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FOREST CONSERVATION BY-LAW SPECIAL PERMIT APPLICATION BEACON HALL GOLF COURSE, TOWN OF AURORA

(Regional Council at its meeting on March 24, 2011 referred this report to the April 6, 2011 Transportation Services Committee meeting.)

The Transportation Services Committee recommends:

1. Receipt of the following deputations:
 - (a) Isobel M. Ralston, resident abutting Beacon Hall Golf Course; and
 - (b) Paul Scenna, Superintendent, Beacon Hall Golf Course.
2. Adoption of the recommendation contained in the following report dated February 14, 2011, from the Commissioner of Transportation Services.

1. RECOMMENDATION

It is recommended that:

1. The application submitted by Beacon Hall Golf Course for a Special Permit under the Forest Conservation By-law for the removal of 108 trees for greens turf maintenance purposes be approved.

2. PURPOSE

This report seeks Regional Council direction regarding a Special Permit application under the Forest Conservation By-law to remove 108 trees for golf course maintenance on the Beacon Hall Golf Course in the Town of Aurora.

3. BACKGROUND

Regional Council is required to review Forest Conservation By-law Special Permit applications

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

Region. Regional Council may also approve or deny Special Permits for large scale tree removal (e.g. forest clearing greater than 0.5 hectare or cutting which is not considered 'good forestry practices' under the Southern Ontario Silvicultural Guidelines).

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

A Special Permit application was received from Beacon Hall Golf Course, located in Town of Aurora (*Attachment 1*). The entire property is situated on the Oak Ridges Moraine and is designated as Settlement Area. The property is 107 hectares (ha) in total of which approximately 20 ha is forested. York Region's Forest Conservation By-law applies to approximately 13 ha of woodlands on the subject property (*Attachment 2*). Golf courses are exempt under the Town of Aurora Tree By-law.

This subject permit application is to consider the removal of trees from woodlands for the purpose of golf course maintenance and turf grass management

Beacon Hall Golf Course has been in operation since 1988. The application proposes the removal of 108 trees to decrease shade on five greens to improve turf quality. Trees have a significant impact on shade and sunlight penetration, and must be managed to retain the overall sustainability of the turf and golf course operation.

It should be noted that for turf management purposes, Beacon Hall proposes to remove a total of 303 trees on site, of which 195 are trees outside of woodlands under Regional jurisdiction i.e. stand alone trees, trees in small isolated stands or hedgerows.

Under the Regional By-Law, the review of the Forest Conservation By-law Special Permit application is required to take into consideration impacts to environmental features, policies of the Regional and local Official Plans, and consider the implications of the *Oak Ridges Moraine Conservation Act, 2001 (ORMCA)* and *Oak Ridges Moraine Conservation Plan (ORMCP)*.

4. ANALYSIS AND OPTIONS

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

Staff have considered the application under the Forest Conservation By-law, giving consideration to the *Oak Ridges Moraine Act and Plan*, Regional and local Official Plans and other environmental policies. The proposed tree removal does not constitute site

alteration or development, and is considered a reasonable maintenance activity when considering the golf course as an existing use on the subject property.

In contrast to the Summit Golf and Country Club application where Council denied a tree clearing request, the Summit application was to relocate fairways into significant woodlands. This application considers tree maintenance activities along existing fairways and greens.

Provincial policies allow for consideration of ‘existing use’ needs and do not conflict with selective tree removal

Beacon Hall Golf Course is within the Settlement Area designation on the Oak Ridges Moraine. The majority of forests on the property are identified as being Key Natural Heritage Features (KNHF) – Significant Woodlands. All development and site alteration within a Key Natural Heritage Feature or the related minimum vegetation protection zone is prohibited. However selective tree removal does not constitute *development* or *site alteration*.

In the context of ‘existing use’ under the *Oak Ridges Moraine Conservation Act*, the Province, in commenting on the Summit Golf Course proposed tree clearing for new fairways, has previously given the opinion that treed areas along and immediately adjacent to fairways, greens and tees are integral parts of a golf course. Therefore the selective tree removal is considered by Regional staff to be part of the ‘existing use’.

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

Staff has met with the applicant and inspected the site. The subject property is 107 ha and includes 20 ha of forest. The Region’s Forest Conservation By-law jurisdiction, as prescribed by the *Municipal Act, 2001*, applies to 13 ha of woodlands on the property (attachment 2), much of which is designated as Significant Woodlands.

The applicant has engaged ArborCom Technologies Inc. to undertake an extensive assessment of trees and shade for the course greens. Both real time and shade modelling studies were conducted to assess light penetration on each green. This analysis results in a proposal to remove 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.

The Environmental Impact Study (EIS) identifies minimal environmental impact and proposes adequate mitigative measures

The consultant identified a list of potential impacts including; loss of tree cover, edge impacts to forest areas, forest fragmentation, soil disturbance, habitat degradation and

impacts to wildlife. In addition they have screened for significant species. A single Butternut tree, which is identified as an endangered species under the *Endangered Species Act*, was located on site well removed from the proposed tree removal areas. The proposed mitigative measures including location, timing and nature of tree removal are appropriate for this level of activity. The conditions of the Region's permit (if approved) will prescribe mitigative requirements including the following timing restriction to protect breeding birds and tree planting compensation:

- No cutting of trees is to occur between April 15 and July 15, 2011.
- Implementation of the reforestation/planting plan to be completed by December 31, 2011.

Beacon Hall proposes a net environmental benefit, including increased forest cover, and the planting of 529 trees and 237 shrubs

Beacon Hall proposes the planting of a new 0.65 ha forest on site to offset some of the proposed tree removal impacts. Also, some areas which were formerly manicured (e.g. grass cutting under existing trees) will no longer be mowed, and native trees (e.g. sugar maple and red oak) will be planted to re-generate a natural forest ecosystem. A total of 529 native trees and 237 native shrubs will be planted, and there will be a net gain of 1.2 ha of forest.

Beacon Hall also proposes that tree and shrub planting will be located to enhance visual screening concerns raised by adjacent landowners. They have committed to planting larger sized trees to further buffer the visual impacts for adjacent land owners. A detailed monitoring plan is proposed.

The Ontario Ministry of Natural Resources, Town of Aurora and the Lake Simcoe Conservation Authority have been consulted

The Town of Aurora and the Ministry of Natural Resources (MNR) have participated in pre-consultation discussions. The Ministry of Natural Resources has indicated they want to ensure the impact is minimized and that some specific tree removals may warrant closer inspection. As a result of the pre-consultation, Beacon Hall has significantly reduced the number of trees proposed for removal and have also committed to a further review prior to removal. This may further decrease the numbers of trees to be removed.

The Lake Simcoe Conservation Authority indicated there is a Regulated Area on the east side of the subject property, and any tree removal proposed in their jurisdiction would require a permit. They also indicated tree removal should be restricted to that which is required, and compensation may be appropriate.

The Town of Aurora was consulted throughout the process and re-iterated a concern for any loss of forest cover. They also suggested that:

- Beacon Hall advise the adjacent landowners and Beacon Hall condominium community residents of the proposed activity.
- York Region monitor any proposed activity.

Beacon Hall has informed and consulted with local residents, and Region staff will be monitoring activities should a permit be issued.

5. FINANCIAL IMPLICATIONS

There are no financial implications with this report.

6. LOCAL MUNICIPAL IMPACT

Forest cover objectives for the Town of Aurora are being met and mitigation/compensation measures are considered reasonable

Town of Aurora staff were consulted throughout the application process. Regional staff have also met and corresponded with concerned local residents on several occasions. Although the Region's Forest Conservation By-law applies to the removal of only 108 of the 303 trees to be removed, the overall scope of the proposal, coupled with the tree planting and forest compensation, seems a reasonable balance. The proposed replanting plan delivers a direct tree replacement ratio of 5:1 for areas subject to the Region's By-law, and a tree replacement ratio of 2:1 when considering all tree removals on site.

Overall, the 13 % forest cover in the Town has not been impacted. In fact, there is a net gain in forest cover (1.2 ha) associated with the proposed re-planting compensation plan. Beacon Hall has also proposed additional measures (site specific plantings and larger tree planting) to ensure appropriate buffers and screening for their adjacent neighbours.

7. CONCLUSION

A Special Permit Application was received from Beacon Hall Golf Course to consider the selective removal of 108 trees for turf management on greens 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 By-law application. Other agencies were consulted, including the Ministry of Natural Resources, the Lake Simcoe Conservation Authority and the Town of Aurora.

The proposed selective tree removal is required for turf management and is an integral part of the courses ability to remain competitive and run a sustainable operation. Beacon

Hall Golf Course is recognized as an 'existing use' on the property. The proposed selective tree 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 supports the approval of the application.

For more information on this report, please contact Ian D. Buchanan at Ext. 5204.

The Senior Management Group has reviewed this report.

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



