



October 25, 2006

CFN

VIA MAIL AND FAX (905-895-7735)

Mr. Ian Buchanan
 Manager, Natural Heritage & Forestry Services
 Transportation & Works Department
 Regional Municipality of York
 17250 Yonge Street
 Newmarket, ON
 L3Y 6Z1

Dear Mr. Buchanan:

Re: Summit Golf Course Application under York Region Tree Cutting Bylaw

TRCA staff appreciates the opportunity to provide comments on the subject application, which proposes to remove approximately 3.3 ha of forest to facilitate the re-design of three holes on the golf course. We understand the reason for the re-design is due to safety and liability issues associated with adjacent road widenings in proximity to the actively played holes, in addition to maintaining the natural (vs an urban) playing environment for the course. We further acknowledge that Summit has proposed the reforestation of approximately six ha of land on the site, plus other mitigation measures. We are providing our comments on the basis of the following:

- September 15/06 meeting of agency staffs with proponent, their consultants and counsel;
- Review of the EIS and Addendum EIS prepared for the Summit application by Beacon Environmental;
- Review of the Hydrologic Impact Assessment prepared for the Summit application by R.J. Burnside & Associates;
- ORMCP conformity letters from Summit's legal counsel;
- October 19/06 teleconference with agency staffs.

We note that the subject lands are within the Natural Core Area designation of the Oak Ridges Moraine Conservation Plan (ORMCP) and within a Key Natural Heritage Feature (at the minimum, a significant woodland – Jefferson Forest; and Life Science ANSI). We are providing our preliminary comments below on the understanding that further work may be required of the proponent, with further opportunity for comment by TRCA.

1. Planning Issues

TRCA submits that this application should not be looked at in isolation. There is much proposed development nearby being reviewed individually, but no comprehensive assessment of cumulative impacts being done. Recently completed or proposed development within the Jefferson Forest area includes:

- Bayview Avenue extension;
- Summit golf course current proposal;



- North side of Stouffville road - # 320 & # 350;
- 5 vacant estate residential lots with plans submitted in Jefferson Forest east of Bayview Ave. – comprised of large houses, some with pools and tennis courts;
- Future widenings of Bayview Ave. and Stouffville Road;
- An unknown amount of future development or redevelopment potential on the north side of Stouffville Road, in the estate residential lands east of Bayview Ave. and immediately west of Summit in the adjacent forested lots; and
- Future potential reconfigurations of the layout for the Summit golf course.

2. Ecological Issues

Many Species of Conservation Concern occur and breed in the Jefferson Forest community, including numerous birds requiring mature woodlands with undisturbed canopies, other amphibians such as wood frogs that require mature forests with breeding pools in close proximity, and many floral species that are in decline throughout the GTA due to habitat destruction. Many of the floral and faunal species found in the Jefferson Forest are considered Nationally, Provincially, Regionally and locally significant, some of which are protected under the Species at Risk Act.

TRCA believes that there is a need for a broad area Environmental Impact Study (EIS) specific to the Jefferson salamander and its habitat. The Jefferson salamander is nationally and provincially significant and threatened (COSEWIC 2000) and is also protected in the federal Species at Risk Act (SARA). There have been several individual project and site-specific EIS done in the Jefferson Forest area (including for the current Summit proposal), but no comprehensive assessment of or plan for the Jefferson salamander in particular has been completed. We understand that a Recovery Plan under SARA is currently under way, but we do not know its current status.

Additional specific ecological concerns include:

- TRCA has breeding bird data and species of conservation concern data that has not been used in the Summit EIS;
- The local Richmond Hill Naturalists club has significant amounts of data that Summit chose not to review. This data needs to be reviewed and incorporated into the EIS;
- TRCA biologists have documented a large population of spring peepers crossing Stouffville Road in the spring at the north-west end of the golf course, indicating breeding pools for amphibians in the immediate vicinity. These were not documented in the EIS and needs to be further investigated;
- The EIS noted turning over rocks and logs to look for salamanders, however the Jefferson salamander is a burrowing species. The EIS should document the differences in soil types east of Bayview Ave vs west of Bayview Ave to understand if different soil types limit the extent of the habitat of the salamander;
- The ORMCP requires that ecological integrity be maintained or enhanced. The current proposal and mitigation measures would only meet this criterion after many decades of growth of the reforested areas. Of the 6 ha replanting proposed, only some is compensation habitat – the remainder is for aesthetic purposes and fairway separation. The ecological replacement value won't occur for 50 years. Further mitigation, including off-site compensation for this significant temporal loss of ecological integrity, would be required;

- There appears to be a discrepancy in the total amount of forest proposed to be removed. Figures of 2.6 ha and 3.3 ha appear in various documents. This needs to be clarified in the text and mapping;
- Missing from the references are two technical documents by the Ministry of Natural Resources prepared specifically to help interpret the requirements of the ORMCP: Technical Paper #2 – Significant Wildlife Habitat; and Technical Paper #6 – Identification and Protection of Significant Portions of Habitat for Rare, Threatened and Endangered Species. These documents contain requirements to address our over-riding comment above regarding the need for a broader area/scope of EIS that appears not to have been addressed by the Summit EIS.

3. Legal Issues

We have concerns regarding the interpretation of the ORMCP by Summit that may have implications for other developments. If the ORMCP isn't seen to work to protect nationally significant and threatened species, its value and effectiveness will be called into serious doubt. As an interim step, we agree with the approach suggested on the October 19 teleconference to ask Summit to prepare documentation to show the extent of land on which they assert that their existing use takes place.

4. Conclusions & Recommendations

TRCA recommends that prior to any decision taking place on this application the following additional work needs to be carried out:

- A comprehensive planning study should be conducted by the relevant planning authorities to determine the total amount of likely development and site alteration to occur in/adjacent to the Jefferson Forest in order to assess cumulative impacts.
- A parallel comprehensive environmental study should be conducted by the proponent to address the ORMCP Technical Guidelines, Recovery Plan for the Jefferson Salamander, the results of the above planning study and incorporating all local data from TRCA and the Richmond Hill Naturalists and others if available, to assess and fill data gaps, determine cumulative impacts and complete a comprehensive recovery strategy for the Jefferson Salamander and a plan for its implementation.

Should the approval authorities not agree to requiring the above study requirements prior to making a decision on the application, TRCA recommends the following minimum conditions of approval:

1. A peer review of the proposed redesigned course layout should be undertaken by a more objective designer (one who is not a member of the course) to see if there is a layout with less ecological impact;
2. A requirement for the best on-site restoration possible;
3. A requirement for a significant cash contribution by Summit for off-site compensation. This may potentially occur in the nearby ORM Corridor park. Money can be raised from

Mr. Ian Buchanan

- 4 -

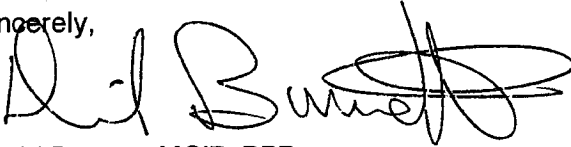
October 25, 2006

Summit hosting a minimum of two publicly open tournaments on the site. The Conservation Foundation of Greater Toronto can assist with this;

4. Define the "playable envelope" of the golf course within which any/all future layout modifications must be done and be subject to site plan approval. Zone the remainder of the site as Environmental Protection;
5. Development of a monitoring plan and performance measures which must be demonstrated to be met prior to any future modifications in the playable envelope;
6. Integrated Pest Management certification to be achieved within 5 years of the course modifications and maintained in good standing; and
7. Certified Audubon Cooperative Sanctuary designation status to be achieved within 10 years of course modifications and maintained in good standing.

Should you require any clarification of these comments, please contact the undersigned at 416.661.6600, extension 5361.

Sincerely,



David Burnett, MCIP, RPP
Manager, Regional & Provincial Policy
Planning & Development Division

DB/dli