown; Greenish/Yellow flowers.	Medium	Oval-Rounded	Deciduous: 6 Evergreen: 5
<i>Nyssa sylvatica</i> <i>Black gum</i>	Native to Ontario	Parks	Dark green leaves changing to fluorescent yellow/orange or scarlet/purple; Not for heavily polluted areas.	Medium	Rounded-Oval	Males: 9 Females: 1

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Tree Species	Native Range	Use	Comments	Size	Form	OPALS Rating
<i>Ostrya virginiana</i> <i>Hop Hornbeam</i> <i>(Ironwood)</i>	Native to Ontario	Boulevard Parks	Mainly an understory species. Leaves are dark green changing to yellow;	Small	Oval	7
<i>Platanus xacerifolia</i> <i>London Planetree</i>	No Native Range	Boulevard	Frost cracks on trunk; Attractive peeling bark; Fruit can cause problems; Dark green leaves changing to yellow/brown.	Large	Spreading	9
<i>Plantus occidentalis</i> <i>Sycamore</i>	Native to Ontario	Boulevard Parks	Frost cracks on trunk; Attractive peeling bark; Fruit can cause problems; Medium green leaves changing to tan/brown.	Large	Spreading	9
<i>Prunus virginiana</i> <i>Chokecherry</i>	Native to Ontario	Boulevard Parks	Green Spring foliage & red in summer; Bark tends to split; Red fruit; Green leaves turn red in fall.	Small	Rounded	6
<i>Quercus alba</i> <i>White Oak</i>	Native to Ontario	Boulevard Parks	Needs moist soil; Brown nut; Dark green leaves changing to red/wine colour. Needs large space at maturity.	Large	Rounded	8
<i>Quercus bicolour</i> <i>Swamp White Oak</i>	Native to Ontario	Boulevard Parks	Grows in wetter conditions; Yellow/bronze fall colour; Likes acidic soils.	Large	Rounded	8
<i>Quercus ellipsoidalis</i> <i>Northern Pin Oak</i>	Native to Ontario	Boulevard Parks	Dark green leaves that turn red in the fall.	Large	Rounded	8
<i>Quercus macrocarpa</i> <i>Bur Oak</i>	Native to Ontario	Boulevard Parks	Reserve for large lots and lawn areas; Fruit drop; Yellow/Brown leaves in fall; Difficult to transplant; Requires good soils.	Large	Rounded	8
<i>Quercus muhlenbergii</i> <i>Chinquapin Oak</i>	Native to Ontario	Boulevard Parks	Attractive in old age; Leaves are dark Yellowish/Green changing to orange/brown.	Medium	Rounded	8
<i>Quercus robur</i> <i>English Oak</i>	Non-continental	Boulevard Parks	Need well-drained soil; Difficult to transplant; Blue/green leaves persist changing to brown.	Large	Rounded	8

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Tree Species	Native Range	Use	Comments	Size	Form	OPALS Rating
<i>Quercus rubra</i> <i>Red Oak</i>	Native to Ontario	Boulevard Parks	Needs sandy loam soil; Difficult to transplant; Salt tolerant; Dark green leaves changing to red.	Large	Rounded	8
<i>Quercus velutina</i> <i>Black Oak</i>	Native to Ontario	Boulevard Parks	Needs well-drained soil; Difficult to transplant; Large leaves that turn yellow/red/brown in fall.	Large	Rounded	8
<i>Styphnolobium japonica</i> <i>Japanese Pagoda Tree</i>	Non-continental	Boulevard	Excellent creamy white flower; Bright green leaf that hold in the fall; Limit use due to messy characteristics.	Large	Spreading	5
<i>Syringa reticulata</i> <i>Japanese Tree Lilac</i> <i>(Ivory Silk)</i>	Non-continental	Boulevard	Good white flower; Green leaf that hold in the fall Excellent small specimen;	Small	Rounded	6
<i>Tilia Americana</i> <i>Basswood</i>	Native to Ontario	Boulevard Parks	Prefers deep moist fertile soil; Varied leaf colours; Will grow on drier heavier soil;	Large		7
<i>Tilia cordata</i> <i>Littleleaf Linden</i>	Non-continental	Boulevard	Aphid & borer problems; Suckers from base; Yellowish flowers; Messy species; Green leaves changing to yellow in fall.	Medium	Pyramidal	7
<i>Tilia tomentosa</i> <i>Silver Linden</i>	Non-continental	Boulevard	Heat and drought tolerant. Shimmering dark green leaves with yellow fall colour.	Medium	Pyramidal- Oval	7
<i>Zelkova serrata</i> <i>Japanese Zelkova</i>	Non-continental	Boulevard	Rapid growth; Leaves are dark green turning yellow/orange/brown or reddish/purple; Narrow branch angles promote fork split; Frost susceptibility when young.	Large	Vase	10

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Coniferous Species

Tree Species	Native Range	Use	Comments	Size	Form	OPALS Rating
Abies Species <i>Varieties of Fir</i>	Native to Ontario	Parks	Slow growing; Require moist well drained soil; Best employed in groupings; Can be used as screens	Large	Pyramidal	2
Cedrus atlantica <i>Atlas Cedar</i>	Native to Ontario	Parks	Bluish or dark green leaves; Difficult to transplant; Prefers well-drained moist soils; Cones.	Medium	Pyramidal	2
Larix decidua <i>Common Larch</i>	Non-continental	Parks	Bright green changing to yellow in the fall; Needles abscise in the fall (Deciduous Conifer); Moist well-drained conditions; Cones	Large	Pyramidal	2
Metasequoia glyptostroboides <i>Dawn Redwood</i>	Native to Ontario	Parks	Bright green changing to brown in the fall; Moist deep well-drained soils; Good for groupings and screens; Cones	Large	Pyramidal	4
Picea Species <i>Varieties of Spruce</i>	Native to Ontario	Parks	Easily transplanted; Prefer moderately moist well-drained soil; Many shades of green and blue.	Large	Pyramidal	3
Pinus strobus <i>White Pine</i>	Native to Ontario	Parks	Light to bluish green needles; Easily transplanted; Enjoys fertile, moist, well-drained soils.	Large	Pyramidal	4
Tsuga Speices <i>Varieties of Hemlock</i>	Native to Ontario	Parks	Light to dark green needles; Requires good drainage; Partial shade; Susceptible to salt damage and air pollution;	Medium	Pyramidal	3