

TREE BY-LAW APPEAL HEARING
286 Nassau Street
April 30, 2024

- **Appendix I** – Photos of Tree – No Arborist Report
- **Appendix II** – Application Denial Letter from Urban Forestry Officer
- **Appendix III** – Letter from Chris and Susan Pratt advising of Appeal
- **Appendix IV** – Meeting Notice from Clerks Office



**Division of Municipal Law Enforcement**

1593 Four Mile Creek Road

P.O. Box 100, Virgil, ON L0S 1T0

905-468-3266 • Fax: 905-468-0301

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March 19, 2024

PRATT CHRISTOPHER CAMPBELL
PRATT SUSAN PATRICIA ANITA
286 NASSAU ST
NIAGARA ON THE LAKE ON
L0S 1J0

RE: Tree removal application- AP-2024-158

This letter is to inform you that the tree removal application that you have submitted on March 6, 2024 has been reviewed.

Upon inspection of the Honey Locust tree in the rear yard, and the issues surrounding it, I have come to the conclusion that it does not fall within the permit exemption criteria within part V of the Town of Niagara on the Lake private tree protection By-Law 5139-19.

Furthermore, there are no major immediate issues of concern at this time, and the reasoning behind wanting to remove it does not qualify for a permit to be granted.

You are advised that Section 13 of the Private Property Tree Protection By-Law states:

13.(1) If an Inspector refuses to issue a Permit, or if an Applicant objects to a condition attached to a Permit by an Inspector, the Applicant may appeal to the Committee. Such appeal shall be made by written notice received by the Inspector within seven (7) days after the date of refusal or the issuance of conditional Permit, as the case may be.

If you wish to appeal, you will need to submit a written letter by March 27, 2024.

If you have any further questions or concerns, please do not hesitate to contact me.

Kindest Regards,

Harry Althorpe
Urban Forestry Officer
905-468-3266 Ext. 379
harry.althorpe@notl.com

March 19th, 2024

286 Nassau Street
Niagara on the Lake
ON. L0S 1J0

RE: Appeal for tree removal permit application AP-2024-158

Over the last twelve years, since moving into our property, we have planted over 20 trees to enhance our enjoyment of the garden. Unfortunately we are faced with one errant tree that ruins our experience in the Spring and into early Summer, namely a Honey Locust.

Starting towards the end of May the tree starts raining down a huge amount of seeds, that completely carpet our backyard and take up to two hours each day to clean up. This process continues for approximately 5 weeks after which it then starts to drop thousands of small twigs, this lasts for another two weeks. Over the years this problem has become increasingly worse as the tree matures.

The debris from this tree is causing damage in the form of stains to all of our interlocking stone and composite decking. We are unable to use the pool over this period as the seeds cause contamination to the the water chemistry, also the roots are starting to lift the stonework surrounding the pool.

We would appreciate your consideration to issue a permit to remove this tree as we can no longer cope with the problem, our energy levels as we age are unable to deal with this anymore.

If the tree can be removed it is our intention to replace it with a more friendly species. This Honey locust is a detriment to our use of the backyard, which we are unable use and enjoy during this period.

Sincerely

Chris & Susan Pratt



Department of Corporate Services
1593 Four Mile Creek Road
P.O. BOX 100, Virgil, ON L0S 1T0
905-468-3266 • FAX: 905-468-2959

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**MEETING NOTICE
TREE BY-LAW APPEAL HEARING
286 Nassau Street**

MEETING INFORMATION

The purpose of this notice is to advise of a Meeting to hear an appeal pursuant to Part VII - Application for Permit, Section 13(1), By-law No. 5139-19 - A By-law to regulate the destruction or injuring of Trees on private property in the Urban Areas of the Municipality. The hearing will be conducted in accordance with the Tree By-law Appeal Procedure, attached.

HEARING DATE

Date: Tuesday April 30, 2024

Time: 5:30 p.m.

Place: Meeting to be held Electronically via Video Conference OR at Town Hall 1593 Four Mile Creek Road, Virgil, ON.

You are hereby notified by way of this notice of the hearing, and should you not attend the Appeal Hearing (Council Meeting), Council may proceed in the applicants' absence and the applicant will not be entitled to any further notice in the appeal proceeding.

NOTE

You are invited to attend this meeting electronically or in person and provide input regarding this matter. To participate and make an oral presentation during the hearing, you must register in advance with Town Staff as noted below.

Please contact Grant Bivol, Town Clerk, grant.bivol@notl.com or 905-468-6418. Please register as soon as possible, but no later than 12 noon on Monday, April 29, 2024.

Following registration, you will be provided with instructions to attend the meeting.

Written comments on this matter are also encouraged and must be submitted to Grant Bivol, Town Clerk, at 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0 or email at grant.bivol@notl.com referencing this matter. Unless indicated otherwise, all submissions, including personal information, will become part of the public record.

For further information on this matter please contact Corporate Services at 905-468-3266.

Shaunna Arenburg, Deputy Clerk

Dated at the Town of Niagara-on-the-Lake this 22nd day of April, 2024.