



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date:	Monday, February 13, 2023
To:	Mayor Mills and Members of Council
From:	Denyse Morrissey, Chief Administrative Officer
Report:	CAO 2023-08
Subject:	Commemorative Trees and Benches Donations Program Policy

Recommendation

Be it Resolved that Council:

1. Receives report CAO 2023-08 Commemorative Trees and Benches Donations Program Policy for information; and that
2. The Tree and Benches Donation Program Policy be approved.

Background

The December 2022 Operations Review report, presented on January 9, 2023 included that the Town, unlike many municipalities, does not have a donation policy for trees, benches and outdoor spaces. It was recommended a policy be developed and implemented.

The generosity of the members of the community and organizations who wish to make donation, often to recognize and honour others through a lasting tribute, is tremendous and commendable.

Such donations benefit the Town's parks, greenspaces, trails and environment as a whole. At the same time the donation whether it be a bench, other

products, or trees that someone may indicates they want to donate and where/location can result in challenges and why a policy is needed.

Analysis

The purpose of the Commemorative Trees and Bench Program Policy is to provide a means for members of public to recognize and honour others through a lasting tribute. The contributions made through this policy, which may include the donation of other assets, will benefit the Town's parks, trails, the natural environment, and the community.

The policy provides the parameters and guidelines for the public to participate in the Commemorative Trees and Bench Program within the Town of Shelburne. It will provide appropriate oversight, understanding of administration and maintenance responsibilities to preserve municipal property and parks.

The recommended policy is provided in Appendix 1. The policy is comprised of the following sections:

- Background
- Purpose
- Definitions
- Guidelines
- Location
- Asset Maintenance
- Donor Period
- Fees and Payment
- Legacy Clause

The current list of native trees and bench styles that can be donated is provided in Appendix 2.

Financial

There are no costs associated with this policy.

Policies & Implications

Not applicable

Consultation and Communications

Not applicable

Council Strategic Priorities

Council's Strategic Priorities 2019-2022 has three Goals - Sustainable, Engaged and livable. There are a total of 12 targets with the three Goals.

This report aligns with the Sustainable Goals within the Targets:

Target T2 Municipal Services Review and Evaluation

Supporting Documentation

Appendix 1: Commemorative Trees and Benches Donation Program Policy, February 2023

Appendix 2: Listing of Tree species and benches styles

Respectfully submitted:

Denyse Morrissey, CAO

Prepared with:

Will Thomson, Manager of Operations, Parks and Facilities

Jamie Kaske, Operations, Parks and Facilities Clerk



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CORPORATE POLICY

DEPARTMENT:	DEVELOPMENT AND OPERATIONS
POLICY:	COMMEMORATIVE TREE AND BENCH PROGRAM POLICY
APPROVAL:	COUNCIL
EFFECTIVE DATE:	FEBURARY 13, 2023

1. BACKGROUND:

Requests are made from time to time for the opportunity to contribute a commemorative tree or bench or other asset on municipal property as a memorial statement, in appreciation or to mark a significant milestone. The Town recognizes the contributions made through these programs will also benefit the Town's parks, the natural environment, and the community. The Town also recognizes that there must be a consistent approach to the installation, locations, quantity and donor rights and obligations.

2. PURPOSE

The purpose of the Commemorative Tree and Bench Program Policy is to provide a means for members of public to recognize and honour others through a lasting tribute. The contributions made through this policy, which may include the donation of other assets, will benefit the Town's parks, trails, the natural environment, and the community.

The policy will provide the parameters and guidelines for the public to participate in the Commemorative Tree and Bench Program within the Town of Shelburne and will provide appropriate oversight, understanding of administration and maintenance responsibilities to preserve municipal property and parks.

3. DEFINITIONS

Asset – property owned by the Town of Shelburne, regarded as having value.

Bench – a bench that meets technical specifications set out by the Town of Shelburne.



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Commemorative – acting as a memorial or mark of an event or person.

Donor – the original purchaser of the commemorative asset.

Municipal Property – any municipal park, trail, or open space frequented by the public and shall not include a municipal road allowance.

Park – any Town-owned parcel of land designated as a municipal park and used for park or recreational purposes.

Plaque – an ornamental tablet approximately 7.5 cm by 13 cm most likely of plastic or metal with a base to hold it in place.

Tree – plant having permanently woody main stem or trunk, ordinarily growing to considerable height, and usually developing branches at some distance from the ground.

Town – The Corporation of the Town of Shelburne.

The Town of Shelburne reserves the right to add or delete or modify any name or description included in this section of the policy during the term of this policy.

4. GUIDELINES

4.1 The Commemorative Tree and Bench Program Policy will be administered by the Development and Operations Department.

4.2 Requests that do not fit within the scope of this policy can be considered by the Department if the request is considered beneficial to the Town's parks, urban forest, green spaces, the natural environment, and the community as a whole.

4.3 The Town retains the right to refuse any such donation request with a reasonable explanation. Appeals to a refusal of a submission may be made to the Manager of Operations, Parks, and Facilities.

4.4 The Town reserves the right to determine the tree species, tree size, and style of bench. The Town will provide a pre-approved tree and bench list.

4.5 Trees and benches will be selected and installed to Town standards and specifications. Trees must be a minimum of 70 millimetres in diameter and benches styles and specifications will be determined by the Town. No substitution of other providers, selection options or do-it-yourself work will be permitted.



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4.6 The Town reserves the right to remove unapproved items installed on municipal property.

4.7 Items purchased, installed, or planted under this policy automatically become property of the Town of Shelburne. Donors will have no further rights, participation or involvement in the future care or maintenance of the asset.

4.8 Enhancements, alterations, or placement of items are not permitted. Items placed around commemorative assets will be removed without notice. It is not permitted to scatter or bury ashes at the dedication site or on any public property.

4.9 Commemorative assets are to be installed in the order received within a seasonal installation period as weather and ground conditions permit.

4.10 The Town will notify the donor once the tree has been planted or a bench is installed.

4.11 The donor must purchase a plaque through the Town. The Town has a standard plaque design and must approve all wording on the plaque.

4.12 The Commemorative Tree and Bench Program Policy will be periodically reviewed and updated as required.

5. LOCATION

5.1 While the donor may suggest a proposed location, the Town reserves the right to determine, limit and approve the location of installation.

5.2 Not all parks and public areas are suitable for asset placement. Location limitations ensure that the installation does not:

- Interfere with active park facility, equipment, or sport field.
- Conflict with park designs and concepts.
- Affect the growth habit of trees.
- Interfere with maintenance operations, access utilities or sight lines.



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6. ASSET MAINTENANCE

6.1 The Town will maintain the commemorative asset in the same manner as other Town trees and benches. The Town reserves the right to determine the level of maintenance required.

6.2 The Town does not guarantee the commemorative asset against acts of vandalism or damage. The Town reserves the right to relocate the asset if unforeseen circumstances arise due to its location or setting. Nothing herein shall prevent the immediate removal of any asset deemed to constitute an immediate safety concern.

6.3 Trees and benches installed in Town-owned cemeteries will be maintained in accordance with the Cemeteries By-Law Care and Maintenance Fund, as required by the *Cemeteries Act*, as amended.

7. DONOR PERIOD

7.1 The donor period for commemorative assets is a period of five (5) years after installation. Within this time, replacement costs will be covered by the Town once (1x) should it become necessary.

7.2 The Town will make every effort to obtain a replacement tree of the same species and original size at time of donation, however the Town reserves the right to plant an alternative species and size at the Town's sole discretion.

7.3 Benches in an outdoor setting have a reasonable life span of ten (10) years. Regular wear and tear will occur and that would not result in a bench replacement.

Typical wear and tear include, but is not limited to:

- Rust
- Chips/scratches in the paint
- Fading colour
- Dents
- Weather deterioration

7.4 Further replacements outside of the designated donor periods will be the responsibility of the donor.



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8. FEES AND PAYMENT

8.1 All fees associated with this policy are the responsibility of the donor. Fees are posted on the Town web site and are reviewed annually or as required.

8.2 The fee covers the acquisition and installation of the asset.

8.3 The donor is responsible for advance payment of the asset.

8.4 If a particular requested tree or bench style or park/trail location is not available the Town will notify the donor and provide the option for a full refund. No refund will be available after the asset has been ordered by the Town from the supplier.

8.5 The donor will receive a tax receipt for the value of the asset.

9. LEGACY CLAUSE

9.1 For those groups or individuals who have placed a bench with or without plaque prior to this policy being implemented a Legacy Clause will allow those benches or plaques to remain on property and until the state of the bench is of concern to public safety. At that point an attempt will be made to contact the donor. If the Town is unable to contact the donor to discuss if a new bench would like to be donated, the bench will be removed, and any plaque placed into storage for a period of five (5) years, before being recycled. Those locations will then become available for new bench donations.



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APPENDIX 2

Red Maple (*Acer rubrum*)

Though *Acer rubrum* is sometimes easy to identify, it is highly changeable in morphological characteristics. It is a medium to large sized tree, reaching heights of 27 to 38 m (90 to 120 ft) and exceptionally over 41 m (135 ft).

Resource:

https://en.wikipedia.org/wiki/Acer_rubrum



American Basswood (*Tilia americana*)

The American basswood is a medium-sized to large deciduous tree reaching a height of 18 to 37 m (60 to 120 ft) exceptionally 39 m (128 ft) with a trunk diameter of 1–1.5 m (3–5 ft) at maturity.

Resource:

https://en.wikipedia.org/wiki/Tilia_americana



Skyline Honeylocust (*Gleditsia triacanthos f. inermis* 'Skycole' Skyline®)

Honeylocust is a tough, medium-sized flowering tree that casts a light shade that won't kill lawn grasses. It typically grows 60–80 feet tall with a rounded spreading crown. Inconspicuous, greenish yellow to greenish white flowers appear in racemes in late spring.

Resource:

[https://www.chicagobotanic.org/plantinfo/tree_alternatives/skyliner_honeylocust#:~:text=Description%3A-.Honeylocust%20\(Gleditsia%20triacanthos%20f.,in%20racemes%20in%20late%20spring](https://www.chicagobotanic.org/plantinfo/tree_alternatives/skyliner_honeylocust#:~:text=Description%3A-.Honeylocust%20(Gleditsia%20triacanthos%20f.,in%20racemes%20in%20late%20spring)





Little Leaf Linden (*Tilia cordata*)

Linden is a deciduous tree growing to 20–40 m (66–131 ft) tall, diameter 1/3 to 1/2 the height, with a trunk up to 1 m diameter. The leaves are alternately arranged, rounded to triangular-ovate, 3–8 cm long and broad, mostly hairless (unlike the related *Tilia platyphyllos*) except for small tufts of brown hair in the leaf vein axils – the leaves are distinctively heart-shaped.

Resource:

https://en.wikipedia.org/wiki/Tilia_cordata



Red Oak (*Quercus rubra*)

In many forests, this deciduous tree grows straight and tall, to 28 metres (92 feet), exceptionally to 43 m (141 ft) tall, with a trunk of up to 50–100 centimetres (20–39 inches) in diameter. *Quercus rubra*, the northern red oak, is an oak tree in the red oak group (*Quercus* section *Lobatae*). It is a native of North America, in the eastern and central United States and southeast and south-central Canada.

Resource:

https://en.wikipedia.org/wiki/Quercus_rubra



Pin Oak (*Quercus palustris*)

Pin Oak is a medium-sized deciduous tree growing to 18–22 metres (59–72 feet) tall, with a trunk up to 1 m (3+1/2 ft) in diameter. It has an 8–14 m (26–46 ft) spread. A 10-year-old tree grown in full sun will be about 8 m (26 ft) tall. Young trees have a straight, columnar trunk with smooth bark and a pyramidal canopy.

Resource:

https://en.wikipedia.org/wiki/Quercus_palustris





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White Oak (*Quercus alba*)

White Oak typically reaches heights of 24 to 30 metres (80–100 feet) at maturity, and its canopy can become quite massive as its lower branches are apt to extend far out laterally, parallel to the ground. Trees growing in a forest will become much taller than ones in an open area which develop to be short and massive.

Resource:

https://en.wikipedia.org/wiki/Quercus_alba



Shademaster Honeylocust (*Gleditsia tricanthos inermis* 'Shademaster')

It is a member of the Fabaceae or legume family and grows 30 to 40 feet tall and 25 to 40 feet wide with an upright oval or rounded habit. This tree has pinnate to bipinnately compound, dark green leaves with ovate leaflets. In the fall, the leaves turn yellow.

Resource:

<https://plants.ces.ncsu.edu/plants/gleditsia-triactanthos-var-inermis/>



Park Bench with Wood Grain

6' or 8' cast iron bench, wood grain recycled plastic.



Park Bench Cast Iron Bench

6' or 8' cast iron bench, steel seat.

