

July 28, 2020

Eric Courville

Re: 16 Lucia Court- Tree Removal Application AP-2020-256

This letter is to inform you that the tree inspection held on July 27, 2020 was inconclusive. Therefore, at this time, we are unable to issue a permit for the destruction of the Dawn Redwood.

Observations taken at the time of inspection revealed a healthy Dawn Redwood tree that measured approximately 55cm at breast height.

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 August 4, 2020.

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

Kindest Regards,



Erin Dean

Municipal Law Enforcement Officer & Property Standards Officer

905-468-3266 ex 279

[Erin.dean@notl.com](mailto:Erin.dean@notl.com)









7/30/2020

Mail - Erin Dean - Outlook

**Re: tree species**

Eric Courville <eric.courville@gmail.com>

Wed 7/29/2020 11:37 AM

To: Erin Dean <Erin.Dean@notl.com>

Cc: Rolf Wiens <Rolf.Wiens@notl.com>; Marie-Claude Préfontaine <mariec.prefontaine@gmail.com>

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Hi Erin,

Please find the appeal request letter attached.

Let me know if ok with you and if you have any questions.

Thanks again,

Eric

**16 Lucia Court  
Niagara-on-the-Lake, ON  
L0A 1J0**

**July 29, 2020**

<https://outlook.office.com/mail/inbox/id/AAQkADgxZTY2ODY0LTk2NDctNGM4Ny05YWU1LTk1NGRkMmM4MzU2MgAQADfMCo56cXREkEyPm9XIIRik%3D>

1/7

7/30/2020

Mail - Erin Dean - Outlook

1

Sent from my iPhone

On Jul 29, 2020, at 10:11 AM, Eric Courville <eric.courville@gmail.com> wrote:

Good morning Erin.

Thanks for your quick reply. I'll get the letter to you later today.

Thanks again for your support,

Eric

Sent from my iPhone

On Jul 29, 2020, at 9:58 AM, Erin Dean <Erin.Dean@notl.com> wrote:

Hi Eric,

Yes you would send the letter to me. Unfortunately, I don't have a sample to provide you. I believe as long as you record the species of tree & size, the inspection date and your reasoning behind why you wish to appeal, that should be sufficient.

If you have any other questions, please feel free to contact me.

Enjoy your time in Quebec.

Thank you,

**Erin Dean**  
**Property Standards & Municipal Law Enforcement Officer**

7/30/2020

Mâil - Erin Dean - Outlook

Town of Niagara on the Lake  
Phone: 905-468-3266 ext. 279 Fax: 905-468-2959  
1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0  
erin.dean@notl.com

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**From:** Eric Courville <eric.courville@gmail.com>  
**Sent:** Tuesday, July 28, 2020 4:21 PM  
**To:** Erin Dean <Erin.Dean@notl.com>  
**Cc:** Rolf Wiens <Rolf.Wiens@notl.com>; Marie-Claude Préfontaine <mariec.prefontaine@gmail.com>  
**Subject:** Re: tree species

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Thanks again for all of your help Erin.

Just arrived to Quebec for the week visiting our parents and read the Appeal procedure below.

2 questions:

1. Is the letter requesting the appeal need to be sent to you?
2. Would you have a letter sample to the Appeal request?

Thanks,

Eric

Sent from my iPhone

On Jul 28, 2020, at 11:55 AM, Erin Dean <Erin.Dean@notl.com> wrote:



7/30/2020

Mail - Erin Dean - Outlook

Hi Eric,

Please see attachments.

If you have any further questions, please contact me.

Thanks,

**Erin Dean**

**Property Standards & Municipal Law Enforcement Officer**

Town of Niagara on the Lake

Phone: 905-468-3266 ext. 279 Fax: 905-468-2959

1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0

erin.dean@notl.com

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**From:** Eric Courville <eric.courville@gmail.com>

**Sent:** Monday, July 27, 2020 11:42 AM

**To:** Erin Dean <Erin.Dean@notl.com>

**Subject:** Fwd: tree species

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Hi Erin,

Thanks again for coming this morning.

I have conformation that it is a Dawn Redwood.

See below.

7/30/2020

Mail - Erin Deari - Outlook

Eric

Sent from my iPhone

Begin forwarded message:

**From:** "Arico, Michael" <Mike.Arico@davey.com>  
**Date:** July 27, 2020 at 11:22:03 AM EDT  
**To:** Eric Courville <eric.courville@gmail.com>  
**Subject:** Re: tree species

Thanks. That is a Dawn Redwood.

**Michael Arico** | Davey Tree Expert Company Of Canada Limited,  
Assistant District Manager  
**ISA Certified Arborist ON-1475A**  
**ISA Tree Risk Assessment Qualified**  
**Ontario Certified Arborist**  
2265 Royal Windsor Dr. 5A, | Mississauga, L5J 1K5  
Mississauga [905.822.3800](tel:905.822.3800) | Oakville [905.842.5418](tel:905.842.5418)  
[Mike.Arico@Davey.com](mailto:Mike.Arico@Davey.com) | [www.Daveytree.ca](http://www.Daveytree.ca)

P Please consider the environment before printing this email.

On Jul 27, 2020, at 11:17 AM, Eric Courville <eric.courville@gmail.com> wrote:

The Town of Niagara-on-the-Lake remains under a state of emergency. For more information about what this means, as well as additional updates and resources, please visit [notl.com/covid-19](https://notl.com/covid-19).



7/30/2020

Mail - Erin Dean - Outlook

Given the high volume of communications coming in, your patience and understanding are greatly appreciated during this time.

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<16 Lucia Crt- Tree Denial.pdf>  
<Tree Appeal Procedure.pdf>

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7/28/2020

Mail - Erin Dean - Outlook

**Re: Urgent request - Tree removal confirmation - 16 Lucia Court**

Eric Courville <eric.courville@gmail.com>

Mon 7/27/2020 11:03 AM

To: Erin Dean <Erin.Dean@notl.com>

**CAUTION:** This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Sorry for the delay. Yes, we are here. See you soon.

Sent from my iPhone

On Jul 27, 2020, at 9:38 AM, Erin Dean <Erin.Dean@notl.com> wrote:

Hi Eric,

I can meet you there at 11am. Please let me know if that will work.

Thanks,

**Erin Dean**

**Property Standards & Municipal Law Enforcement Officer**

Town of Niagara on the Lake

Phone: 905-468-3266 ext. 279 Fax: 905-468-2959

1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0

erin.dean@notl.com

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**From:** Eric Courville <eric.courville@gmail.com>

**Sent:** Friday, July 24, 2020 3:05 PM

**To:** Erin Dean <Erin.Dean@notl.com>; Rolf Wiens <Rolf.Wiens@notl.com>

7/28/2020

Mail - Erin Dean - Outlook

**Cc:** Marie-Claude Préfontaine <mariec.prefontaine@gmail.com>; Louise Preston <louise.preston@remax.net>  
**Subject:** Re: Urgent request - Tree removal confirmation - 16 Lucia Court

**CAUTION:** This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Hi Erin and Rolf,

Please find attached the authorization from the owners of 16 Lucia ct to allow us to submit the Private Tree Removal Application on their behalf and also to appeal to the municipality if needed.

Erin, as suggested by Rolf and per my previous e-mail, any chance you can come on-site on Monday between 10am and 12:30pm? We will be there doing the inspection of the house and it you'd provide us with an opportunity to see the tree, see you you can identify the species and get your valuable insight on how we can likely proceed.

In the meantime, I already submitted a formal Private Tree Removal Application to initiate the formal process.

Thanks again to both of you for your assistance,

Eric

On Jul 23, 2020, at 4:37 PM, Eric Courville <[eric.courville@gmail.com](mailto:eric.courville@gmail.com)> wrote:

Hi Rolf, it was a real pleasure to talk to you this afternoon. Thanks for calling me back so quickly.

Erin, after talking to Rolf, he suggested that (assuming you're available), you can meet with us at the property on Monday between 10am and 12:30pm since we'll be at the property to conduct the house inspection. With your visit, it can help identifying the tree and found out if it's on the list of regulated trees or not. You might also have some other suggestions on how to approach the situation following your visit. It would be great if you can be available. Let me know.



7/28/2020

Mail - Enn Dean - Outlook

Louise, Rolf also suggested having a Permission letter from the current owner, allow us to submit a "Private Tree Removal Application" on their behalf (since they are the owner) and also a permission to appeal to the municipality on their behalf regarding the tree in question. Is it something you can work with the other agent?

Thank you all for your help in looking for a mutually agreeable solution to this situation. Truly appreciated.

Eric

On Jul 23, 2020, at 3:32 PM, Eric Courville <[eric.courville@gmail.com](mailto:eric.courville@gmail.com)> wrote:

Good afternoon Rolf,

Erin (cc'd) provided me with your contact detail. I would like to have a conversation with regards to the below situation where we do need to remove a tree that prevent us from building a pool, which is the primary reason why we would purchased the house.

Can you please call me at 416-464-6334 at your earliest opportunity to discuss the matter?

Time is sensitive since we have 4 business days left to confirm or not the purchase of the house which is conditional to the ability to remove the tree.

Thanks for your attention and quick response to my request,

Eric

On Jul 23, 2020, at 12:14 PM, Eric Courville <[eric.courville@gmail.com](mailto:eric.courville@gmail.com)> wrote:

Hi Erin,

Just a friendly follow-up from the below e-mail given the urgency of the request.

Any chance we can have a quick call this afternoon?

I can be reached at 416-464-6334.

7/26/2020

Mail - Erin Dean - Outlook

Thanks,

Eric

On Jul 22, 2020, at 10:07 AM, Eric Courville <[eric.courville@gmail.com](mailto:eric.courville@gmail.com)> wrote:

Hi Erin,

Thanks for your quick response.

As we don't yet possess the property (we have an offer out with a condition of being able to install a pool and remove the tree in question - we have 5 days to confirm otherwise we can't buy). We don't yet have the plan/sketch of the pool including size, and since I don't know much about trees, I don't know the actual species of the tree in question.

That said, I'm attaching 2 pictures of the tree, along with a picture showing the location of the tree and where the pool would go. The pool need to respect a minimal distance of 1.5 meter from the property line and the house.

Hope this help. I'm also attaching a picture of a similar pool of what we are looking to install.

This would be our 4th inground pool and we know that having a large tree like this one will damage the pool over time through the roots system, not mentioning the leafs clogging the skimmer (filtering system).

It would be ideal if we can have a phone conversation today as we'll need to make a decision on the house based on the possibility or not to remove this tree and plant several other trees (in compliance) to compensate.

Would you be available for a call today?

I can be reached at 416-464-6334.

Thanks a lot for your assistance,

7/28/2020

Mail - Erin Dean - Outlook

Eric  
416-464-6334

<image2.jpeg> <image3.jpeg>  
<16 lucia pool location.png>  
<IMG\_0044.jpeg>  
Sent from my iPad

On Jul 22, 2020, at 8:54 AM, Erin Dean <[Erin.Dean@notl.com](mailto:Erin.Dean@notl.com)> wrote:

Hi Eric,

You will need to provide a site plan of the yard to show where the tree is located. I will need to know what the size and species of the tree and I will also need more information on what size of pool and where it will be placed in the yard. If the tree falls within the foot print of the pool, I will also need an explanation of why the pool cannot be placed in an alternative area of the yard in preservation of the tree.

Thank you,

**Erin Dean**  
**Property Standards & Municipal Law Enforcement Officer**  
Town of Niagara on the Lake  
Phone: 905-468-3266 ext. 279 Fax: 905-468-2959  
1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0  
[erin.dean@notl.com](mailto:erin.dean@notl.com)

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**From:** Eric Courville <[eric.courville@gmail.com](mailto:eric.courville@gmail.com)>  
**Sent:** Tuesday, July 21, 2020 2:31 PM  
**To:** Erin Dean <[Erin.Dean@notl.com](mailto:Erin.Dean@notl.com)>  
**Cc:** Marie-Claude Préfontaine <[mariec.prefontaine@gmail.com](mailto:mariec.prefontaine@gmail.com)>  
**Subject:** Urgent request - Tree removal confirmation - 16 Lucia Court



7/28/2020

Mail - Erin Dean - Outlook

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Hi Erin,

My wife and I are about to make an offer to the property located at 16 Lucia Court in NOTL and one of the condition for us to purchase the property is to have confirmation that one of the large tree in the middle of the backyard can be removed in order for us to install a pool where the tree is located. This is a condition for us to make an offer on this property which we are planning to do today. We have 5 business days from today to confirm if the tree can be removed and we can install a pool. I have read the [Trees on Private Property in Urban Areas \(Private Tree Protection By-law\)](#) information and understand a permit will be required (at a cost) and we will have obligation to replant new trees according to the diameter of the tree to be removed, which we can comply with.

What we need at this time is a written confirmation that the tree in question can be removed for the benefit of having a pool installed.

If it's possible to call me at your earlier opportunity at 416-464-6334, that would be truly appreciated.

Best regards,

Eric  
416-464-6334  
[eric.courville@gmail.com](mailto:eric.courville@gmail.com)

7/28/2020

Mail - Erin Dean - Outlook

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7/28/2020

Mail - Erin Dean - Outlook

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