

Hau, Lucy

Subject: FW: Licensing Hearing Report

From:

Sent: March-09-15 4:22 PM

To: Bavington, Kitty

Cc:

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Subject: Re: Licensing Hearing Report

This is the revised and final copy that should go to Council.

HI KITTY:

THANK YOU VERY MUCH FOR YOUR E-MAIL. I ALSO THANK YOU FOR THE EFFICIENT AND PROFESSIONAL WAY YOU ACTED AS AN INTERMEDIARY THROUGHOUT THE APPEAL PROCESS.

I WILL NOT BE ABLE TO PERSONALLY ATTEND THE MARCH 10TH. MEETING BECAUSE OF THE SHORT NOTICE AND THE FACT I DO NOT HAVE TIME TO MAKE ARRANGEMENTS FOR SOMEONE TO BE WITH MY WIFE WHO IS DISABLED.

WOULD YOU PLEASE PRESENT THE FOLLOWING COMMENTS TO THE COUNCIL BEFORE THEY CAST THE FINAL VOTE.

- AS A RESIDENT OF MARKHAM FOR ALMOST 40 YEARS, I AM VERY DISAPPOINTED WITH THE DECISION.
- I DO NOT BELIEVE THAT THE OFFICIAL DENIAL, AS PRESENTED IN MARKHAM'S SEPTEMBER 25, 2014 LETTER, SHOULD BE BASED ON AN UNTRUE STATEMENT. THE REASON GIVEN FOR THE DENIAL, COULD NOT BE SUPPORTED AT TRIBUNAL. (SEE BELOW #1)
- I BELIEVE THAT A FORTY-NINE FOOT TALL TREE, WHICH TOWERS OVER MY NEIGHBOR'S GLASS SUNROOM, WHICH IS ABOUT FIFTEEN TO TWENTY FEET AWAY FROM THE TREE, POSES A POTENTIAL DANGER TO HIS PROPERTY. THE CITY CANNOT GUARANTEE THAT THERE WILL NOT BE A PROBLEM IN THE FUTURE, ALTHOUGH THAT SEEMED TO BE THE POSITION TAKEN BY THE CITY.
- MY WILLINGNESS TO REPLACE THE TREE WITH ANOTHER TREE WAS NEITHER AN UNREASONABLE OR UNREALISTIC OPTION, YET THIS OFFER WAS NOT ACCEPTED AND NO COUNTER-OPTIONS WERE OFFERED OR EVEN DISCUSSED BY THE CITY.

1. PART OF THE OFFICIAL REASON FOR DENYING THE APPLICATION WAS AS FOLLOWS:

" THE TREE IS PROVIDING A SIGNIFICANT CONTRIBUTION TO THE CITY'S URBAN CANOPY."

THE CITY'S BEST INFORMATION SHOWED THAT THERE ARE 3.16 MILLION TREES IN MARKHAM, 11 THOUSAND HECTARES OF FARMLAND, FOREST, CITY PARKS AND OPEN SPACES. THERE WAS NO INFORMATION ON SHRUBS AND OTHER GRASS LAND.

BASED ON THE ABOVE INFORMATION, IT IS INCONCEIVABLE THAT THE TREE CAN HAVE A SIGNIFICANT IMPACT ON MARKHAM'S CANOPY AS WAS USED AS THE OFFICIAL JUSTIFICATION FOR DENYING OUR APPLICATION. I BELIEVE THIS IS WHY NO SUPPORT OF THE CITY'S STATEMENT WAS PRESENTED AT THE TRIBUNAL. ONE TREE IN THREE MILLION IS .0000003. ANY IMPACT WOULD BE EVEN LESS CONSIDERING ALL THE VEGETATION IN MARKHAM, AND EVEN LESS IF THE TREE WERE REPLACED BY ANOTHER TREE.

THE OFFICIAL REASON FOR THE DENIAL SHOULD BE OF PARAMOUNT CONSIDERATION IN THE TRIBUNAL'S REVIEW AND FINAL DECISION! THIS WAS NOT THE CASE.