



Committee Report

Report PDR-PCD-12-15

To: Chair Wright and Members of the Planning and Community Development Committee
From: Sarah Morrison, Intermediate Planner
Meeting Date: March 17, 2015
Subject: **Nicholas Cressman Request for Minor Exemption under the County's Forest Management By-law**
Status: **Recommendation adopted by Committee as presented per Resolution PCD40-15; Endorsed by County Council April 7, 2015 per Resolution CC55-15;**

Recommendation(s)

WHEREAS an application for Minor Exemption (clear cutting) under the County's Forest Management By-law has been received for Part of Lot 27, Concession 16, in the geographic Township of Egremont, Township of Southgate;

AND WHEREAS adjacent landowners, the Township of Southgate Staff, Saugeen Valley Conservation Authority staff, County Transportation Services staff and the County's Forest Manager were notified of the application and asked to provide comments on the request;

AND WHEREAS the Saugeen Valley Conservation Authority indicated that a large portion of the proposed area falls within the regulated area and entirely within a Significant Woodland, as identified in the County Official Plan, and they recommend that an EIS be completed prior to the Minor Exemption being granted;

AND WHEREAS the application stated that the intended use of the proposed cleared land is for cropping;

NOW THEREFORE BE IT RESOLVED THAT Report PDR-PCD-12-15 regarding an application for a Minor Exemption be received;

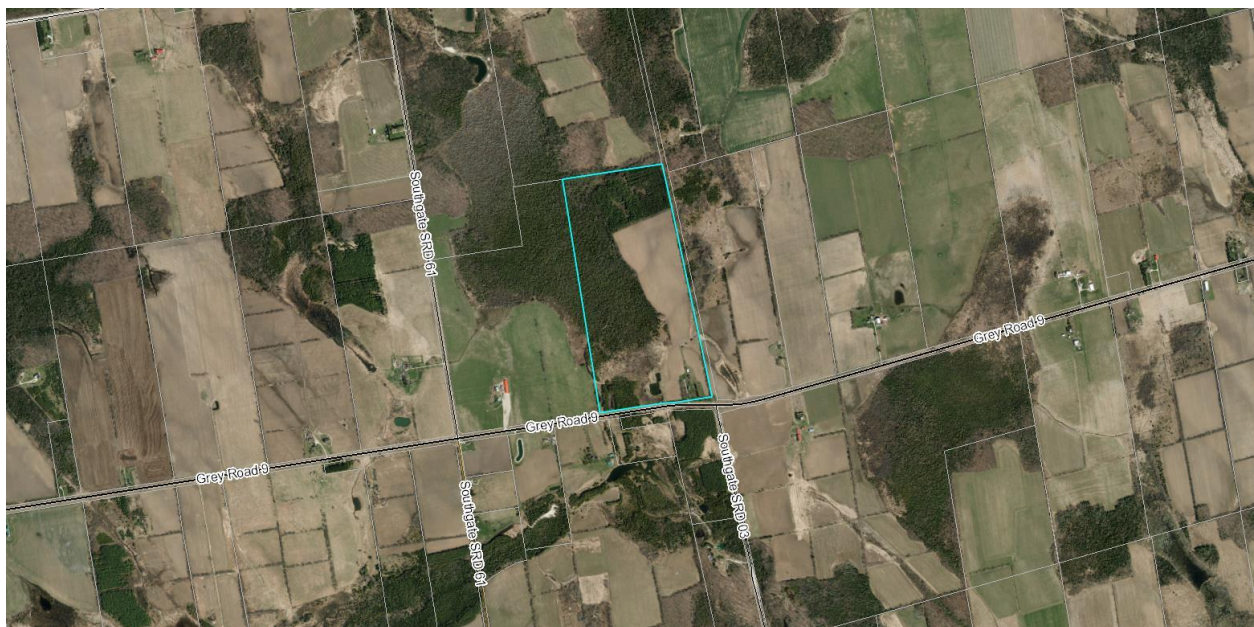
AND THAT the application for a Minor Exemption under the County’s Forest Management By-law for Part of Lot 27, Concession 16, in the geographic Township of Egremont, Township of Southgate, be deferred until such time that an EIS is completed in accordance with the County Official Plan indicating that there will be no negative impacts with the removal of the woodland.

Background

An application for a Minor Exemption was received from Nicholas Cressman for clear cutting under the County’s Forestry Management By-law.

On the application, Mr. Cressman states that he is requesting approval to use the field for cropping purposes. The proposed area for clearing is approximately 8.5 acres.

The lands are located at Part of Lot 27, Concession 16, in the geographic Township of Egremont, Township of Southgate, abutting the north side of Grey Road 9.



Map 1 – Location of Subject Lands

Comments Received

Under the Forest Management By-law, adjacent landowners, the conservation authorities and municipal and County planning staff as well as County Transportation Services (when applicable) staff are to be notified and/or consulted when an application is received.

Public Comments

Staff received an email dated January 2, 2015 from Brian and Patricia Burgon which included questions about the process and specifics of this application (i.e. size of area proposed, when cutting would occur, who would cut, etc.), which staff responded to in an email on January 5, 2015. They indicated that they were not opposed to the clearing. They also wanted to be notified of the progress of the application and hearing. An email was sent on February 27, 2015 informing them of the presentation of this report at this meeting.

Staff also received an email dated January 3, 2015 from Philip Watson, indicating that he had no objections to the proposal to clear land on Mr. Cressman's property.



Map 2 – Significant Woodlands and Other Identified Wetlands

Agency Comments

The By-law enforcement officer has indicated that the stand has potential to produce good white pine and spruce timber, the middle is very wet and drains into the wetland to the north. The trees were planted about 45 years ago and with management could provide timber to our local mills for a longer period of time.

There were no comments received from the Township of Southgate.

The Saugeen Valley Conservation Authority (SVCA) indicated that a large portion of the proposed area for clearing is within the regulated area. The area proposed for clearing is entirely within a Significant Woodland and a portion is within an identified wetland

(Dromore Swamp Wetland Complex). SVCA recommend that an EIS be completed prior to the Minor Exemption being granted. If the Committee plan's on granting the exemption SVCA requests that the decision be deferred until further review can be completed.

Grey County Planning Staff note that the area proposed for clearing is within the significant woodland designation. Section 2.8.4 (1) of the County's Official Plan (OP) states that, 'no development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study (EIS)...that there will be not negative impacts on the natural features or their ecological functions.' It would be staff recommendation that an EIS be completed prior to a decision being made on this application.

Based on the comments received from the SVCA and that the County OP also indicates the need for an EIS to be completed, staff recommend that the minor exemption be deferred until such time that the requested study is completed.

A letter was sent to the applicant indicating that further study be completed. The applicant prefers not to complete an EIS and will be appearing as a deputation at the March 17, 2015 Committee meeting to state the reasons why. This report is being prepared to provide Committee with information about the minor exemption application and provide a recommendation that an EIS is required. Alternatively, Committee could support the minor exemption request without the requirement for an EIS.

Financial / Staffing / Legal / Information Technology

Considerations

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

Link to Strategic Goals / Priorities

The application for Minor Exemption applies consistent practices within the County for this type of application, which holds similar timelines as planning applications. The processing of such applications in a timely and efficient manner would fall under the Planning Department's core business mandate.

Respectfully submitted by,

Sarah Morrison, Hons. BA, MCIP, RPP
Intermediate Planner

Director Sign Off: *Randy Scherzer*