TORONTO

STAFF REPORT
ACTION REQUIRED

Natural Garden Exemption Request – 0 Pinewoods Drive

Date:	September 22, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Wards:	Ward 2 - Etobicoke North
Reference Number:	ML&S Folder No. 08-185378 LGW

SUMMARY

This Staff Report is about a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision. The subject matter is an application for an exemption to Chapter 489 of the Toronto Municipal Code, Grass and Weeds, to maintain existing greenery as a natural garden which is in violation of the By-law.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Etobicoke York Community Council deny the request for the natural garden exemption based on non-compliance with the requirements set out in Chapter 489 of Toronto Municipal Code, Grass and weeds.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

This property is vacant land strip of land on an undeveloped road located in the Albion Road and Arcott Boulevard area of the subject Ward, immediately south of 112, 114, and 116 Tandridge Crescent (Attachment 1).

The Municipal Licensing and Standards Division received a complaint on July 23, 2008 about the excessively tall grass and weeds on this property. Upon investigation, staff confirmed the infractions and issued a Notice of Violation dated July 29, 2008. On July 31, 2008, a letter received on behalf of the property owner confirmed the request to be

considered exempt from the by-law requirements on the grounds that the growth on the property was considered to be a natural garden.

COMMENTS

The natural garden request was circulated to Parks, Forestry and Recreation Division for their review of the site. A Memorandum received September 22, 2008 found that "this garden to not be within the provisions of the natural garden exemption. To be in compliance with the natural garden exemption, a garden must be consistent with a managed and natural landscape".

The findings at the site included the following:

1. A mix of trees, shrubs and weedy understory. Invasive weeds present *(*European Buckthorn *(Rhamnus cathartica),* Dog-strangling vine (*Vincetoxicum nigrum*), Ground Ivy (*Glechoma hederacea*), Toadflax (*Linaria vulgaris*) and Tufted vetch (*Vicia cracca*).
2. Some trees and shrubs are in need of proper pruning to remove broken and dead branches

In order to meet the provisions of a natural garden, the following minimum maintenance is required:

1. Removal of invasive and inappropriate plants (listed above).

2. Removal of dead tree branches.

3. On-going weed removal and proper pruning of shrub material when required is recommended in order to comply with the requirement to be 'managed".

Thereafter, in order to continue to qualify as a natural garden under the Grass and Weeds Chapter of Toronto Municipal Code, it must continue to be "consistent with a managed and natural landscape other than mown grass".

At present, this site does not satisfy the above-captioned requirements.

CONTACT

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SIGNATURE

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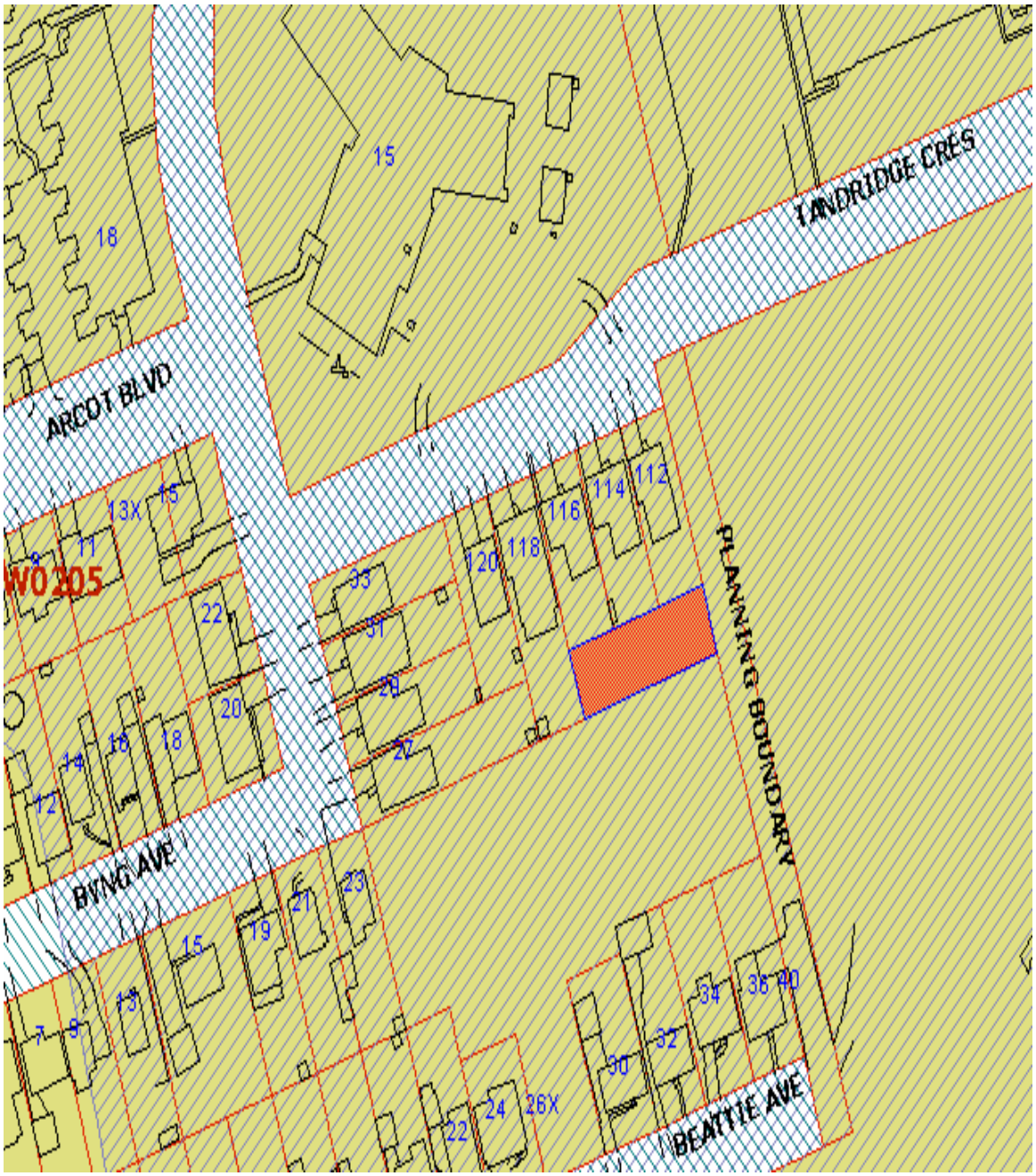
Curtis Sealock, District Manager
Municipal Licensing and Standards
Etobicoke York District

Attachments:

Attachment 1: Site Plan
Attachment 2: Photos of 0 Pinewoods Drive



Attachment 1: Site Plan

Photo # 1 – East Elevation of 0 Pinewoods Drive

Photo # 2 – 0 Pinewoods Drive (looking into the rear-yard of 112 Tandridge Crescent)

Attachment 2: Photos of 0 Pinewoods Drive