

HEARING COMMITTEE AGENDA

Hearing Committee Meeting Wednesday, March 23, 2016 Committee Room C-12, Tom Davies Square

4:00 p.m. HEARING COMMITTEE MEETING COMMITTEE ROOM C-12

Council and Committee Meetings are accessible. For more information regarding accessibility, please call 3-1-1 or email <u>clerks@greatersudbury.ca</u>.

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR

Report dated February 17, 2016 from the Executive Director, Administrative Services/City Clerk regarding Appointment of Chair and Vice-Chair - Hearing Committee.

(RESOLUTION PREPARED)

(Deputy City Clerk, Tanya Thompson will call the meeting to order and preside until the Hearing Committee Chair and Vice-Chair have been appointed, at which time the newly appointed Chair will preside over the balance of the meeting.)

PUBLIC HEARINGS

 Report dated March 2, 2016 from the General Manager of Infrastructure Services 6 - 32 regarding Tree Removal Request Decision - 823 Morningside Crescent. (RESOLUTION PREPARED)

CONSENT AGENDA

CORRESPONDENCE FOR INFORMATION ONLY

C-1. Report dated February 17, 2016 from the Executive Director, Administrative **33 - 34** Services/City Clerk regarding Live Streaming of Hearing Committee Meetings. (FOR INFORMATION ONLY)

ADDENDUM

CIVIC PETITIONS

4 - 5

QUESTION PERIOD AND ANNOUNCEMENTS

NOTICES OF MOTION

ADJOURNMENT



Request for Decision

Appointment of Chair and Vice-Chair - Hearing Committee

Presented To:	Hearing Committee
Presented:	Wednesday, Mar 23, 2016
Report Date	Wednesday, Feb 17, 2016
Туре:	Appointment of Committee Chair and Vice-Chair

Resolution

That the City of Greater Sudbury appoints Councillor ______as Chair and Councillor ______as Vice-Chair of the Hearing Committee for the term ending December 31, 2016.

Background

This report sets out the procedure for the election by the Committee of the Chair and Vice-Chair of the Hearing Committee for the term ending December 31, 2016.

The Procedure By-law provides that a Member of the Committee shall be appointed annually by the Committee to serve as Chair of the Hearing Committee. As well, a Vice-Chair is appointed annually.

The above appointments need only be confirmed by resolution.

Selection

The selection of the Chair and Vice-Chair is to be conducted in accordance with Article 45 of the Procedure By-law.

Council's procedure requires that in the event more than one (1) candidate is nominated for either the Chair or Vice-Chair's position, a simultaneous recorded vote shall be used to select the Chair and Vice-Chair.

Signed By

Report Prepared By Tanya Thompson Deputy City Clerk

Digitally Signed Feb 17, 16

Recommended by the Department Caroline Hallsworth Executive Director, Administrative

Services/City Clerk Digitally Signed Feb 17, 16

Recommended by the C.A.O. Kevin Fowke Acting Chief Administrative Officer *Digitally Signed Mar 9, 16* It is always in order for a Member of Council to nominate themselves and to vote for themselves. Under *Robert's Rules of Order* a nomination does not need a second.

Once the successful candidates have been selected, a recommendation will be introduced.



	Presented To:	Hearing Committee
Request for Decision	Presented:	Wednesday, Mar 23, 2016
Tree Removal Request Decision - 823 Morningside Crescent	Report Date	Wednesday, Mar 02, 2016
	Туре:	Public Hearings

Resolution

THAT the City of Greater Sudbury decline the request for tree removal from the road allowance at 823 Morningside Crescent, Sudbury.

REPORT

The following documented summary of events is provided for consideration:

November 24, 2014 – A request for tree removal was initially submitted to the City via ACR (#653859). The resident (Mr. Michel Gionet) brought forward a request to the City that a Linden Tree (closest one to the driveway) be removed for the following reasons.

• Tree roots are 4" in diameter and are located 30 to 40 feet from the house which could pose future plumbing problems. No small patches of landscaping can be established in this area due to the oversized roots. The resident also wants to put in a second driveway to accommodate his rental apartment.

Signed By

Report Prepared By Tony De Silva Roads Operations Engineer *Digitally Signed Mar 2, 16*

Division Review David Shelsted Director of Roads & Transportation Services Digitally Signed Mar 2, 16

Recommended by the Department Tony Cecutti General Manager of Infrastructure Services Digitally Signed Mar 4, 16

Recommended by the C.A.O. Kevin Fowke Acting Chief Administrative Officer *Digitally Signed Mar 9, 16*

November 26, 2014 – Tree Warden informed Mr. Gionet that he needs to make an application to the City in order to widen his driveway. The City will not remove a tree to accommodate driveway widening. Resident informed Tree Warden that he would submit a driveway widening application. The City is not in receipt of such a driveway widening application to date (February 10, 2016).

April 14, 2015 – The resident called back, was following up on the status of his tree removal request ACR (#672042).

April 22, 2015 - Because the tree is deemed to be healthy; good vigor, no trunk damage, no issues with seam, no disease, no insects, less than 25% deadwood, no overhead lines, the removal was declined. The City was still not in receipt of a driveway widening application by the resident.

May 13, 2015 – The City sent notification to the resident indicating that the Linden Tree would not be removed, it was however placed on a pruning list.

May 15, 2015 – The resident called back and claimed that tree roots are invading his weeping tile, please remove Linden Tree closest to driveway. The City was not provided any proof of this allegation.

July 30, 2015 – Tree Warden attempted to reach resident to inform him of alternatives that exist in the Bylaw.

October 30, 2015 – Resident called to contest Superintendents decision not to remove Linden Tree.

December 11, 2015 – The City sent a letter to Mr. Gionet informing him that his Tree Removal request was denied based on the fact that the trees were healthy and the cost for leaf pickup was not a warrant for tree removal. Although the Tree Warden offered to prune the trees on November 24, 2015, to date, the pruning has been postponed until a decision is rendered by the Hearing Committee.

Subsequently, the property owner requested a Hearing on this matter as allowed for in By-law 2011-243.

Summary of Observations

A property boundary survey was completed and it was determined that the Linden tree in contention is located on City property.

An independent Arborist was secured to provide the City with a second opinion on the health of the Linden tree. The assessment confirmed the Tree Warden's assessment that both trees are healthy.

The Tree bylaw generally discourages removal of healthy right-of-way trees regardless of species for a variety of reasons. The City has a long and proud history of regreening its devastated landscape and transforming it into a Canadian environmental success story. This regreening program dates back to 1973, with planting starting in 1978, and is administered by the Vegetation Enhancement Technical Advisory Committee (VETAC).

In 2010 the **Earthcare Sudbury Action Plan** suggests:"In 2001, the City's Regreening Program noted that Greater Sudbury was losing about 500 street trees a year because of age, damage and disease. Healthy residential areas should have at least 25% tree canopy coverage, but the amount of tree canopy coverage in many Greater Sudbury neighbourhoods has fallen below this threshold."

Furthermore, Section 9.4 of the **City's Official Plan** supporting tree planting and protection of urban tree canopy states: *"In the City's urban areas, trees provide environmental benefits including air quality improvement, stormwater retention, summer cooling of the built environment, wildlife habitat, shade canopy, and beautification of our streets and neighbourhoods. To enhance the urban tree canopy, this Plan supports the development of a municipal tree planting initiative to increase the tree cover in the City's Living Areas and Employment Areas."*

From a fiscal perspective, actual expenditures have exceeded the Council approved budget for tree removals (approximate budget of \$170,000 in 2015) in each of the last three years. Tree removal is a non-discretionary budget as an unhealthy tree represents a risk to safety. Therefore, if the tree needs to be removed due to its condition, the budget may be exceeded.

The species of tree in question is a Linden. The tree is not a prohibitive species as defined in Bylaw 2011-243. The tree was inspected by the City's Tree Warden in 2014 and 2015 and deemed to be healthy. The Tree Warden determines the general health of a tree by examining the condition of such items as Root Damage, Trunk Damage, Disease, Insect Infestation, Cavity and Vigor to name a few. The attached tree inspection report (see supporting documents) summarizes these findings for the Linden tree in contention.

Schedule 'C' of the City's Tree Bylaw 2011-243 (see supporting documents) states that the General Manager of Infrastructure may at his discretion authorize the removal of a healthy right of way tree (approved species) if the resident can prove that the tree is causing property damage and / or personal duress. Since none of these conditions are deemed to exist the tree removal request was denied. Therefore, it is still the City's recommendation that the request for tree removal from the road allowance at 823 Morningside Crescent, Sudbury, be declined.

The supporting documents include a Google Streetview photographs of the site from 2014 and 2015 for your review and consideration. Also attached are pictures taken by the Tree Warden in October of 2014.



REGISTERED MAIL

December 11, 2015

Mr. Michel Gionet 823 Morningside Crescent Sudbury ON P3A 4B9

Dear Mr. Gionet:

RE: REQUEST FOR TREE REMOVAL 823 MORNINGSIDE CRESCENT, SUDBURY

PO BOX 5000 SIN A 200 BRADY STREET SUDBURY ON PSA 5P3

CP 5000 SUCC A 200, RUE SRADY SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca www.grandsudbury.ca

- Please take notice that the City of Greater Sudbury has determined that the tree (Linden) located in front of the above noted property, on the City's right of way, should not be removed in accordance with the City of Greater Sudbury By-law 2011-243. The following observations are provided in support of this position;
- The Linden tree is deemed to be healthy;
- o There is insufficient evidence that property damage has been caused by the tree;
- o The Linden tree will be placed on the pruning list;
- A request for a second driveway or widening of the existing driveway must be approved by the City. You are advised to contact 311 to initiate this process if so desired.

If you are unsatisfied with this decision, the by-law allows an appeal process. You may appeal this decision within fifteen (15) business days from the date of this letter by filing with Tanya Thompson, Deputy City Clerk at:

Clerk's Services Department P.O. Box 5000, Stn. "A" 200 Brady Street Sudbury ON P3A 5P3

If an appeal is filed, it will be heard by a Hearing Committee constituting of five (5) members of City Council. The appeal should set out the objection to the decision and the reason(s) in support of the objection. Once an appeal has been filed, you will be notified of the date of your Hearing.

Yours truly, Tony De Silva P. Eng., Road Operations Engineer.

TD/kb

c.c.: Ward 8 Councillor, Al Sizer Tony Cecutti, General Manager of Infrastructure Services David Shelsted, Director of Roads and Transportation Services Randy Halverson, Manager of Operations Guido Mazza, Director of Building Services / Chief Building Officer Rick Jalbert, Citywide Superintendent

Tanya Thompson, Clerk's Services Department



672092 request for tree removal from road allowance

Date: ADR 1 5 15 MorningSiDe Ches 879 Street Name and Number:_ J Owner's Name: Micital CLIDNET Attler (1342)Ave Number and Location of Tree(s): 2 Drive Reason for Removal Request: Adamenume R'D Necurr extand - WANK Dru 5 5 R 04 . ~ 7 \mathbb{Q} 4" . --- \cap 1.000 Mean eunpe rion DIMETER \mathcal{D} Q 50 Dogi D P 1 mmc 26 n nº r 700 cles \bigcirc 1 2 2 \sim \wedge

Tree Warden's Recommendations

REMOVE	Reason: Thees are Do of the and
REPLACE	will not be removed at This
DO NOT REMOVE	- time
F	nune Both Thess.
	\bigcirc \land
AUTHORIZED BY:	DATE: APRIL 22/15
OPERATIONS DIVISION / F	ORESTRY SECTION
DATE REMOVED:	
DATE STUMPED:	

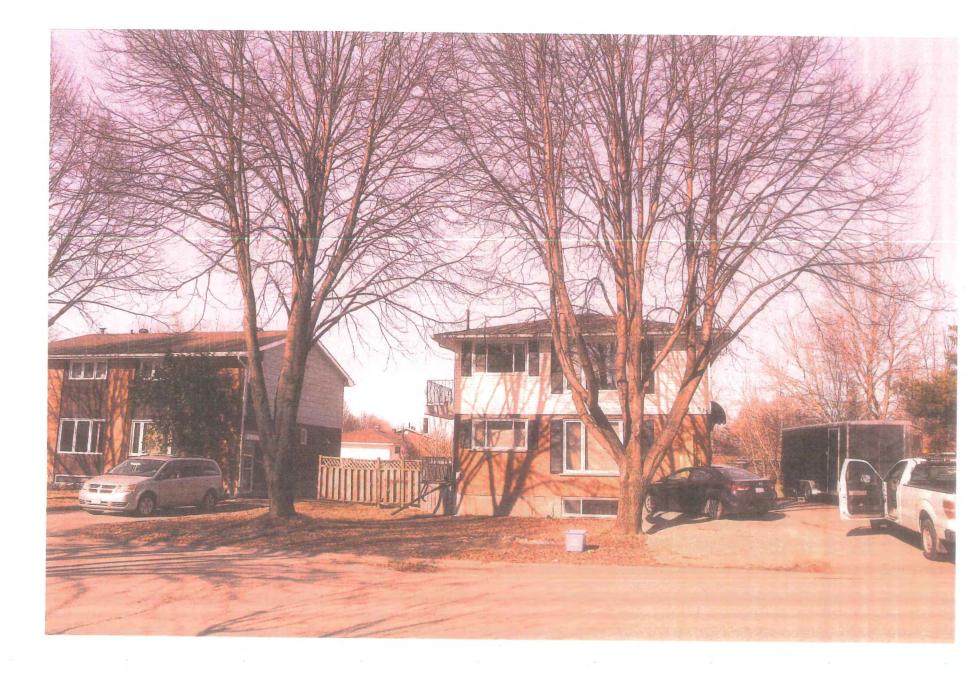
Contes

GENERAL SITE LOCATION

FOR OFFICE USE ONLY

DATE ADR 15/14	20		
ADDRESS		-	
SIDE STREET	mine SID	S (DeD.	
		•	
GENERAL SITE DESCRIPTION		MECHANICAL DAMAGE	(% circ. affected)
Special Codes 1) playground	Land Use	Root Damage	Vigor
2) vacant lot	(1) residential 2) commercial	1) 0 - 25% affected	boog(T)
3) hospital	3) industrial	2) 25 - 50% affected 3) 50 - 75% affected) 2) Tair 3) poor
4) school	4) recreational	4) 75 ~ 100% affected	(3) poor (4) dead
5) med. Strip	5) undeveloped	(5) none	
6) bank	6) downtown	P	
7) church 8) airport			
9) other – specify			
10) none			
SPECIFIC TREE SITE DESCRIPTION	Overhead Lines	Trunk Damage	Seam
Tree Lawn Width	1) 10 - 20 feet	1) 0 - 25% affected	1) minor
1) 2 feet	2) 20 – 30 feet	2) 25 - 50% affected	2) moderate
2) 3 feet	3) 30 feet and up4) Cable	3) 50 - 75% affected	3) severe
3) 4 feet	5) Hydro	4) 75 - 100% affected	(4) none
4) 5 feet	6) Bell		
5) Hydro	7) none	NONC	
5) 7 feet and up 7) on other side			-
) on other side 3) no sidewalk	-		
) container			
Street Light Clearance	Building Clearance	Cavity	
) inadequate	1) inadequate (w/ 3' of bldg)	1) minor	Crotch Split 1) minor
) adequale	2) adequate (not w/3')	2) moderate	2) moderate
		3) severe	3) severe
		4)none	4) none
raffic Triangle	Stop Sign Clearance	Disease	insect (
) tree w/i triangle	1) inadequate (obscured)	1) Leaf	1) leaf eating
tree not w/i triangle	(2) adequate (not obscured)	2) Dieback/decline	2) sap sucking
		3) Planting shock	3) meristematic
		4) Canker	4) gall
		5) Root rot	5) borers
		6) Heart, sap rot	6))none
ι		7) Leaf scortch 8) Chlorosis	
		9) Wetwood	
		(10) none	
ECIFIC TREE DESCRIPTION	Deadwood (%)	Extent	Extent
ecies <u>hindlen</u>	1)less than 25%	1) light	1) light
ar Planted	2) 25 - 50% 3) 50 - 75%	2) moderate	2) moderate
H	4) 75 – 100%	3) heavy ~/~	3) heavy NA
ight	Largest Dead Limb	Estimated Life of Tree	
0 - 15 feet	(1) 1 – 4 inches	1) 1 – 3 years	Complaint Type 1) non approved species
15 - 30 feet	2) 4 – 8 inches	_2) 3 - 5 years (
30 - 45 feet	3) 8 – 12 inches	3) 5 – 10 years (3) Jawn
15 feet and up		4) 10 years and over	4) sap
		·	_5) fruit
wn Spread	Lowest Limb	Monitor	6) other (specify) WARNTS
- 10 feet	1) 0 - 6 feet	1) 6 months	TO DUIDING OF
0 – 20 feet	2) 6 - 8 feet	2) 1 year	Drune incu
0 – 30 feet	3) 8 – 10 feet 4) 10 feet and up	3) 2 years	V'
0-40 feet	., io ioor ano up		
) feet and up			
perty	-		
ity properly			
Tvate property			

11 of 36



WORK REQUEST

Case ID: 672042 Date: 14 Apr 2015 01:44:11 PM Case Type: Removals

Caller: Michel Gionet 823 MORNINGSIDE CRESCENT SUDBURY, ON

> (Work) (Fax)

Problem Location: 1342 ATTLEE AVENUE, SUDBURY, ON, CANADA Subject: Tree Removal

DETAILS:

Resident called to follow-up on this matter; city advised caller lat year that if the tree is healthy they will not remove it. But, caller wants to remove it simply because the roots are 4-inches in diameter and are placed approximately 30-40 feet from the house) which could pose future plumbing issues, and as well no small patches of landscaping can be done in that area; caller wants to put in a second driveway as it is the norm with owners of duplexes. Caller would like city to reconsider decision and have one tree removed, and have the second one pruned.

ACTIONS TAKEN Var **Date Completed:**

Foreperson: 496 LIZETTE CARLSON

Printed By: Jennifer Sloan

https://acr.greatersudbury.ca/ACRUploads/Attachments/187807/MichelGionet-%20Case%... 11/9/2015

Current Caller:	(none)				ii.		-
Caller Phone:	(none)				2	1 10 10	Caller Search 672042
Case Details	- Case ID 6	72042: Removal	s - Tree Removal				
General	Comments	Caller Info Cont	act Info				
Current Statu	s: Postponed		Assigned To:	City Wide - S	ection Super	rintendent (Richard Jal	bei Print Case Details
Submitted By:	Lepage, Suz	anne	Assigned On:	30 Oct 2015	02:11:55 PM	1	Generate Document
Submitted On	14 Apr 2015	01:44:11 PM	Last Updated:	06 Nov 2015	12:01:52 PM	4	
Reactivate On	: 29 Jul 2016		Expected Completion:	27 Mar 2017	02:11:34 PM	4	
Priority:	Normal	\sim	Case Access Code:	470334			
			Force Escalate	Close Case	Reassign	Reactivate Case Now	Reset Reactivation Date
and an entrance				17.0	ply Action Cod		
Action Code:				Ap	pry action Loc	le	
	Removals				ige Type / Loc		Case Link Related Case
Case Type:	Removals Trees, Garden	is & Grass					Case Link Related Case
Case Type: Category: Subject:	Trees, Garden Tree Removal			Chan	ige Type / Loc	ation Create Related	
Case Type: Category: Subject:	Trees, Garden Tree Removal Resident calle remove it sim plumbing issu	d to follow-up on this ply because the roots es, and as well no sm ners of duplexes. Call	matter; city advised caller lat ye are 4-inches in diameter and ar all patches of landscaping can be er would like city to reconsider d	Chan Chan ear that if the t e placed appro	ige Type / Loc tree is health ximately 30- area: caller y	ation Create Related y they will not remove 40 feet from the hous	e it. But, caller wants to e) which could pose future of driveway as it is the
Case Type: Category: Subject: Details:	Trees, Garden Tree Removal Resident calle remove it sim plumbing issu norm with ow Collapse Full	d to follow-up on this ply because the roots es, and as well no sm ners of duplexes. Call Text	are 4-inches in diameter and are all patches of landscaping can be	Chan Chan ear that if the t e placed appro	ige Type / Loc tree is health ximately 30- area: caller y	ation Create Related y they will not remove 40 feet from the hous	e it. But, caller wants to e) which could pose future of driveway as it is the
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scart	ch & Submit C	ase operations in	annenance	Reports CityLinks				N 7
	ent Caller: (r er Phone:	none)			2.	See 140	Caller Search 672042	
Case	Details - Ca	se ID 672042: R	emovals -	Tree Removal				
Ge	neral Comm	ents Caller Info	Contac	t Info				
Shoy	v Level: 🖾 Cas	e 🗌 Activity Collection	on Activit	y Show Type: System 🕅	User DAct	lon Codes	App	ly Filter
Add	Case Comment							
	Date	Type	Visibility	Entry		Relates To	Entered By	
Ξ	06 Nov 2015 12:01:52 PM	Case Note	6	Spoke with Mr. Gionet. He will be contesting	Removals		Richard Jalbert	0
Spo	oke with Mr. Gion mbing problems.	et. He will be contest He is also concerned	ing the City' about large	s decision not to remove the tree in front of his limbs over his property. The file for this site wi	s property. He	e is worried that ed to the Genera	large roots will cause Manager for his dec	future
-	06 Nov 2015 11:18:09 AM	Case Communication	6	Resident has called back and as per notes ent	Removals		Sarah Gosselin	
Res	ident has called	back and as per note	s entered on	July 30th caller was transferred and accepted	by the City S	ection SuperInte	ndent at 3633.	
Э	30 Oct 2015 02:13:29 PM	Case Communication	B	Resident has called back and as per notes ent	Removals		Sylvie Martin	
Res	ident has called i	back and as per note	s entered on	July 30th caller was forwarded to the City Sect	tion SuperInte	endent.		
-l	30 Oct 2015 02:12:25 PM	Case Communication	6	AS PER LIZETTE'S PREVIOUS COMMENTS.	Removals		Melanie Charbonneau	
AS		REVIOUS COMMENTS						
Э	30 Oct 2015 02:11:54 PM	Case Assignment	B	Case ID: 672042 has been assigned to City Wid	Removals		Melanie Charbonneau	
	igned Case to Ov e ID: <u>672042</u> has		ty Wide - Se	ction Superintendent (Jalbert, Richard).				
-	30 Oct 2015 02:11:33 PM	Case Assignment	0	Case ID: 672042 has been assigned to Dispatch	Removals		Melanie Charbonneau	
0.1	tem e ID: 572042 ha	s been assigned to Di	spatcher 2 (Charbonneau, Melanie).				
Э		Case Notification	(3	Case was notified to Dispatcher 1 (Quenneville	Removals		Suzanne Lepage	
	tem							
-			eville, Ann), I	Dispatcher 2(Charbonneau, Melanie).				
1	30 Oct 2015 02:08:15 PM	Change Case Type	0	Case type changed from Removals to Removals	Removals		Sylvie Martin	
Cas		rom Removals to Ren		JDBURY, ON, CANADA to 823 MORNINGSIDE C	DECCENT C	IDDUDY ON CAU		
-1	30 Jul 2015 01:10:28 PM	Case Reactivation Date Change	(5	Reactivation Date changed to: 29 Jul 2016 Tr	Removals	JUBURT, UN, CAI	Lizette Carlson	
Oth Rea		anged to: 29 Jul 201	6					
-		o avail. Homeowner h	as to contes	t decision and be directed to City Wide Superin	itendent			
Ξ	28 Jul 2015 04:07:50 PM	Case Assignment	19	Case ID: 672042 has been assigned to Tree War	Removals		Julie Henri	
	gned Case to Ow e ID: <u>672042</u> has	ner ; been assigned to Tr	ee Warden (Carlson, Lizette).				
-1	15 May 2015 12:21:36 PM	Case Communication	8	Resident wants to talk to a foreperson regard	Removals		Claudette Joyal	
Resi	dent wants to tal	k to a foreperson reg	arding this is	ssue. Roots are invading the weeping tiles. Tre	e has to be re	emoved.		
Е		Case Note	6	removal request denied - Added to Pruning lis	Removals		Lizette Carlson	-
rem	oval request deni	ied - Added to Prunin	g list					
	13 May 2015	Case	-	LETTER SENT TO HOME OWNER.	Removals		Jennifer Sloan	

1	1	21 Apr 2015 10:22:17 AM	Case Postponed	B	Reactivate on: 15 Apr 2016 2 Lindens (front)	Removals	Lizette Carlson
0	Oth	er					
1	Rea	ctivate on: 15 Ap	r 2016				
2	2 1.1	ndens (front)					
					vay removed and second linden at least pruned.		
F	Sen	noval application	started. Result pending	g			
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¢	ase	e ID: 672042 has	been assigned to Disp	batcher 1	(Sloan, Jennifer).		
101	1	14 Apr 2015 01:44:11 PM	Case Notification	6	Case was notified to Dispatcher 1(Sloan, Jenn	Removals	Suzanne Lepage
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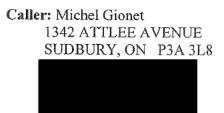
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WORK REQUEST

Case ID: 653859 Date: 24 Nov 2014 12:12:31 PM Case Type: Removals



Problem Location: 1342 ATTLEE AVENUE, SUDBURY, ON, CANADA Subject: Tree removal

DETAILS:

Resident calling to request that a tree near his property be removed. Says he wants to put in a second driveway, on the left hand side. This is a duplex. Says there is another tree which he would like pruned, as it has been causing problems for his tenants.

ACTIONS TAKEN

Advised to apply for permit.

Date Completed:

Foreperson: 496 - LIZETTE CARLSON

Printed By: Melanie Charbonneau

https://acr.greatersudbury.ca/ACRUploads/Attachments/179045/Case%20653859%20-%2... 11/9/2015

	mit Case Operations Maintenance	Reports CityLinks			07
Current Caller: Caller Phone:	(none)		& 🚠 J	Caller S 653859	earch
Case Details	- Case ID 653859; Removals -	Tree removal			
General	Comments Caller Info Contact	Info			
Current Status	S: Closed	Assigned To:	Tree Warden (Lizette Carlson)	Pi	rint Case Details
Submitted By:	Jobin, Amy	Assigned On:	24 Nov 2014 12:22:47 PM		
ubmitted On	24 Nov 2014 12:12:31 PM	Last Updated:	26 Nov 2014 02:40:12 PM		
riority:	Normal	Expected Completion:	20 Apr 2016 12:20:51 PM		
		Case Access Code:	118276		
					Reopen Case
lction Code:			Apply Action Code		
ase Type:	Removals Trees, Gardens & Grass				
ategory:					
	Tree removal				
Subject:	Tree removal Resident calling to request that a tree of a duplex. Says there is another tree with	near his property be removed nich he would like pruned, as	 Says he wants to put in a second drivewa it has been causing problems for his tenan 	ay, on the left h	and side. This is
oubject: Detalls:	Resident calling to request that a tree	nich he would like pruned, as	 Says he wants to put in a second drivew it has been causing problems for his tenan 	ay, on the left h Its. << Collaps	and side, This is e Full Text View on Map
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Prot	laem location tre e driveway exten	ee Is 823 Morningside. Ided. Michel will call for	Spoke with permit.	Michel. Michel needs to make application for w	idening his driveway. The city	will not remove a tree to
Э	24 Nov 2014 12:22:47 PM	Case Assignment	6	Case ID: 653859 has been assigned to Tree War	Removals	Melanie Charbonneau
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Case	ID: 653859 has	s been assigned to Disp	atcher 2 (C	harbonneau, Melanie).		
Ξ	24 Nov 2014 12:12:31 PM	Case Notification	B	Case was notified to Dispatcher 1(Sloan, Jenn	Removals	Amy Jobin
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Case	was notified to	Dispatcher 1(Sloan, Je	nnifer), Dis	patcher 2(Charbonneau, Melanie).		
-	24 Nov 2014 12:12:31 PM	Case Submission	۲	Case was submitted by Amy Jobin.	Removals	Amy Jobin
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	was submitted	by Amy Jobin.				

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ALLAGAC ALLAGAC REESERVICE 523-2808 Certified Arborist ISA #ON-190A Jim Allsop NAME: <u>CITY OF GREATER SubBury</u> ADDRESS: <u>823 Morning side</u> PHONE: <u>Attn:</u> Rick	WSIB Coverage INSURANCE \$3,000,000.00 Public Liability & Public Damage PLEASE MAIL CHEQUES TO: 2973 HENRI STREET SUDBURY, ON P3G 1C2 DATE: FCB 2//b
Description Inspection + Written Rep	ort Cost
For LINDEN TREES AT Frant of	/
823 Morningside	,
- THE MATURIE LUNDER AT Front IS	in Green Health?
- THE Linden has a Good heaf	Bud mars,
THERE ARE NO Frost Charles +	- very Loffle
Deadwarp - No Praning needed	AS THIS TOME.
Remove Brush To GrindStump(s) Leave Brush 6" - 8" Below Grass Level Leave Wood 16" To Backfill Hole With Mulch Leave Wood Lengths Stump(s) measure diameter Remove Wood At Grass Level To Cut Stump As Low	
Method of Payment	
□ VISA □ Mastercard □ Cheque	
"This work proposal includes only a visual inspection of the tree to determine the scope of the	SUB.
work and shall not be considered a tree tisk assessment. Risk assessment involves a more extensive	HST
Any changes in the work and the price to be charged for same shall be made in writing. A delay in acceptance of more than 10 days will require a review of the proposal and re-dating	TOTAL
before the agreement becomes binding. Respectfully Submitted. Per:	l, for which the undersigned agrees to pay s thereof.
Date Signature	

23 of 36

SCHEDULE C TO BY-LAW 2011-243

Page 1 of 2

Removal of Healthy Right of Way Trees on Request of Applicant

1. Action to be taken:

Problem	Action Prohibited Species on Schedule B	Action Species other than Prohibited Species on Schedule B
Allergic reactions to tree / sap/ insects / pollen.	Tree will not be removed.* [exception	-see below]
Stress to homeowner caused by fear or dislike of trees and/or branches being blown down in a windstorm; Or Trees drop things on 'their' property such as seeds, fruit, leaves, twigs, sap and insects which require cleanup.	If tree may cause damage to a house and/or occupant due to proximity, lean and size (age) of tree, and is causing stress to homeowners and all other means to save the tree have been exhausted (i.e. pruning, volunteers to clean fruit, etc), the General Manager on consultation with the Ward Councillor, may authorize the removal of the tree.	Tree will not be removed.* [exception-see below]
Trees attract unwanted critters such as wasps, bees, caterpillars, birds, insects, chipmunks, squirrels, etc.	Tree will not be removed.* [exception	-see below]
Roots in sewer, weeping tile or foundation.	If the applicant proves to the satisfact that sewer lines are being blocked by of way tree, the General Manager, in arrange to have the sewer re-lined at alternatively arrange to have the tree If the applicant proves to the satisfact there are roots from the healthy right weeping tiles or foundation, the Gene discretion authorize the removal of th	the roots of the healthy right his or her discretion may the City's expense or removed. tion the General Manager that of way tree in the applicant's eral Manager may in his
Tree causes soil shrinkage: roots ruin lawn, tripping hazards, tree at risk of falling.	If the applicant proves by way of a soils report or other evidence satisfactory to the General Manager that hazardous conditions have resulted from soil shrinkage caused by the healthy right of way tree, the General Manager may authorize the removal of the tree.	
Damage by a tree of a Prohibited Species on Schedule B to a house, lawn, vehicles or driveway.	Where it will solve the problem, the tree will be pruned and placed on a future priority list for removal. Where damage cannot be mitigated, the General Manager may authorize the removal of the tree.	Not applicable.

* The tree may be removed if the Owner can prove to the General Manager's satisfaction that the tree poses a health risk, or is causing serious and ongoing damage to property. In those circumstances, subject to Clause 3 of this Schedule, the homeowner shall bear 50% of: (a) the full cost of the removal and; (b) at the City's option, the replanting of another accepted species of tree.



Page 2 of 2

Removal of Healthy Right of Way Trees on Request of Applicant

2. Replacement of Tree:

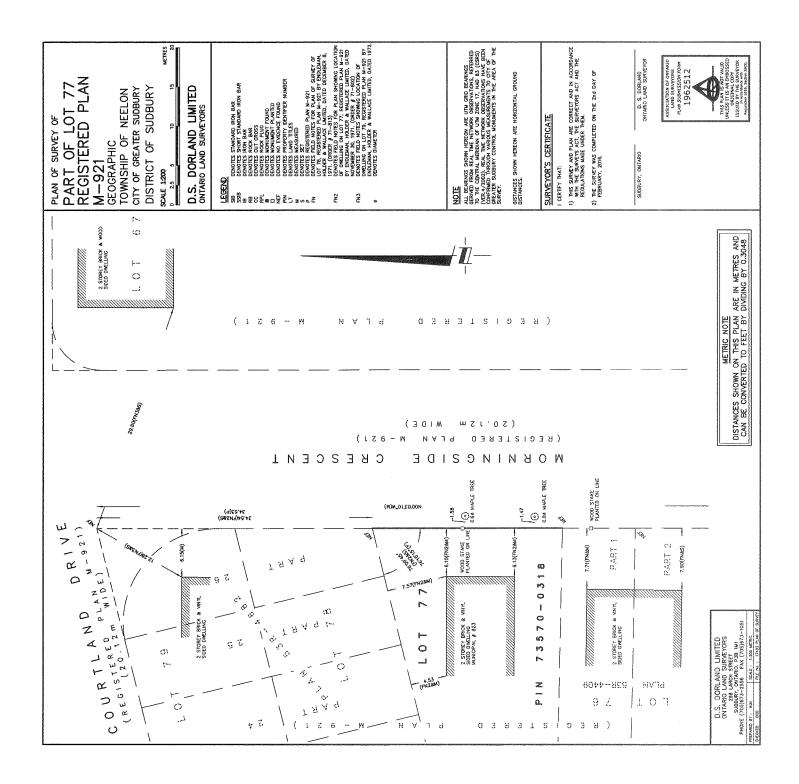
Where the General Manager authorizes the removal of a healthy right of way tree for any of the reasons noted above, it shall be placed on a list and removed within twelve months. The removed tree may be replaced at a future date, in accordance with Schedule "A".

3. Owner May Retain Own Contractor:

Despite any requirement in this By-law that work be performed by City personnel, the Applicant may retain his or her own contractor for:

- a) the removal of the tree; and
- b) if directed by the General Manager, the replacement of the tree pursuant to section 13 of this Bylaw,

provided that the contractor's accreditation is approved in advance by the General Manager. In this circumstance, the Applicant shall bear the full cost of removal and replacement.



3-1-1 Serv

The Benefits of Trees

 Trees provide food for people and animals (fruit, berries and nuts).

FreeCanada

- Trees make the air more breathable by reducing particulate matter.
- By planting trees and shrubs, you can reduce noise pollution.
- Tree-lined streets increase traffic safety by making streets appear narrower.
- Trees capture carbon and become carbon 'sinks' which reduce the Greenhouse Effect.
- Trees' root systems help prevent soil erosion, which prevents water pollution.

- Trees provide shade that cools water, benefitting certain species of fish (notably salmonids) - their roots and branches provide space for fish to hide from predators.
- Properties with trees are generally valued higher in the real estate market.
- Trees provide employment in the forestry field: foresters, arborists, lumber, research, tree workers, etc.
- Trees provide recreation and attract tourists: hiking trails, camp grounds.
- Trees provide shade in the summer, which saves on air conditioning costs, conifers insulate homes in the winter, reducing heating costs.
- Trees shade asphalt, making streets and parking lots cooler and extend the life of the asphalt.
- Trees planted in fields shield against wind and snow and help protect crops.
- Trees beautify the landscape and block out unattractive views.
- Trees provide shelter for wildlife.
- Trees provide health benefits such as stress reduction and speed the healing process.
- Trees bring us closer to nature and help us to reconnect with culture.

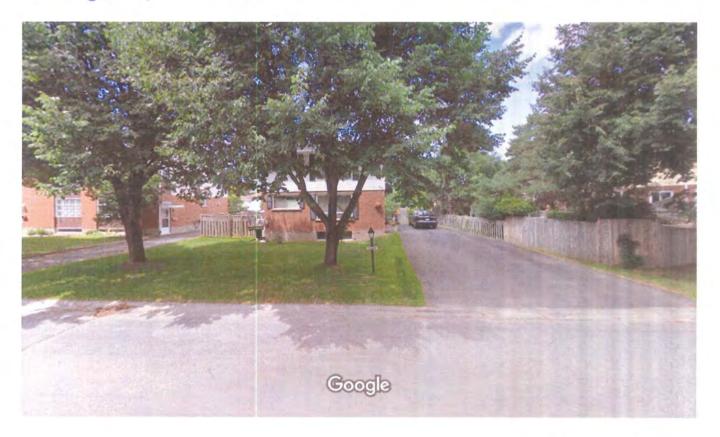


Image capture: Jul 2009 © 2016 Google

Sudbury, Ontario Street View - Jul 2009



Google Maps

https://www.google.ca/maps/@46.5150072,-80.9289955,3a,75y,266h,90t/data=!3m6!1e1!... 2/26/2016



Image capture: Apr 2012 © 2016 Google

Sudbury, Ontario

Street View - Apr 2012



https://www.google.ca/maps/@46.5149817,-80.9289973,3a,75y,266h,90t/data=!3m6!1e1!... 2/26/2016



Image capture: May 2014 © 2016 Google

Sudbury, Ontario Street View - May 2014



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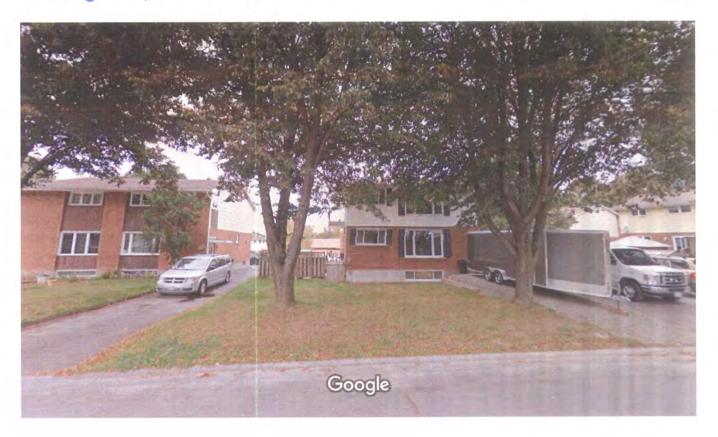


Image capture: Aug 2015 © 2016 Google

Sudbury, Ontario

Street View - Aug 2015



https://www.google.ca/maps/@46.5149212,-80.9290017,3a,75y,275.14h,98.06t/data=!3m6... 2/26/2016

Suddurty.	
REQUEST FOR CONSIDERATION	OF TREE REMOVAL
*Return form to City Wide Superintenent c/o Frobisher Depot	
CC: Richard Jalbert, Randy Halverson	Today's Date: <u>Nou. 6/15</u> (mm/dd/yr)
ADDRESS: 823 MORNI	INGSIDE CRES., SUDBURY M. GiONET.
DATE OF REQUEST: APRIL 14/15	
RECOMMENDED FOR REMOVAL: Yes XNO DA	TE: <u>MAY 13/15</u>
CITY WIDE SUPERINTENDENT SIGNATURE:	DATE: Nov. 6/15 Greater Market
TYPE OF TREE (S):	Roads/Tradeportation
APPROVED SPECIES: Ash-fall gold, green Locust-shade master Maple-amur, tatarian, royal, red, sugar Hackberry Hawthorne-thornless Flowering Crab-spring snow	Oak-burr, red Japanese lilac Linden-pyramidal Elm-prospector Mayday
NON-APPROVED SPECIES:	
 Manitoba Maple Walnut Butternut Chestnut Poplars (all types) Willows (all types) 	 Cherry Silver Maple Elm (all types, except Elm-prospector) Evergreens (all types) Any fruit bearing tree
COUNCILLOR RECOMMENDATION: Yes No 🔀	Not Applicable
EMAIL ATTACHED: Yes No	Not Applicable
RECOMMENDATION: next planning	Advise Owner to contact City when to reconstruct weeping tiles. If icting with weeping tile according to the may be removed. Otherwise wired and do not remove tree.

Reference: By-Law 2009-250 A By-law of the City of Greater Sudbury to authorize, regulate and protect the planting, maintenance, protection and removal of trees on municipal rights of way.

DATE: 1/00,27,2015

SIGNATURE: <u>Cecutti</u>



For Information Only

Live Streaming of Hearing Committee Meetings

Presented To	: Hearing Committee
Presented:	Wednesday, Mar 23, 2016
Report Date	Wednesday, Feb 17, 2016
Туре:	Correspondence For Information Only

Resolution

FOR INFORMATION ONLY

Background:

Members of the Hearing Committee have requested information regarding current practices for recording and broadcasting Hearing Committee meetings.

The City of Greater Sudbury has adopted an Open Government Model which is based on four basic principles, being: Open Information; Open Data; Open Dialogue; and Open Doors. The City's commitment to openness and transparency is evident in their new process to live stream almost all meetings held in the Council Chamber and in meeting room C-11, except those of the

Signed By

Report Prepared By Tanya Thompson Deputy City Clerk Digitally Signed Feb 17, 16

Recommended by the Department Caroline Hallsworth Executive Director, Administrative Services/City Clerk Digitally Signed Feb 17, 16

Recommended by the C.A.O. Kevin Fowke Acting Chief Administrative Officer *Digitally Signed Mar 9, 16*

Hearing Committee. This is done becasue there is an important balance between respecting the privacy rights of the citizen whose matters are being heard in a Hearing Committee meeting and public accountability and transparency as outlined below.

There is an interesting discussion of this balance in the report entitled "*Transparency, Privacy and the Internet: Municipal Balancing Acts*" released by the Information and Privacy Commission of Ontario this summer. The full report is available at:

https://www.ipc.on.ca/images/Resources/2015-municipal%20guide-public%20discl-access.pdf

In that report, the Commission notes that,

"Making personal information publically available via the Internet can be challenging when the records involved contain personal information that may be sensitive or relate to vulnerable individuals. Personal information published on the Internet may be inappropriately used or may be used for purposes other than the public policy reasons for making it public."

The report goes on to describe some of the potential privacy risks associated with release of personal

information over the Internet, rather than in paper or other more traditional methods. These risks include the difficulty in governing how the information is used, identity theft, the difficulty in removing the information from the public realm when it is no longer required and a drop in participation by persons who are concerned about their privacy. In general, the report recommends "data minimization" which,

"refers to the practice of reducing the amount of personal information that is collected, used and disclosed to that which is necessary to achieve the legitimate governmental purpose."

Limiting access to personal information by controlling how the information is released (as for example requiring attendance at the meeting rather than broadcasting) "results in a measure of privacy due to practical obscurity".

This is something similar to what is practiced in the Courts. Courts and other tribunals have a long history of openness so as to ensure public confidence in the justice system and to maintain fairness (the "open court principle"). Public and the media may attend sittings of the Court but at this time the courts do not broadcast publically in real time.

The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) has a very broad definition of personal information, which includes biographical, biological, medical, financial and social information as well as personal opinions or other identifying information. While personal information related to Planning matters is exempt from MFIPPA under the Planning Act, that same exemption does not apply to the Hearing Committee.

The Hearing Committee is a quasi-judicial body and in this way, is different from the other committees of Council, which are more political in nature. The Hearing Committee deals with issues that are personal in nature and in some instances relates to a citizen's health, relationships with neighbours, prior employment or other similarly sensitive topics and protected information. Some of the hearings can be particularly emotional and personal, as for example when an individual is speaking about the death of their pet or about their personal health as it relates to a decision of the committee. It is in these situations that the citizen would not want to find, or have their friends and acquaintances find, this information generally available on the internet.

Hearing Committee meetings are open meetings which the public can attend however as noted above, there is a significant difference in attending a meeting in person as opposed to creating a permanent record which can be distributed electronically. It is the difference between open access by attendance and wide open access by broadcast.

There is also a concern that some citizens may not be willing to be as forthcoming at a meeting if they know that their comments and personal information are being broadcast and captured permanently on the Internet.

For the reasons described above, meetings of the Hearing Committee are not currently being live streamed.

City of Greater Sudbury Charter

WHEREAS Municipalities are governed by the Ontario Municipal Act, 2001;

AND WHEREAS the City of Greater Sudbury has established Vision, Mission and Values that give direction to staff and City Councillors;

AND WHEREAS City Council and its associated boards are guided by a Code of Ethics, as outlined in Appendix B of the City of Greater Sudbury's Procedure Bylaw, most recently updated in 2011;

AND WHEREAS the City of Greater Sudbury official motto is "Come, Let Us Build Together," and was chosen to celebrate our city's diversity and inspire collective effort and inclusion;

THEREFORE BE IT RESOLVED THAT Council for the City of Greater Sudbury approves, adopts and signs the following City of Greater Sudbury Charter to complement these guiding principles:

As Members of Council, we hereby acknowledge the privilege to be elected to the City of Greater Sudbury Council for the 2014-2018 term of office. During this time, we pledge to always represent the citizens and to work together always in the interest of the City of Greater Sudbury.

Accordingly, we commit to:

- Perform our roles, as defined in the Ontario Municipal Act (2001), the City's bylaws and City policies;
- Act with transparency, openness, accountability and dedication to our citizens, consistent with the City's Vision, Mission and Values and the City official motto;
- Follow the Code of Ethical Conduct for Members of Council, and all City policies that apply to Members of Council;
- Act today in the interest of tomorrow, by being responsible stewards of the City, including its finances, assets, services, public places, and the natural environment;
- Manage the resources in our trust efficiently, prudently, responsibly and to the best of our ability;
- Build a climate of trust, openness and transparency that sets a standard for all the City's goals and objectives;
- Always act with respect for all Council and for all persons who come before us;
- Ensure citizen engagement is encouraged and promoted;
- Advocate for economic development, encouraging innovation, productivity and job creation;
- Inspire cultural growth by promoting sports, film, the arts, music, theatre and architectural excellence;
- Respect our historical and natural heritage by protecting and preserving important buildings, landmarks, landscapes, lakes and water bodies;
- Promote unity through diversity as a characteristic of Greater Sudbury citizenship;
- Become civic and regional leaders by encouraging the sharing of ideas, knowledge and experience;
- Work towards achieving the best possible quality of life and standard of living for all Greater Sudbury residents;



ATTENDU QUE les municipalités sont régies par la Loi de 2001 sur les municipalités (Ontario);

ATTENDU QUE la Ville du Grand Sudbury a élaboré une vision, une mission et des valeurs qui guident le personnel et les conseillers municipaux;

ATTENDU QUE le Conseil municipal et ses conseils sont guidés par un code d'éthique, comme l'indique l'annexe B du Règlement de procédure de la Ville du Grand Sudbury dont la dernière version date de 2011;

ATTENDU QUE la devise officielle de la Ville du Grand Sudbury, « Ensemble, bâtissons notre avenir », a été choisie afin de célébrer la diversité de notre municipalité ainsi que d'inspirer un effort collectif et l'inclusion;

QU'IL SOIT RÉSOLU QUE le Conseil de la Ville du Grand Sudbury approuve et adopte la charte suivante de la Ville du Grand Sudbury, qui sert de complément à ces principes directeurs, et qu'il y appose sa signature:

À titre de membres du Conseil, nous reconnaissons par la présente le privilège d'être élus au Conseil du Grand Sudbury pour le mandat de 2014-2018. Durant cette période, nous promettons de toujours représenter les citoyens et de travailler ensemble, sans cesse dans l'intérêt de la Ville du Grand Sudbury.

Par conséquent, nous nous engageons à :

- assumer nos rôles tels qu'ils sont définis dans la Loi de 2001 sur les municipalités, les règlements et les politiques de la Ville;
- faire preuve de transparence, d'ouverture, de responsabilité et de dévouement envers les citoyens, conformément à la vision, à la mission et aux valeurs ainsi qu'à la devise officielle de la municipalité;
- suivre le Code d'éthique des membres du Conseil et toutes les politiques de la municipalité qui s'appliquent à eux;
- agir aujourd'hui pour demain en étant des intendants responsables de la municipalité, y compris de ses finances, biens, services, endroits publics et du milieu naturel;
- gérer les ressources qui nous sont confiées de façon efficiente, prudente, responsable et de notre mieux;
- créer un climat de confiance, d'ouverture et de transparence qui établit une norme pour tous les objectifs de la municipalité;
- agir sans cesse en respectant tous les membres du Conseil et les gens se présentant devant eux;
- veiller à ce qu'on encourage et favorise l'engagement des citoyens;
- plaider pour le développement économique, à encourager l'innovation, la productivité et la création d'emplois;
- être une source d'inspiration pour la croissance culturelle en faisant la promotion de l'excellence dans les domaines du sport, du cinéma, des arts, de la musique, du théâtre et de l'architecture;
- respecter notre patrimoine historique et naturel en protégeant et en préservant les édifices, les lieux d'intérêt, les paysages, les lacs et les plans d'eau d'importance;
- favoriser l'unité par la diversité en tant que caractéristique de la citoyenneté au Grand Sudbury;
- devenir des chefs de file municipaux et régionaux en favorisant les échanges d'idées, de connaissances et concernant l'expérience;
- viser l'atteinte de la meilleure qualité et du meilleur niveau de vie possible pour tous les résidents du Grand Sudbury.