

To:	Warden Hicks and Members of Grey County Council
Committee Date:	June 13, 2019
Subject / Report No:	PDR-CW-28-19
Title:	Bothwell Minor Exemption Application
Prepared by:	Sarah Johnson
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	City of Owen Sound
Status:	Recommendation adopted by Committee of the Whole as presented as per Resolution <i>CW130-19</i> ; Endorsed by Council on June 27, 2019 as per Resolution <i>CC47-19</i> .

Recommendation

1. **That Report PDR-CW-28-19 be received and that the application for a Minor Exemption under the County's Forest Management By-law for Part of Lot 8 and Lot 9, Range 10, EGR, in the Geographic Township of Sydenham, City of Owen Sound be approved subject to the following conditions:**
 - a. **That a double windrow of trees be planted on the western boundary;**
 - b. **That the necessary permits be obtained from the Grey Sauble Conservation Authority; and**
 - c. **That the diseased ash trees be disposed of using best forestry management practices to limit the further spread of the Emerald Ash Borer.**

Executive Summary

The County has received a minor exemption application to the Forest Management By-law to clear land to remove invasive species (buckthorn) and trees affected by an invasive species (Emerald Ash Borer). The purpose of the application is to clear the lands for farming purposes.

County staff are recommending approval of the minor exemption application.

Background and Discussion

An application for a minor exemption was received for clear cutting under the County's Forest Management By-law.

The subject lands are located at Part of Lot 8 and Lot 9, Range 10, EGR, in the Geographic Township of Sydenham, City of Owen Sound. The lands have frontage on 26th Street East and are approximately 90 acres (36.4 hectares) in size.

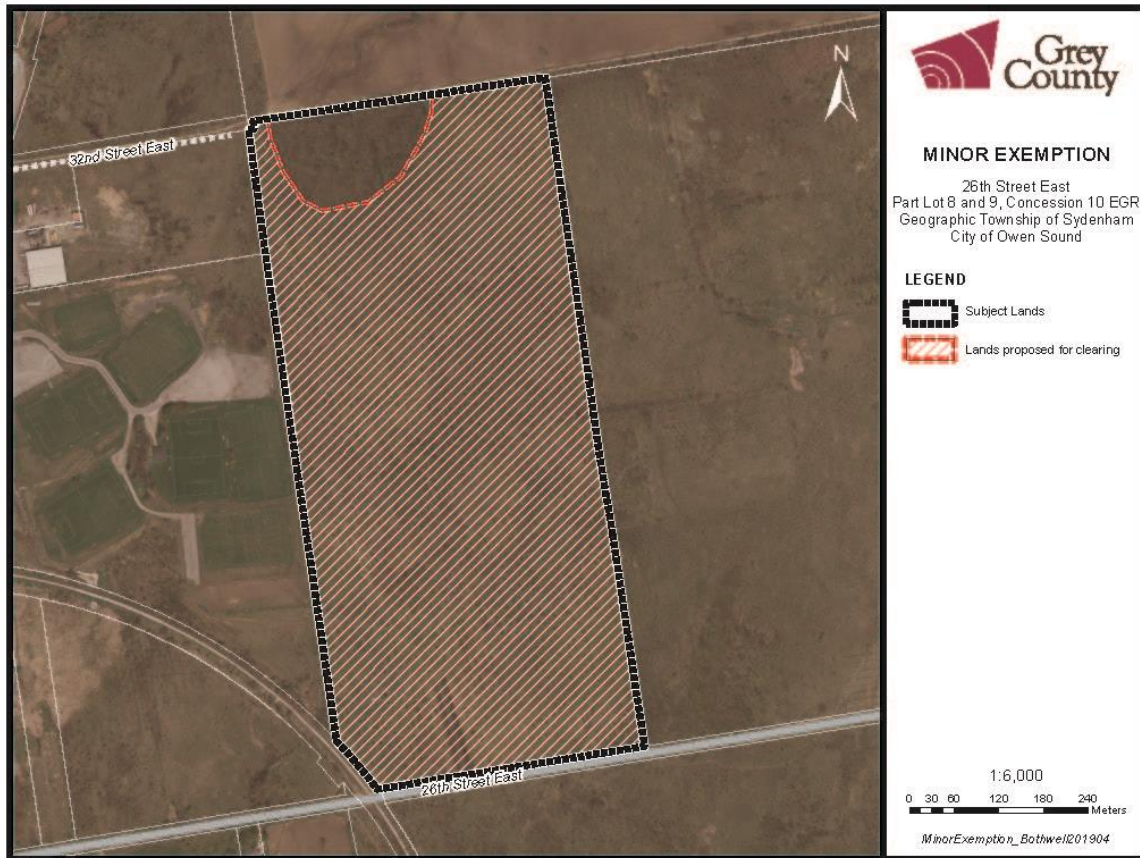
The application was made after a stop work order was issued for the property. This is not generally the process in which an application for minor exemption is accomplished, however in this case it was determined that going through the minor exemption process after the fact would allow for the necessary measures to be accomplished in this situation.

The intent of the applicant is to in the short term clear/remove the invasive buckthorns and other growing thorns, including other non-native woodland species; as well as to cut/ remove the ash trees that are threatened by the Emerald Ash Borer. In the long term the applicant wishes to improve the cattle pasture and to create productive farmable crop lands where the soil is favourable.

The applicant provided a recommendation from a forester, Patrick Godin, which confirmed the presence of European Buckthorn in heavy concentrations. The dominant tree species is Ash ranging from saplings to polewood, very little seedlings were observed to the overcrowding buckthorns. Mr. Godin also noted that while on site and walking throughout the property, no Species at Risk were observed or found.

The County Official Plan designates the property as Primary Settlement Area, with a small portion in Intake Protection Zone 2 on the south west corner of the parcel. Surrounding the subject lands are predominantly farm lands with the County's CP Rail Trail abutting the north west corner of the parcel.

The application was circulated to the City of Owen Sound, Grey Sauble Conservation Authority staff, the County's By-law Enforcement Officer and neighbouring landowners.



Map 1 - Forest Clearing Request

Agency and Public Comments Received

Under the Forest Management By-law, adjacent landowners, conservation authorities, Municipal and County staff are to be notified and/or consulted when an application is received.

Public Comments

No public comments were received during the processing of this application.

Agency Comments

The Grey Sauble Conservation Authority (GSCA), The City of Owen Sound, and the County's Forest By-law Enforcement Officer provided comments on this application.

GSCA Staff provided comments on May 21, 2019. Staff noted in the comments that a portion of the property is subject to Ontario Regulation 151/06 and if site grading is

proposed within the regulated area, a permit from the Grey Sauble Conservation Authority would be required.

The City of Owen Sound have no objections to the minor exemption application. The diseased ash trees should be disposed of using best forestry practices to limit further spread of the invasive species.

Grey County's Forest By-law Enforcement Officer noted that the trees destroyed were mainly ash, along with buckthorn some apple trees. In addition to the preservation and management of the woodland on the northwest corner of the property, it is requested that the applicant plant a double windrow of trees along the western boundary of the property.

County Staff are recommending approval of the minor exemption application provided the necessary permits from GSCA are obtained and a double windrow of trees is planted along the western boundary. Staff also require that the ash trees be disposed of using best forestry management practices to limit the further spread of the invasive species.

Legal and Legislated Requirements

The application will be processed in accordance with the County's Forest Management By-law.

Financial and Resource Implications

At this time there are no expected financial or resource considerations beyond those normally encountered in processing a Minor Exemption application. The County has received an application fee with the file.

Relevant Consultation

- Internal: Planning and Grey County By-law Enforcement Officer
- External: City of Owen Sound, Grey Sauble Conservation Authority and the public

Appendices and Attachments

None