



Allandale Neighbourhood Association

July 29, 2021

Dear Ms. Miller, Ms. Banfield, Mayor Lehman, and Members of Council,

We are writing to you today to raise the alarm on a serious issue of concern with respect to Accessory Dwelling Units and our mature neighbourhood, tree canopy. As you are aware, the increase in this type of built form is resulting in serious issues, which are negatively impacting our Historic Neighbourhoods. In Allandale alone, we have 5 plus development applications underway, and we would like to address one of the most urgent at this time; 34 Burton Avenue.

Under the current Official Plan Zoning Bylaws, this accessory building was approved with a basement and the excavation has damaged two, exceptionally large, century trees. The neighbours located on both sides as well as the abutting neighbour are directly impacted, which include, St. George's Anglican church, the Clydesdale House B&B at 38 Burton and at 50 William St.

Our current municipal process did not require any notification be provided to these residents, so they were shocked to see surveyors arrive July 5th and excavation begin the same day. The excavation caused damage to a Norway Spruce and a Black Walnut tree, both estimated to be between 85 and 100 years old! The residents met with an Arborist on site confirming the excavation caused severe root damage and both trees will need to be removed. In addition to an Arborist, they reached out to the City of Barrie, homeowners, Ministry of Labour, 2 lawyers, the owner of 34 Burton and the Allandale Neighbourhood Association. A significant cost has already been incurred just to acquire information.

Special equipment will be required to remove the trees that were damaged by the excavation with a quote of \$9,000! (Quote from Brad's Tree Service). To replace them with the largest caliper trees available is likely to cost between \$6,000 and \$10,000. (Quote from Ontario Tree Spading). The City of Barrie may see this as a Civil matter however, we disagree, as there was no communication between the City/Applicant and the neighbours who have been directly impacted. To suggest a resident of Barrie should invest \$7,000 to obtain a report due to the City's approval of a development, which they should have known would destroy neighbouring mature trees is unacceptable. The root system of boundary trees can be vast in spread and should be considered when building permits for infill, new builds in residential areas, accessory dwellings or demolition are issued. Not just during the Committee of Adjustment phase.

Questions regarding the integrity of the plans submitted to the City of Barrie by the owner of 34 Burton Avenue cannot be answered without having access to them, which is only possible by engaging in the Freedom of Information process. This property falls within the Allandale Scoped Site Plan Control area. Does the plan show mature trees? Is the large excavation conforming with the approved site plans? The FOI process has been delayed two weeks due to poor communication/process within the planning and/or records departments. Even now that it appears on track, it will take upwards to a month to see the plans for 34 Burton Avenue; by then the foundation to what appears to be a four-bedroom, full basement home will be set.

We believe all of this could have been avoided if the City of Barrie had better processes and regulations in place as well as mandatory site visits. A building permit issued in a recognized Historic Neighbourhood residential area, whether excavation is required or not, should require notification to residents sharing lot

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lines and especially those with large healthy mature century old trees bordering lots. Further, a written consent/agreement regarding all mature trees between the developer and impacted neighbouring properties should be included in this process.

Proposed future changes to the Accessory building bylaws with respect to cement slabs rather than basements will not be enough to address the potential harm to mature trees. A review of current back and side yard setbacks, as well as a complete inventory of these mature century old trees with photos and videos, is really our only hope of saving the character of our heritage neighbourhoods.

Recently, two properties in Allandale have removed large trees, one was a heritage border tree and the other removed every tree on the lot, at least 8, all of which were healthy trees. See attached photos.

As you are aware, the Allandale Neighbourhood Association worked tirelessly to save some of our mature Ash Trees, and we welcome you to visit these huge trees that truly enhance the character of our historic neighbourhood. We are strongly in support of a Private Tree Bylaw. There are many municipalities to look to for information and we recommend the City review the Niagara on-the-lake Private Property Bylaw:

<https://www.niagaranow.com/news.phtml/1234-council-passes-tree-bylaw-for-all-five-urban-areas-of-notl>
[https://www.notl.org/content/private-tree-protection#:~:text=\(Private%20Tree%20Protection%20By%2Dlaw,cm%20or%20larger%20in%20diameter](https://www.notl.org/content/private-tree-protection#:~:text=(Private%20Tree%20Protection%20By%2Dlaw,cm%20or%20larger%20in%20diameter)

We understand the City is working on amendments for accessory dwellings and we are hopeful changes will include protection of the existing, neighbouring residents, our heritage trees and the character of our historic neighbourhoods. The approval of accessory buildings may have been initiated to address a lack of affordable housing, but our current bylaws prevent achieving that goal and simply benefit developers/absentee landlords who are raking in exorbitant rents.

Today, we need specific, enforceable regulations, which will limit these dwellings and protect our neighbourhoods. The City's approval of the accessory building permit at 34 Burton Avenue has resulted in potential costs in the amount of \$27,000 to a neighbour who knew nothing was even happening to the boundary trees! Will the owner cover these costs, or will the City of Barrie use their foresters to remove and replace the damaged trees? Neighbouring residents, with no knowledge of this development should not be subjected to resolving the subsequent destruction of their properties. It is not acceptable for homeowners to suffer from the City's approval of Accessory Dwellings.

We would be pleased to work with the City on additional proposed amendments to the Zoning Bylaws and be part of a committee to bring forward a Private Tree Bylaw.

Sincerely,

Allandale Neighbourhood Association

Cathy Colebatch and Barbara Mackie - Co-Chairs

Craig Froese - Vice-Chair

Bill Scott - Past Chair

Bernie Gillespie – Executive Director

Jonathon Macri – Executive Director

Sarah Patterson – Executive Director

Enclosure: attached photos