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

The Transportation Services Committee recommends:

- 1. Receipt of the following communications:**
 - (a) Geoffrey Dawe, Mayor, Town of Aurora, dated March 31, 2011;**
 - (b) Warren McClure and John Green, Ratepayers of Aurora Yonge South, dated April 4, 2011; and**
 - (c) Josh Garfinkel, Earthroots and Debbie Gordon, STORM Coalition, dated April 6, 2011.**
- 2. Adoption of the recommendation contained in the following report dated March 29, 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

This report was considered by Transportation Services Committee on March 2, 2011, and recommended it to Regional Council for approval. On March 24, 2011, Regional Council referred the matter back to the Transportation Services Committee for further consideration. Staff have reviewed this request and continue to recommend approval of the application for the Special Permit. The remainder of this report is the same as was presented to Transportation Services Committee on March 2, 2011.

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.)

Office of the Mayor



1 MUNICIPAL DRIVE
BOX NO. 1000
AURORA, ONTARIO L4G 6J1
TEL: (905) 727-1375
FAX: (905) 727-4993
WEB: www.e-aurora.ca

March 31, 2011

Transportation Services Committee
c/o Mr. Denis Kelly
Regional Clerk
Regional Municipality of York

Re: Special Tree Removal Permit
Beacon Hall Golf Course

Denis,

Concern has been expressed to me over the issue of the Beacon Hall Golf Course and their request for a Special Permit under the York Region Forest Conservation By-law for the removal of 108 trees for greens turf maintenance.

On March 2, 2011, at the Regional Transportation Services Committee meeting, it was recommended that this permit be granted, and the committee report was forwarded for presentation at Regional Council, on March 24, 2011. At that meeting, I requested that the matter be referred back to committee. Although I had had conversations with Jim Tree, Town of Aurora Parks Manager, members of the Beacon Hall Golf Course staff as well as local residents, I had some concerns with the project that I had not been able to fully address.

Since that time, I have met with Mr. Tree, as well as Ian Buchanan, Manager of Natural Heritage and Forestry Services, Region of York and Mr. Paul Scenna, Golf Course Superintendent, Beacon Hall Golf Course.

I have taken the opportunity to review the documentation and simulation that was provided on behalf of Beacon Hall (Beacon Environmental, Arborcom Technologies and Schollen & Company), as well as the reports from both the Region and Town staff.

Based on this input and my discussions with the various parties, I am now of the opinion that it is appropriate to grant the Special Permit as originally recommended by the Transportation Services Committee.

Regards

Geoffrey Dawe
Mayor, Town of Aurora

cc: Mr. Jim Tree, Parks Manager, Town of Aurora
Mr. Ian Buchanan, York Region
Mr. Paul Scenna, Beacon Hall Golf Course
Ms. Isobel Ralston

R. A. Y. S Notice

Ratepayers of Aurora Yonge South

Monday, April 04, 2011

Regional Municipality of York
Administrative Centre
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Attention: Denis Kelly
Regional Clerk

E Mail denis.kelly@york.ca

Dear Mr. Kelly:

Re: Transportation Services Committee Meeting of April 6, 2011.

As co chairs of "RAYS" (Rate Payers Association of Yonge Street South) we wish to table our concerns over the application for removal of a large number mature trees at the Beacon Hall Golf Course. As this golf course is situated within our community and in fact borders a number of our resident's homes, we strongly object against the removal of these trees for the following reasons:

- Adverse impact on the value of properties abutting the golf course.
- Adverse impact on view and overall enjoyment of the forest for homeowners in the area.
- Adverse impact on the ecology of the area, including adverse impact on remaining trees when trees on the perimeter are removed.
- Continued incremental destruction of mature trees on the golf course over the last 20 years has resulted in a significant loss of forest on Oak Ridges Moraine.
- Proposed re-planting of shrubs and saplings as outlined in the Staff Report does not compensate for removal of mature, large trees (two saplings or shrubs do not compensate for loss of large, old-growth tree).
- Necessity of tree removal since Beacon Hall's project to re-grass the golf greens is not moving forward. In addition, the greens in non-shaded areas of the golf course are of similar quality to those in shaded areas, suggesting that tree-removal may not improve the quality of the greens.
- Validity of shade study conducted by Beacon Hall and the subsequent designation of trees for removal is questionable (no validation report has been provided).

- Not all affected neighbours in the vicinity of tree removal have been appropriately notified nor have their concerns been appropriately taken into consideration.
- Many Beacon Hall Golf Club members residing in the vicinity and represented by RAYS are not in support of tree removal.
- Numerous outstanding questions regarding the Staff Report.
- York Region's "Greening Strategy" discusses the need to "green" York Region and to increase forest cover. What message do we send schoolchildren of York Region who are working diligently to plant saplings when we allow removal scores of large, old growth trees?

Approval of this application will also encourage others who might or are considering removing trees in order to permit home and associated building construction as has unfortunately already happened too often in the area. As the majority of residents are opposed to large-scale tree removal we ask that our concerns be given serious consideration by the Transportation Committee.

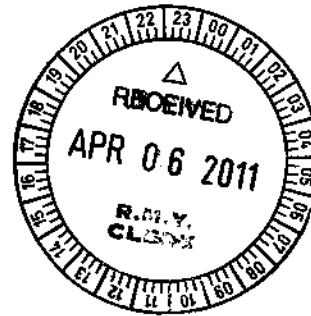
We request that this letter outlining RAYS concerns be added to the agenda of the Transportation Committee Meeting on April 6, 2011 and ask the Committee to take into account the overall impact and precedent that this decision has on the short-term and long-term health of the Oak Ridges Moraine.

Warren McClure
John Green

Co Chairs of RAYS

CC: Carol Clark, B.A.A.
Committee Coordinator
Regional Clerk's Office
Region of York
17250 Yonge Street
Newmarket, ON
L3Y 6Z1
carol.clark@york.ca
905-830-4444 ext. 1305
1-877-464-9675

Submission for York Region
 April 6, 2011
 Re: Forest Conservation By-law Special Permit Application
 Beacon Hall Golf Course
 Town of Aurora



This paper is being submitted on behalf of Earthroots and STORM Coalition, conservation groups representing over 20,000 supporters across Ontario. We are extremely worried about the dangerous precedent being that would come about through removing trees on Beacon Hall Golf Course in Aurora. While Beacon Hall's argument that they are not breaking the law may be true, the reality is that Aurora's tree-cutting by-law is in drastic need of amendments. Considering the level of deforestation Southern Ontario has experienced over the past couple hundred years, the ecological significance of cutting down such a large number of trees can not be overstated.

Earthroots and STORM Coalition are non-profit environmental organizations that work to protect watersheds and wildlife, placing a great deal of emphasis and energy on ensuring that the ecological and hydrological values of the Oak Ridges Moraine are upheld. The moraine is a direct source of drinking water for over 250,000 people, and a source of groundwater recharge for millions more. Our organizations collaborated with citizens across Southern Ontario for legislative protection for the Oak Ridges Moraine.

In 2008, Earthroots collaborated with environmental law organization Ecojustice, to examine nine golf courses (including Beacon Hall) in the Aurora/Newmarket area. The report, entitled "Ontario's Water Hazard", revealed that there have been declining static water levels in the area dating back to at least 1997, and that golf courses were playing a role in taking large quantities of groundwater from the Moraine. The report made it to the front page of the Toronto Star, and the media attention highlighted the fact that the public feels very strongly about protecting this essential landform.

STORM Coalition has been at the front lines of upholding the ecological values of the moraine for over twenty years, working at the local and regional levels to ensure that municipalities make good planning decisions that respect the environmental significance of the Moraine and that take into account its ecological and hydrological functions.

The reality is that compliance goes beyond a narrow interpretation of those specific policies and requires compliance to the vision and objectives of both the Oak Ridges Moraine Conservation Plan and the York Region's Official Plan. If York Region Council supports the application by Beacon Hall this establishes a dangerous precedent, which will be abused by other golf courses. This support to cut down these trees shows a huge disrespect to members of the community who value those trees and give many volunteer hours to improve the tree cover and improve the water quality and quantity of the degraded Rouge and East Holland Rivers. It shows a huge disrespect to valued components of the ecosystem: the 108 trees, the habitat, carbon removal, oxygen the produce and cooling effect for the community.

Paramount to the Oak Ridges Moraine is groundwater. The removal of more trees in this area which naturally absorb water, is of major concern to our respective organizations, and our supporters. In addition, we anticipate erosion in the steeper areas if nearby trees are removed. The vitality of the surrounding forest will be impacted by the removal of trees along the perimeter. Further tree removal will have a deleterious impact on the ecology of the area.

We also gave legitimate concerns about the validity of the Shade Study. Has this study been peer-reviewed? If the study has not been properly validated, there can be no confidence in the data. Furthermore, the lack of public consultation is extremely problematic. Despite being told by York Region that the public would be notified, and given time to respond, there was insufficient time given to citizens on this matter. There are a host of unanswered questions that remain, and residents who live near Beacon Hall have had to retain and consult with their own experts based on the information given in the report.

It has also come to our attention that the Beacon Hall membership had been told in January that tree-cutting was postponed, and they had not been informed of the tree-cutting (at least 9 trees) that took place in March until after the fact. The fact that the members have been kept out of this critical decision making process is unfair, and it reflects a lack of transparency in the management.

Living on the Oak Ridges Moraine is a privilege, with residents having the luxury of being surrounded by rolling hills and valleys, and having access to clean drinking water. The Moraine represents one of the largest, contiguous green spaces left in Southern Ontario. However, we have plenty of evidence that shows that the three levels of government are not balancing the needs of the public and industry, and this imbalance is leading to our vital resources being mismanaged. The delicate Oak Ridges Moraine ecosystem needs to be protected. Clearly, cutting down 303 large, mature trees, which alters the topography of the Oak Ridges Moraine, is not helping our communities in Southern Ontario, meet this key objective of protecting the Moraine.

It is our recommendation that the report is deferred and sent back to Staff for further consideration and thorough consultation. This is your opportunity to set a positive, proactive and meaningful precedent, that will show that Aurora, and in turn York Region, are passionate about protecting biodiversity.

Thank you for the opportunity to submit our comments.

If you have any questions, we encourage you to follow up.

Sincerely,

Josh Garfinkel
Earthroots
Senior Campaigner
416-599-0152 ext.15
www.earthroots.org

Debbie Gordon
STORM Coalition
Outreach Coordinator
905-841-9200 ext. 121
www.stormcoalition.org





21 March 2011

Regional Chair B. Fisch and
Members of Council

Attention: Dennis Kelly, Regional Clerk

Re: **Transportation Services Committee Report**
Forest Conservation By-law Special Permit Application
Beacon Hall Golf Course
Town of Aurora

We are the registered owners of a property of approximately one hectare at 12 Woodsend Crescent in Aurora. Our lot shares a common boundary of approximately 200 meters with Beacon Hall Golf Course and our home is located approximately 10 metres from this border.

On March 2, 2011 we spoke to the Transportation Services Committee with respect to the report of the Commissioner of Transportation Services in regard to Forest Conservation By-law Special Permit Application of Beacon Hall Golf Course. We had requested that the Committee adjourn its decision to the next meeting because we did not have sufficient time to review all of the issues involved. Although the Staff Report was supposed to be posted on Friday, February 25, 2011, it was not made available to the public until Monday, February 28, 2011 and the meeting was held two days later, on Wednesday, March 2, 2011, 9:00 a.m.

Since the Committee Meeting on March 2, additional information has come to our attention. In particular, the re-grassing of the greens at Beacon Hall Golf Course is a project that was recently presented to the membership for their approval. It is our understanding that the membership did not approve the re-grassing project. In large part, the purpose of cutting trees was to ensure that sufficient sunlight reached newly-grassed greens. However, if there are no plans to re-grass, why is it necessary to destroy healthy, mature trees?

It has also come to our attention that the Beacon Hall Golf Course membership has not voted on the proposed tree removal. If our information is correct and the membership indeed was not consulted, we respectfully request Council to adjourn this matter *sine die*, so that Council can be completely satisfied that the irreversible removal of so many mature trees in the Oak Ridges Moraine is indeed the wish of the golf club membership and that the concerns of property owners in the vicinity of the proposed tree removal have been taken into consideration.

We have also heard that Beacon Hall has recently postponed the tree removal project but plans to continue with the permit process. We question why a permit should be issued, if there are no immediate plans to remove trees.

We would also like to re-iterate our overall concerns with the proposed tree removal:

Beacon Hall Golf Course
Forest Conservation By-law
Special Permit Application

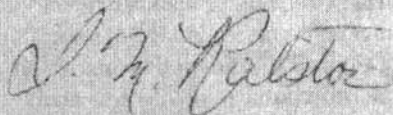
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- Necessity of tree removal if the project to re-grass the golf greens is not moving forward.
- Continued incremental destruction of mature trees on the golf course over the last 20 years.
- Adverse impact on the value of properties abutting the golf course.
- Adverse impact on the ecology of the area (e.g. drainage).
- Validity of shade study and validity of designation of trees for removal.
- Proposed re-planting of shrubs and saplings does not compensate for removal of mature, large trees.
- Impact on view and overall enjoyment of the forest.
- Assurance that all neighbours in the vicinity of tree removal have been appropriately notified and that their concerns have been taken into consideration.
- Assurance that the golf club membership is in support of tree removal.
- Assurance that there is an appropriate rationale for both the need to remove trees and the timing of tree removal.
- Outstanding questions regarding the Staff Report.

The import of the Staff Report which recommends the removal of 108 trees (many are between 50 and 150 years old), goes beyond our personal interest. The integrity of the Oak Ridges Moraine and its preservation plan is a matter of broad public concern and we feel that the Region should act very diligently and carefully in discharging its duties in this sensitive environmental area.

By a copy of this letter to Beacon Hall Golf Course we bring this request to their attention.

Respectfully submitted,



Isobel M. Ralston and Jan Oudenes
12 Woodsend Crescent
Aurora, ON L4G 6W6



Regional Chair B. Fisch and
Members of Council

Attention: Denis Kelly, Regional Clerk

March 22, 2011

We understand that there has been some correspondence in regards to our permit application to remove trees at Beacon Hall and would like to rebut the untruths and set the record straight. As you may be aware Beacon Hall is a private golf course that has a successful business model dependent upon delivering a high quality golf course. In fact the club has been ranked among the Country's best but in order to stay successful we need adequate sunlight to grow healthy sustainable grass.

Shade is not a recipe for healthy sustainable turfgrass growth on our greens, tees and fairways. This is a subject we have not taken lightly, it has been reported to us repeatedly for over ten years of visits from the USGA agronomists and this past fall we invested in verification to exactly determine which trees needed to be removed so that no trees were taken down that did not need to. At a great financial expense, we retained Arborcom technologies to help us with this determination and they have proven successful results at over 500 golf greens across North America.

We did have a vote on re-grassing our greens but in all of our communications to our members or with York Regional staff we have always explained that although tree removal was a necessary component to the success of the re-grassing program, it is not contingent to it, the tree program is a key part of our success whether we were going to re-grass or not. There is no mention of re-grassing on our permit application. The turf that currently exists on our greens will greatly benefit from the improved sunlight. Sunlight is essential in turfgrass sustainability.

As a component of the reforestation strategy for Beacon Hall Golf Club that was submitted to the Region of York in support of the Application for a Special Permit under the Forestry Conservation By-law, approximately 1.23 ha of forest habitat will be created or enhanced. The reforestation plan promotes the planting of areas within the golf course that are presently maintained turf or devoid of tree cover as well as the installation of understory naturalization plantings in areas of the Beacon Hall property that currently lack understory vegetation. The establishment of a diverse understory layer is essential to allow these stands of trees to evolve into more diverse and functional successional woodland communities. In addition the reforestation strategy promotes the replanting of areas that will be disturbed as a consequence of proposed tree removal activities. A diversity of species are proposed to be planted with the objective of creating a multi-layered woodland with a varied age-class composition.

In recognition of concerns expressed by a neighbouring landowner regarding the potential for reduction in visual screening at the interface of the golf course and the adjacent private property, the reforestation plan proposes the installation of a number of trees in the vicinity of the area where existing trees are proposed to be removed. While these trees are proposed as low-crowned species,



their canopy height will provide a more effective screening function than that which is associated with the high-crowned, open understory trees that presently exist in this location. In addition the reforestation plan promotes the installation of 10 large trees in this area with the objective of further supplementing the visual buffer along the edge of the golf course at this location. The Club has agreed to work cooperatively with the neighbouring landowner in the process of determining the most desirable locations for these proposed trees in an effort to ensure that key sight lines of concern are addressed through the implementation of the reforestation planting program. The Club has committed to implementing the reforestation program immediately upon completion of tree removal activities in order to mitigate potential visual impact and initiate the process of restoring, improving and expanding woodland habitat within the Beacon Hall property.

As far as communication, we have had information meetings with PowerPoint demonstration to both members and neighbors. We have emailed out sunlight modeling studies and photographs. We have met with the Beacon Hall Condominium Board and explained the tree management plan and hand delivered information to 35 residents who are adjacent to the proposed works including a few off Beacon Hall property. We have met and have been completely transparent sharing all of our research with Mrs. Ralston and Mr. Oudens on four separate occasions.

The work is ideally done in the winter when ground is frozen and adequate snow cover is present to minimize damage to the course. The best days are behind us, but we need to implement work contracts and job strategies for the coming season. However we have some areas that need immediate attention and we would like to proceed if permit is granted prior to the course opening this spring where it is possible.

We have 241 shareholders who appoint a Board of Directors to make decisions in the best interest of the Club, not all matters are voted on. As noted there has been continuous communication within our membership and our Board is unanimous in their support of the tree management program.

I trust this helps you better understand our position.

Sincerely

David Main, CEO/GM
Beacon Hall

Bob Dengler, President
Beacon Hall

Clause No. 3 in Report No. 3 of the Transportation Services Committee was referred by the Council of The Regional Municipality of York at its meeting on March 24, 2011.

3

**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:

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3. BACKGROUND

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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.)