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FOREST CONSERVATION BYLAW SPECIAL PERMIT APPLICATION KING VALLEY GOLF CLUB, TOWNSHIP OF KING

The Environmental Services Committee recommends:

- 1. Receipt of the deputation by Angela Baldwin, Planner, Baldwin Planning and Development Consultants and Steve Mann, Arborist, SJM Aboricultural Consulting Ltd.;**
- 2. Receipt of presentation by Ian Buchanan, Manager, Natural Heritage and Forestry, Environmental Services; and**
- 3. Adoption of the recommendation contained in the following report dated January 24, 2012, from the Commissioner of Environmental Services.**

1. RECOMMENDATION

It is recommended that:

1. The Special Permit application submitted by ClubLink for King Valley Golf Club under the Forest Conservation Bylaw, to remove 0.6 hectares of woodland and 31 single trees for the purpose of improving golf green turf grass health, be approved.

2. PURPOSE

This report seeks Council authorization regarding a Special Permit application under the Forest Conservation Bylaw to remove 0.6 hectares of woodland and remove an additional 31 select trees from within woodlands, for golf course maintenance to improve golf green turf grass health, on the King Valley Golf Club in the Township of King. A condition of the permit (if issued) will be to plant a 2.2 hectare forest off site by December 31, 2012. This compensation planting represents a 1.6 hectare net increase of forest cover in the Township of King.

3. BACKGROUND

Council is required to review Forest Conservation Bylaw Special Permit applications

York Region's Forest Conservation Bylaw (No. TR-0004-2005-036) regulates the destruction or injury of trees in woodlands greater than one hectare on private land in the

Region. Council may approve or deny Special Permits for large scale tree removal (e.g. forest clearing greater than 0.2 hectares or cutting which is not considered good forestry practices under the Southern Ontario Silvicultural Guidelines).

The intent of the Bylaw is to help achieve the Region's Official Plan goal of 25 per cent forest cover by 2025, and to promote good forestry practices. Council must review applications in accordance with the intent of the Bylaw while giving consideration to current environmental legislation and policies.

A Special Permit application was received from ClubLink for King Valley Golf Club, which is located in the Township of King (*Attachment 1*) on the Oak Ridges Moraine. The property is 69.9 hectares, of which approximately 20 hectares is forested. York Region's Forest Conservation Bylaw applies to almost all 20 hectares of woodlands on the subject property.

ClubLink proposes to remove portions of woodlands and selective single trees at King Valley Golf Club for the purpose of golf course maintenance and turf grass management

King Valley Golf Club has been in operation since 1991. Trees have an impact on golf greens, and need to be managed to retain overall sustainability of the turf grass and golf course operations. Tree removal improves turf grass quality by increasing sunlight penetration and increasing air flow at the ground surface. Tree removal is considered part of Integrated Pest Management because healthy turf grass requires less fertilizer and pesticide inputs.

The permit application proposes the removal of a total of 0.6 hectares of woodland across eight locations, and the selective removal of an additional 31 single trees from another 3 locations (0.3 hectares). The proposed tree removal areas are indicated on (*Attachment 2*).

It should be noted that ClubLink proposes to remove an additional 56 individual trees and 0.03 hectares of trees that do not fall under Regional jurisdiction (i.e. stand alone trees, trees in small isolated woodlot patches). These locations are also highlighted on Attachment 2. King Township does not have a single Tree Bylaw to cover these kind of activities.

The entire King Valley Golf Club property is on the Oak Ridges Moraine, and is designated as Natural Linkage Area and Countryside Area. The review of a Forest Conservation Bylaw Special Permit application takes into consideration impacts to environmental features, policies of the Regional and local Official Plans, and considers the implications of the *Oak Ridges Moraine Conservation Act, 2001 (ORMCA)* and *Oak Ridges Moraine Conservation Plan (ORMCP)*.

4. ANALYSIS AND OPTIONS

Tree removal ClubLink has applied for is reasonable, it allows them to manage woodlands to achieve objectives for the existing use of the site, while remaining compliant with applicable legislation and policies

King Valley Golf Club is within the Natural Linkage Area and Countryside Area designations on the Oak Ridges Moraine. The majority of forests on the King Valley property are identified as Key Natural Heritage Features – Significant Woodlands.

All development and site alteration within a Key Natural Heritage Feature or the related minimum vegetation protection zone is prohibited. However, removal of small portions of woodlands does not constitute development or site alteration. The proposed woodland removal is considered a reasonable maintenance activity when considering the golf course is an existing use on the subject property.

Pre-consultation with landowner and review of Environmental Impact Study has identified scope of work

The applicant engaged SJM Arboriculture Consulting Ltd. to assess how trees affect shade and air flow for the course greens. The analysis proposes the removal of only those trees with the greatest negative impact on turf quality on specific greens. From an aesthetic perspective, it is in the golf course's best interest to retain as many trees as possible, and remove only those trees which affect the quality and playability of the course.

Staff met with the applicant, inspected the site and reviewed the Environmental Impact Study (EIS). The permit application proposes to remove small portions of woodlands (total 0.6 hectares) across eight locations, and to remove an additional 31 trees from 3 locations. The largest single area of woodland removal is approximately 0.2 hectares.

Environmental Impact Study identifies minimal environmental impact and proposes adequate mitigation measures

The consultant identified woodlands and wetlands as natural heritage features on the property and adjacent lands that might be impacted. Potential impacts could result from: tree and stump removal, soil disturbance, and introduction of invasive species.

EIS indicates that environmental impact will be minimal because:

- Only small parts of the forest features are being removed, not entire features
- Impacted woodlands are primarily coniferous plantations (e.g. red pine, white pine and white spruce – 30-40 years old) with minimal undergrowth

Proposed mitigation measures, including location, timing and method of tree removal, and installation of silt fencing, are appropriate for this level of activity. Conditions of the Region's permit (if approved) will prescribe mitigation requirements, including the following timing restriction to protect breeding birds:

- No cutting of trees is to occur between April 15 and July 15, 2012
- Compensation tree planting to occur by December 31, 2012

ClubLink proposes a net environmental benefit by increasing forest cover

ClubLink proposes to establish a new 2.2 hectare forest off-site to offset the proposed 0.6 hectare woodland removal (see compensation planting site *Attachment 1*). Native trees (e.g. red oak, white oak, sugar maple, white pine) will be planted as a new forest for a net gain of 1.6 hectares of forest in King Township. Additionally, the proposed compensation planting area is adjacent to a Provincially Significant Wetland and therefore will enhance that natural heritage feature and its functions.

The location of compensation planting is on another property that ClubLink owns at Jane Street and 15th Sideroad in King Township. Site consideration has been given for the future possibility of a Highway 400 interchange at 15th Sideroad. The off-site planting is proposed due to space restrictions on the King Valley site. Conditions of the Region's permit (if approved) will cover the commitment to reforestation and a monitoring plan.

Ontario Ministry of Natural Resources, Township of King and Lake Simcoe Region Conservation Authority have been consulted

The application was circulated to the Ontario Ministry of Natural Resources, Township of King and the Lake Simcoe Region Conservation Authority for comments. The Ontario Ministry of Natural Resources confirmed the EIS findings that the natural heritage features on site are woodlands and wetlands. They noted that the site of the compensation planting will enhance a Provincially Significant Wetland.

The Lake Simcoe Region Conservation Authority identified that two of the proposed woodland removal sites are in a Regulated Area, and any tree removal proposed in their jurisdiction would require a permit. They also indicated that tree removal should not take place within 30 metres of the watercourse. They noted that the site of the compensation planting will enhance a Provincially Significant Wetland, and noted that the compensation planting location is in the Toronto and Region Conservation Authority's jurisdiction.

The Township of King staff have indicated they have no concerns with this application and the proposed works are consistent with policies and objectives of King Township's Official Plan.

In addition, ClubLink has consulted with King Valley Golf Club members and local residents who are adjacent to the golf course property. No concerns were raised.

Link to Key Council-approved Plans

This proposal aligns with the Sustainable Environment fundamental principle within the 2011 to 2015 Strategic Plan. Sustainable management of natural features on the subject property supports the Vision 2026 goal for an Enhanced Environment and helps to secure a green York Region.

Recommendations of this report are consistent with the objectives of the Regional Official Plan environmental policies. Proposed woodland impacts will not affect the ability of the features to provide a variety of environmental functions and services. The proposed compensation reforestation will result in a net gain of 1.6 hectares of forest in King Township, consistent with the Region's objective to increase woodland cover to 25 per cent by 2025.

5. FINANCIAL IMPLICATIONS

There are no financial implications with this report.

6. LOCAL MUNICIPAL IMPACT

Approval supports a net increase of 1.6 hectares of forest cover in the Township of King

The proposed works contribute to the sustainable management of the ClubLink King Valley Golf Club. The 24 per cent forest cover in the Township will not be negatively impacted. Approval of this permit will increase the forest cover in King Township by 1.6 hectares and also enhance an existing Provincially Significant Wetland.

7. CONCLUSION

A Special Permit Application was received from ClubLinks for the King Valley Golf Club, to consider the removal of small areas of woodlands and selective trees to improve golf green turf grass quality as part of sustainable golf course operations. The application was reviewed against the relevant legislation and policies to be considered when reviewing a Forest Conservation Bylaw application. Other agencies were consulted, including the Ministry of Natural Resources, the Lake Simcoe Region Conservation Authority and the Township of King. The applicant also consulted their members and neighbouring residents.

The applicant has demonstrated that the proposed partial woodland and single tree removal is required for turf management and is an integral part of the golf club's ability to remain competitive and run a sustainable operation. King Valley Golf Club is recognized as an 'existing use' on the property. The proposed partial woodland removal is compatible with the existing use provisions of the *Oak Ridges Moraine Conservation Plan*, other environmental legislation and policies, and is consistent with the Region's environmental sustainability objectives. As such, staff support the approval of the application.

For more information on this report, please contact Laura McDowell, Director of Environmental Promotion and Protection at 905-830-4444 Ext. 5077 or Ian D. Buchanan, Manager of Natural Heritage and Forestry at Ext. 5204.

(The two attachments referred to in this clause are attached to this report.)



Forest Conservation By-law

Special Permit – Review Process

Presentation to Environmental Services Committee

Ian Buchanan
Manager, Natural Heritage & Forestry

February 8, 2012



Forest Conservation By-law

AGENDA:

- Background of the By-law
- Types of Permits
- Review Process
 - consideration of previous applications
 - King Valley Golf Club application
- Staff Recommendation



Forest Conservation By-law

HISTORY:

- 1991 - York Region Tree By-law enacted under *Trees Act (1950)*
- 1998 - *Trees Act* replaced by *Forestry Act (1998)*
- 2003 Region endorsed review policy and agricultural and environmental principles
- 2003 - *Municipal Act (2003)* changes requires York Region to update its Tree By-law
- 2005 - New Forest Conservation By-law with permits



Forest Conservation By-law

Purpose:

"To restrict and regulate the destruction of trees in the Regional Municipality of York, and to help achieve the natural environment objectives of the Regional Official Plan (forest protection) and promote good forestry practices "

- In southern Ontario over 70 % of woodlands have been lost in last 200 years
- York Region has 39,000 ha of forest or 22.5% forest cover
- York Regional Official Plan - 2010 - Sustainable Natural Environment, protect and restore forest cover 25% forest cover goal



Harmonization with local municipalities

Jurisdiction:

- *Municipal Act* defines the Region's jurisdiction to woodlands greater than 1 ha in size
- Allows the Region to protect woodlands less than 1 ha under agreement with local municipalities
- Agreements with local municipalities for the Region to protect woodlands down to 0.2 ha in size (0.5 acres - as per previous Regional Tree By-law)
- All municipalities, except Newmarket and Aurora, have delegation by-laws in place
- *Municipal Act* allows for development of local single/multiple tree removal by-laws



Forest Conservation By-law Permits - 3 types

1. Good Forestry Practices Permit

Sustainable selective harvest - involves a Registered Professional Forester. Staff review and decision. \$25 fee.

2. Harvest Permit

Selective harvest - review based on criteria specified in the by-law (tree size and amount). Staff review and decision. \$250 fee.

3. Special Permit

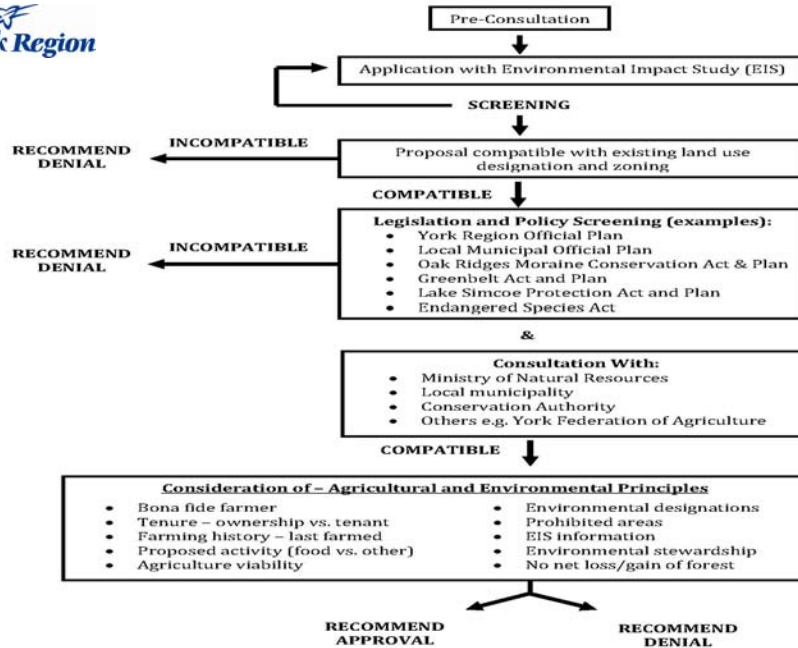
Clear cutting or 'other activities' - review based on legislation, policy and principles screening.

Minor - under 0.2 ha – staff review/decision. \$250 permit fee.

Major - more than 0.2 ha – staff report, Regional Council decision. \$500 permit fee.



GUIDELINE TO REVIEW SPECIAL PERMIT APPLICATIONS



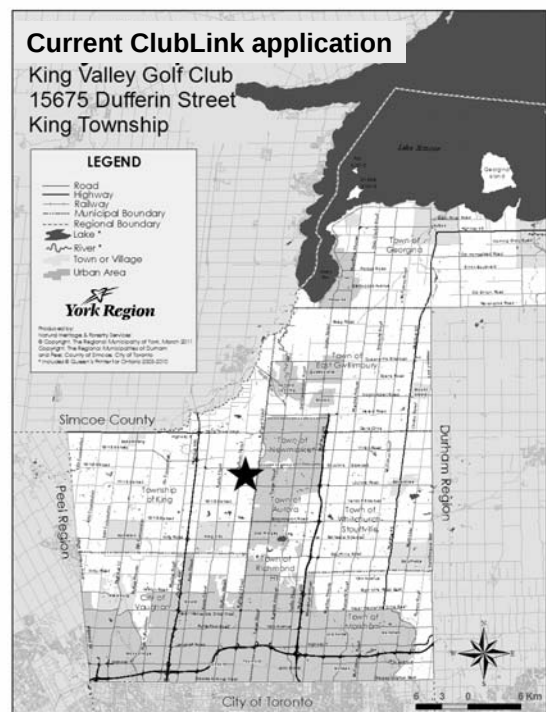
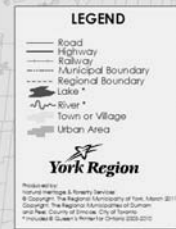
Past decisions 2005 - 2012

Owner	Township	Year	Area (ha)	Reason cited for Clearing	Staff Report	Basis of staff recommendation	Council Decision
1. Brouwer	Georgina	2005	4.7	Agriculture	Approve	Farming maintenance	Approved
2. Gokkurt	Georgina	2006	6.9	Agriculture	Deny	Area not previously farmed	Deny
3. Summit Golf & Country Club	Richmond Hill	2007	2.6	Golf Course redesign	Deny	Major impact - not compatible with ORMCA and ORMCP	Deny
4. Catholic Cemeteries Archdiocese	Whitchurch-Stouffville	2007	1.76	Agriculture	Approve	Farming maintenance	Approved
5. Brock	Markham	2010	1.2	Agriculture	Approve	Farming maintenance	Approved
6. Adena North Inc.	Whitchurch-Stouffville	2011	0.8	Agriculture (access)	Approve	Safe access to acceptable use - farming	Approved
7. Beacon Hall Golf Club	Aurora	2011	108 single trees	Golf Course maintenance	Approve	Maintenance compatible with ORMCP & ORMCP	Approved
8. Draper	Georgina	2011	1.5	Agriculture	Deny	Conflict with condition of earlier permit to retain remaining woodlot	Deny
9. King Valley Golf Club	King	2012	0.6 ha and 35 trees	Golf Course maintenance	Approve	Maintenance compatible with ORMCP & ORMCP	Pending

Note: conditions of permits often include replanting compensation requirements and tree removal timing restrictions

Current ClubLink application

King Valley Golf Club
15675 Dufferin Street
King Township



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King Valley Golf Club Assessment

- Oak Ridges Moraine Conservation Act – existing use provisions allow for these 'maintenance activities'
- Minor edge impact to existing features 0.6 ha and 31 single tree removal
- In addition, the owner will plant 2.2 ha of forest off site for a net gain of 1.6 ha of forest

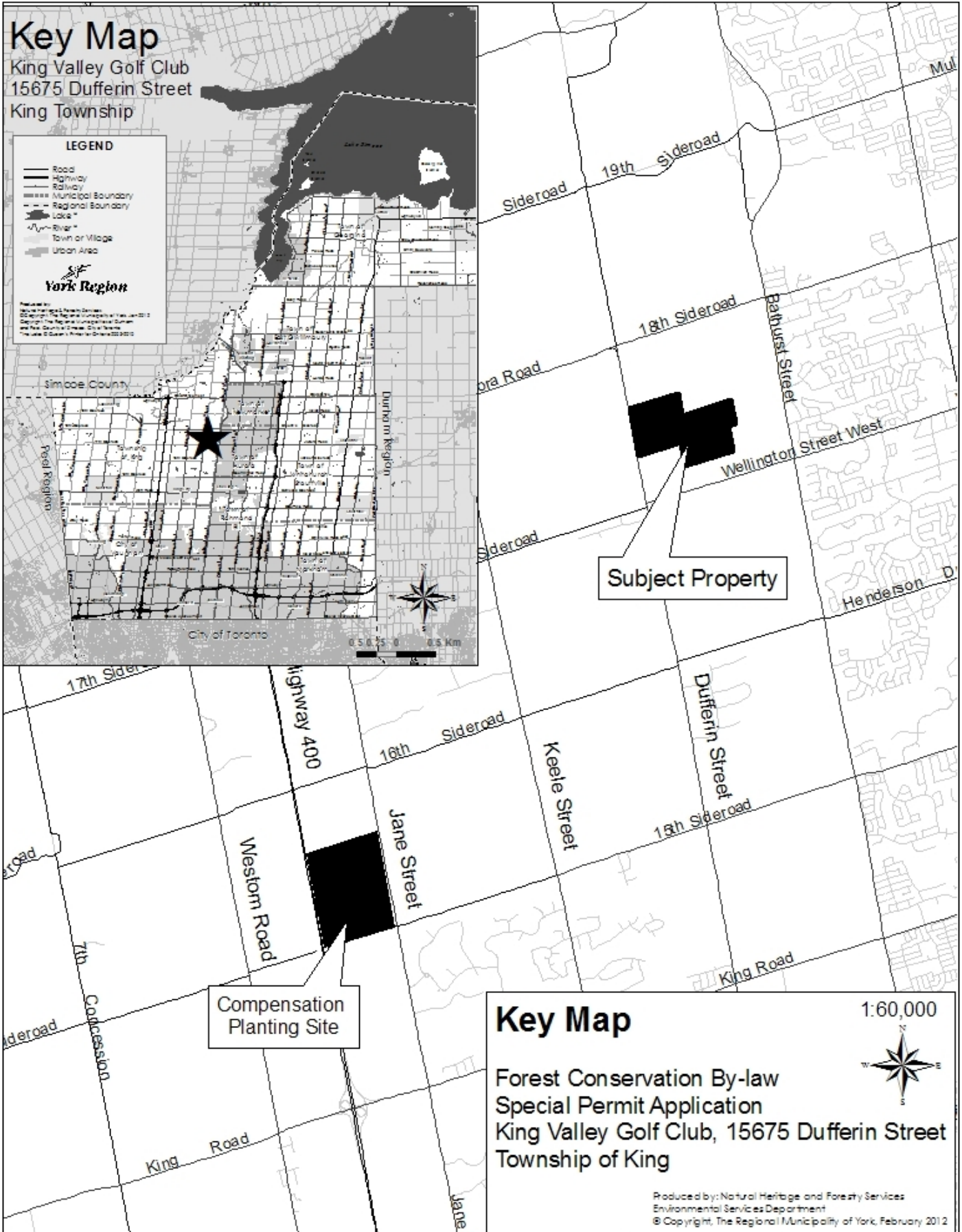


Conclusion

King Valley Golf Club application staff recommendations

The application submitted by King Valley Golf Club, for a Special Permit under the Forest Conservation By-law for the removal of 0.6 ha of woodland and 31 select trees for greens turf maintenance purposes, be approved with 2.2 ha of compensation woodland to be planted by December 31, 2012.

Note: the Forest Conservation By-law is currently undergoing an administrative review to ensure conformity to *Municipal Act* amendments – staff will report back to Council in the Fall.



Location Map

Forest Conservation By-law Special Permit Application
King Valley Golf Club, 15675 Dufferin Street, Township of King

