

June 1, 2023

Committee of Adjustment
City Hall
1 Carden Street
Guelph, ON N1H 3A1

Re: Application B-8/23: 51 Hazelwood Drive

Dear Committee Members:

We are writing to request that the Committee attach a condition of approval for the protection of the large (100-foot-plus), mature spruce trees bordering the boundary of 51 Hazelwood Drive (the "Trees").

Our family owns █ Pintail Court which backs directly onto 51 Hazelwood. We have enclosed a photo of the Trees from our backyard and an aerial photo from approximately 60 years ago before the subdivision was developed. The Trees in the aerial photo were mature then which suggests that they are much older still.

51 Hazelwood is regulated by the Private Tree Collection By-law. In this regard, we understand that Planning Services will be asking for a Tree Inventory and Preservation Plan ("TIPP") as a condition of severance, which we fully support.

We understand that staff will review the TIPP as part of the proposed development. Although we are trusting that staff will prioritize the preservation of the Trees, the development process will not be open to the public. The planting of replacement trees or cash-in-lieu thereof pursuant to the TIPP would be inadequate substitutes if the Trees were removed for development permitted in accordance with minimum zoning requirements. The surveyor's sketch included in the application discloses the footprint of the proposed dwelling to be built on the severed lands. The proposed dwelling would leave no space to preserve the Trees or even consider planting replacement trees of any meaningful size.

The surveyor's sketch also states that, "existing house to be demolished." The retained dwelling would have no garage and only part of the existing driveway which, together with the condition and age of the dwelling, suggest that it will in fact be demolished. It is apparent that the future use of the property most likely will include the demolition of the house and further severance and development. Without adequate regulatory oversight, most if not all of the trees on this large property will be removed. If the application had been clear in stating such future use, the overall impact on the community would have been striking and additional neighbours and other advocates most likely would have raised objections and requested protections.

Official Plan Policy 10.10.1 provides criteria to consider when evaluating consent applications, which include that the application be reasonable and in the best interest of the community. Official Plan Policy 9.3 outlines objectives and criteria for intensification proposals within existing residential neighbourhoods, such as ensuring that new development is compatible with the surrounding land uses and the general character of the neighbourhood.

Given the location of the Trees so close to the boundary, it would be in the best interest of the community to integrate the Trees as part of a reasonable development proposal. The removal of the Trees would irreparably damage the use and enjoyment of surrounding properties and the general character of the neighbourhood. 51 Hazelwood fronts directly across from Hazelwood Trail and the Trees mark the entrance to the neighbourhood when exiting the trail. This is an original farm property and a last vestige of the old neighbourhood. The Trees are irreplaceable and new plantings on the surrounding properties would take multiple generations to achieve any similar impact, long after most of the current residents will be gone. For us personally, the Trees provide an abundant amount of privacy and shade, which are what initially attracted us to the property when we purchased years ago.

The Committee has broad authority under Section 8 of the Committee of Adjustment Administrative Policy to impose conditions that are relevant and reasonable to the application.

We respectfully request that the Committee attach a condition of approval requiring (i) a TIPP and (ii) consistent with the policies of the Official Plan, that the applicant modify the proposed dwelling disclosed on the surveyor's sketch in a manner that integrates the existing trees bordering the boundary of the severed lands to the satisfaction of Planning Services.

Mark Willis-O'Connor and Liana Pressé
Owners of █ Pintail Court



