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**APPLICATION FOR TREE BY-LAW MINOR EXCEPTION
FOREST HILL SOD (LOMBARDO VINCENZO LTD.)
TOWN OF GEORGINA
ADDENDUM REPORT**

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, January 28, 2004, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. The application submitted by Forest Hill Sod (Lombardo Vincenzo Ltd.), dated September 15, 2003, for a minor exception to the Regional Tree By-law in Part Lot 3 Concession 4, Town of Georgina be approved.
2. The Regional Solicitor be directed to prepare the necessary By-law incorporating the mitigative measures as outlined in Section 4 of this report.

2. PURPOSE

A report on this application was presented to the Transportation and Works Committee on January 7, 2004 (*see Attachment I*). Following the hearing, staff were directed to discuss the adjacent landowners concerns and further evaluate mitigative options with the applicant. The purpose of this report is to report the conclusions of those discussions and present the position of staff to the Committee for consideration on this matter.

3. BACKGROUND

On September 15, 2003, Regional staff received an application from Lombardo Vincenzo Ltd. for a minor exception to the Regional Tree By-law. The application was screened and forwarded to the office of the Regional Clerk (November 17, 2003).

Lombardo Vincenzo Ltd., are the owners of the property located on Part Lots 3, Concession 4, in the Town of Georgina. The subject lands are located east of Highway 48, between Old Homestead Road and Smith Boulevard in the Town of Georgina. The application affects up to 6.5 acres of forest cover on the subject property. The application relates to the woodlot located on the applicant's holdings at Part Lots 3, Concession 4, in the Town of Georgina. The subject property includes an existing sod farm that has been operating for the past 10 years.

The entire property is 80.2 acres of which 6.5 acres remains forested. Regional Forestry staff have completed several site inspections of the property and met with the applicant to discuss the proposal. The purpose of the application is to permit the clearing of the

remaining 6.5 acres of forest to allow for the expansion of an existing agricultural operation.

The Town of Georgina, the Ontario Ministry of Natural Resources (OMNR), Lake Simcoe Region Conservation Authority (LSRCA), York Environmental Stewardship, South Lake Simcoe Naturalists, York Federation of Agriculture and Ontario Federation of Agriculture were invited to attend or comment on the hearing. No correspondence was received on this proposal, however an adjacent landowner made a deputation to Committee.

4. ANALYSIS AND OPTIONS

Staff were directed to review the adjacent landowner's concerns and pursue additional mitigation measures with the applicant. Staff have subsequently met with the applicant Mr. Dominic Vincenzo (January 26, 2003) and further discussed this matter.

Concerns raised at the hearing included: (i) environmental impact (scope of works and timing), (ii) drainage issues, and (iii) proposed fertilizer use and farming practices. These items are reported on as follows:

- (i) Environmental impact - In addition to not clearing the trees before July 1, 2004, Mr. Vincenzo has agreed to the following additional mitigative measure:
 - Providing a 30 metre buffer (to remain with trees) adjacent to the woodlot to the east boundary of his property. In addition, no drainage ditch will be constructed in this buffer feature.
- (ii) Drainage - The applicant has received a Grade and Fill Permit from the Town of Georgina (January 6, 2004). This permit provides clear direction as to the appropriate grading and drainage requirements imposed by the Town.
- (iii) Farming practices - With respect to other issues raised during the hearing, Mr. Vincenzo has indicated that:
 - Pesticides are not used on site as part of his farming activities.
 - Herbicides and fertilizers are applied following strict Best Management Practices.
 - Fill will not be imported to the site.
 - He is evaluating the possibility of a pond for watering purposes.

The above noted items should satisfy the principal concerns raised during the hearing.

This application has been assessed under the Tree By-law, and reviewed in the context of the guiding principles for reviewing agricultural applications adopted by Regional Council (June 26, 2003).

The following mitigative measures should be applied to the By-law:

- To protect nesting activity and other wildlife functions, no tree removal should occur between April 1 and July 1, 2004.
- A buffer of natural vegetation (trees) is to be left adjacent to the forest block to the east. This boundary is to be verified by Forestry staff.

Based on a review of the application, including a screening of the environmental designations, the age and composition of the woodlot, and that the purpose of the tree cutting would accommodate the expansion of an existing agricultural operation, it is recommended that the proposed minor exception to the Regional Tree By-law should be approved subject to the above noted mitigative measures.

4.6 Relationship to Vision 2026

Vision 2026 includes a goal statement on Enhanced Environment, Heritage and Culture:

“In 2026, York Region residents will continue to value and embrace the Region’s unique natural heritage (land, air and water) and cultural heritage (sites and buildings important to our history, faiths and cultures).”

To support this goal, the Region has identified specific action areas. The following action area has been considered for this report:

- Sustaining our agricultural base, while also giving consideration to:
 - Securing a Green York Region.
 - Ensuring Clean Water and Air.
 - Promoting Conservation.

The recommendations of this report are consistent with the intent of the goal statement and support the direction of the identified action areas.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

7. CONCLUSION

It is recommended that the application for minor exception for Forest Hill Sod (Lombardo Vincenzo Ltd.) be approved, and the Regional Solicitor be directed to prepare the necessary by-law.

The Senior Management Group has reviewed this report.

(A copy of the attachments referred to in the foregoing is included with this report and is also on file in the Office of the Regional Clerk.)