

To:	Warden Hicks and Members of Grey County Council
Committee Date:	June 27, 2019
Subject / Report No:	PDR-CW-32-19
Title:	Leith Woods Investments 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>CW147-19</i> ; Endorsed by County Council on July 11, 2019 as per Resolution <i>CC52-19</i> .

Recommendation

1. **That Report PDR-CW-32-19 be received and that the application for a Minor Exemption under the County's Forest Management By-law for Lot 10, Range 10, EGR, in the Geographic Township of Sydenham, City of Owen Sound be approved subject to the following conditions:**
 - a. **That the provided restoration plan is completed as submitted;**
 - 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 Lot 10, Range 10, EGR, in the Geographic Township of Sydenham, City of Owen Sound. The lands have frontage on both 26th Street East and 28th Avenue East and are approximately 107 acres (43.38 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 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 return the lands to productive farm lands.

The applicant provided a restoration plan from a forester, Jesse Henrich. The plan includes:

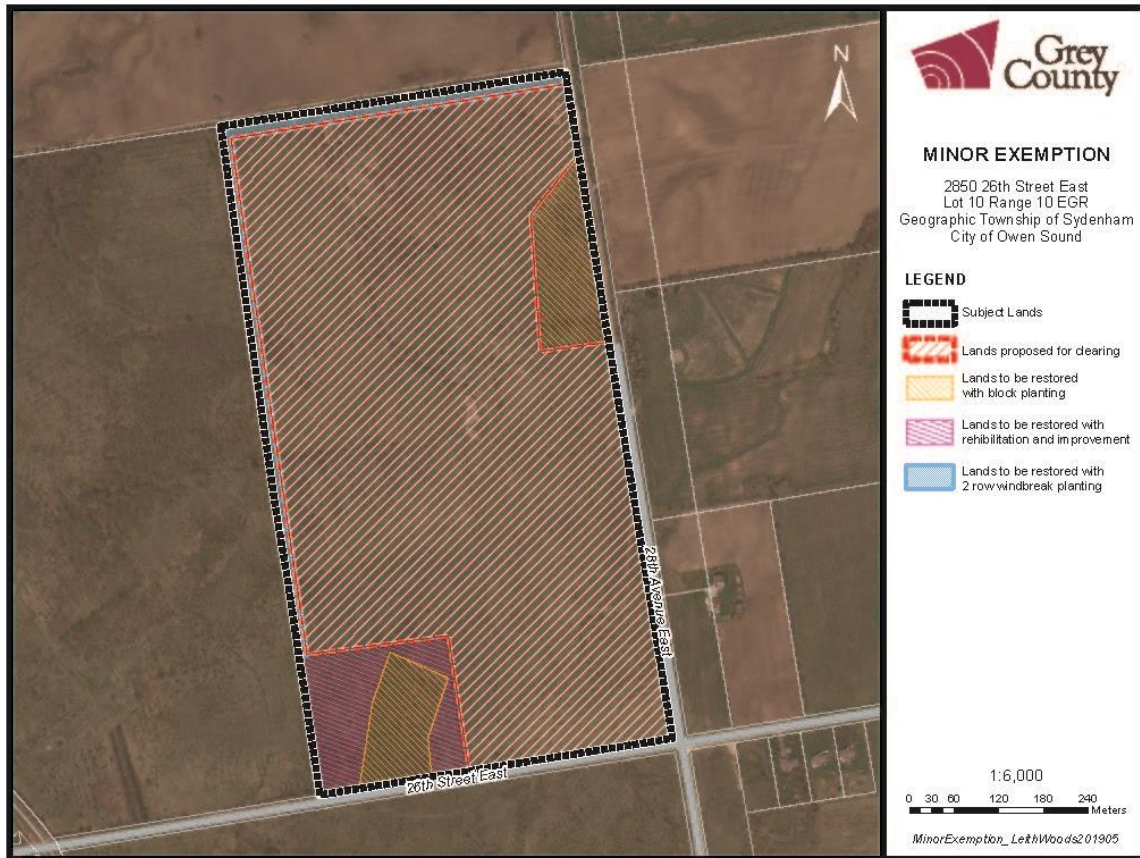
1. 4.0 acres of block planting (white pine, white spruce and white cedar) with frost seeding of planting area with Huia clover prior to tree planting;
2. Two row windbreak of Norway spruce; and
3. Rehabilitation and improvement of existing woodlots, removing the buckthorn, thinning out the ash and ironwood and underplanting with white pine and hemlock.

The County Official Plan designates the property as Primary Settlement Area, with a few areas falling within the Hazard Lands designation. The Hazard Lands designation, correlates with the Conservation Authority's regulated area. 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.

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.



Map 1 - Forest Clearing Request

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. They also note that north of the property there are identified Significant Woodlands, but not on the property itself. The drainage features are also zoned Hazard Land in the City of Owen Sound's Comprehensive Zoning By-law.

The City of Owen Sound have no comment regarding the minor exemption application.

Grey County's Forest By-law Enforcement Officer noted that he is satisfied with the restoration plan and provided that the plan is carried out he has no concerns with the proposal.

County Staff are recommending approval of the minor exemption application provided the necessary permits from GSCA are obtained and that the proposed restoration plan is completed as submitted. 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