

Date: July 4, 2023

To: Committee of Adjustment, City of Guelph

From: Beechwood Chadwick Hearn (BCH) Neighbourhood Association

**Subject: B-10/23, Application for Consent (new lot) at 61 Hearn Ave**

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BCH Neighbourhood Association and its members acknowledge the circulation of the above application, and we would like to express our concerns and comments for the Committee's consideration:

We have grave concerns for the viability of building on this lot without significantly impacting the health of the existing mature Black Walnut tree. The tree is located on the north property boundary of the proposed severed lot and considering its size, with extensive over-arching canopy (and therefore root system) that spans the entirety of the subject lot, any disturbance within the root system zone would substantially and negatively impact the health of this tree. Based on the submitted site plan/severance sketch, the proposed dwelling and associated infrastructure are located entirely within the tree's root system zone. We understand the proposed dwelling unit cannot be built without the need to regrade the site (bringing in fill), excavating for foundations and footings, and erecting new building structures. All these construction activities would detrimentally impact the viability of the Walnut tree requiring it to be removed to facilitate a development of this magnitude.

Based on the City of Guelph Street Tree Inventory Database (see attached figure#1), the walnut tree is designated as a "Boundary Tree" which means that the City and public have part ownership. As such, a development of such nature cannot and should not occur at the expense of public property being damaged and destroyed.

It is important to note the significance of this majestic tree in our neighbourhood. Black walnut tree is native in our region and fast becoming rare in urban environments; they have largely been decimated in the last few decades for its valuable timber and due to hazard and maintenance concerns. As such, it is more critical than ever for us to preserve any walnut trees that remain in the city to maintain plant biodiversity, enhance urban landscape, support wildlife, reduce heat island & pollution, support traffic calming, create climate resilience, and provide myriad of other social and environmental benefits.

The subject walnut tree is 1.2m DBH (diameter at breast height) and is about 70 years (data derived from City and residents' sources). This significant tree defines the character of our neighbourhood and creates a sense of place for our residents. Any destruction or negative impact to this tree resulting from the proposed development would be a detrimental loss to our community and to the City itself. (Figure#2)

In summary, we request Committee of Adjustment to consider the following:

1. **That this Consent application be "denied"** on the basis of strong evidence highlighted above resulting in the loss of our neighbourhood's large mature walnut tree.
2. Should the Committee choose not to "deny" this application, then it should **"defer" its decision until the applicant submit all necessary information to facilitate a fulsome review** of the proposal. The required information includes relevant engineering reports (i.e. lot grading, service connections) and arborist report to assess the feasibility of the proposed development without any impacts to the health of the Walnut tree.

3. Should the Committee defer this application, that it be further subject to site plan review to ensure the proposed development is context sensitive taking into consideration all potential environmental and social impacts (e.g. that the regrading does not cause potential flooding to adjacent properties).
4. That the City conducts its due diligence to ensure minimal impact to this “Boundary Tree”; apply the Tree By-law and issue necessary fines/compensation requirements should any damage occur during this application review process.

We appreciate the opportunity to comment and wish to be notified on the progress of this Consent application.

Sincerely,



Jamie Miller, PhD  
President of BCH

<b>BCH Membership</b>	
<b>Name</b>	<b>Address</b>
1. Dan Rahn (Barb Rahn)	█ Chadwick
2. Dave Davidson (Alison Vicary)	█ Hearn
3. Shirley Marsh (Paul Marsh)	█ Chadwick Ave
4. Sheila Hollidge	█ Beechwood
5. Natalia Crewson (John Crewson)	█ Beechwood
6. Jamie Miller and Rachael Marshall	█ Hearn Ave
7. Dario and Clara Frasson	█ Hearn
8. Pauline and Byron Cunningham	█ Chadwick
9. Larry and Margaret Van Volkenburg	█ Beechwood
10. Doug and Deborah Winer	█ Beechwood
11. Sally Humphries	█ Hearn
12. Stephen Nelson	█ Hearn
13. Cathy Darling (Brian Smith)	█ Beechwood
14. Kate and Duncan Young	█ Hearn

Figure #1

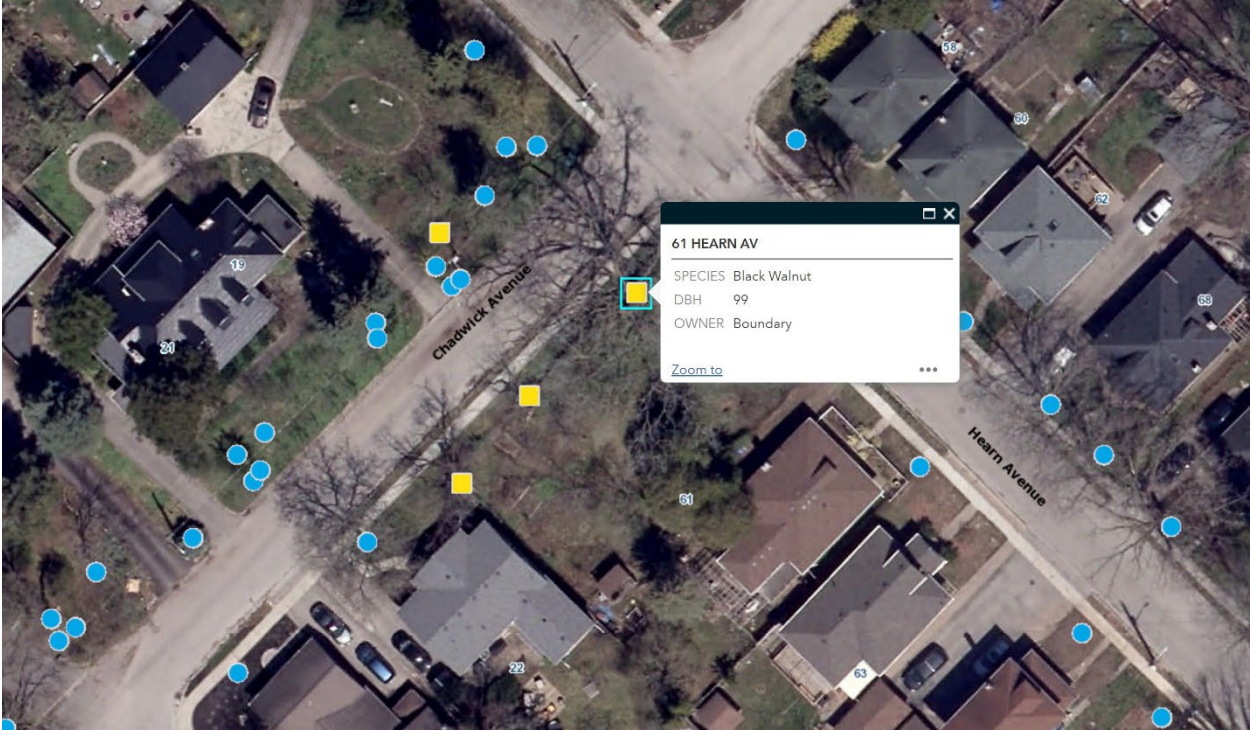


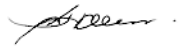
Figure #2



Signatures of support for "Subject: B-10/23, Application for Consent (new lot) at 61 Hearn Ave"

B. Rahn BRahn  
P. Rahn PR  
H. Oxley HOxley  
D. Rahn DRahn

Rahn Family, [redacted] Chadwick



David Davidson, [redacted] Hearn

Sally Humphries, Professor Emerita  
Department of Sociology and Anthropology/Guelph Institute of Development Studies



Shirley Marsh, [redacted] Chadwick

Patrick Blais, [redacted] Inkeman

Signatures of support for "Subject: B-10/23, Application for Consent (new lot) at 61 Hearn Ave"

Mateo Crewson [redacted] Beechwood Ave

John Crewson [redacted] Beechwood Ave

Coyllson [redacted] Beechwood Ave.

M. Van Volkenburg [redacted] Beechwood Ave.

Karly Grills [redacted] Beechwood Ave.

Affan [redacted] Beechwood Ave.

[redacted] Beechwood Ave.

Stella Hollidge [redacted] Beechwood Avenue

Hay Paris [redacted] Chadwick Ave

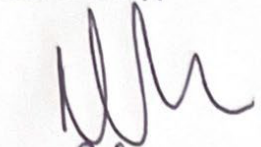

[redacted] Hearn Ave



Dario Frasson [redacted] Hearn

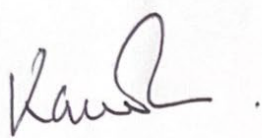

Ben Robinson [redacted] Hearn Ave.

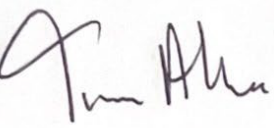

Stephen Tuber [redacted] Hearn Ave.

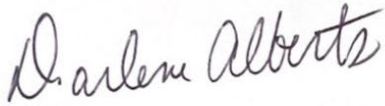

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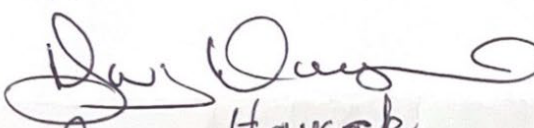

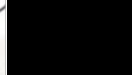
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Pam Haycock  HEARN AVE