



## STAFF REPORT ACTION REQUIRED

### Request for a Natural Garden Exemption to the Toronto Municipal Code, Chapter 489 - Grass and Weeds at 27 Camberwell Road

<b>Date:</b>	October 3, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Municipal Licensing and Standards Division, Toronto and East York District
<b>Wards:</b>	Ward 21 St Paul's West
<b>Reference Number:</b>	IBMS No. 09-157640

#### **SUMMARY**

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This staff report is about a matter for which the Toronto and East York Community Council has delegated authority from City Council to make a final decision. The Grass and Weeds by-law provides that the owner or occupant of private land shall cut the grass and weeds on their land and remove the cuttings whenever the growth of grass and weeds exceeds 20 centimetres in height. The subject property has plant growth in excess of 20 centimetres in the front and rear yard areas for which the owner has applied for relief to be exempted as a natural garden.

The front and rear yards were inspected and the Natural Environment Inspector determined that the garden was not within the provision of the natural garden exemption requirements. The homeowner was issued a Notice detailing the work required in order to come into compliance with the natural garden exemption requirements, however the work has not been completed as of October 2, 2009.

#### **RECOMMENDATIONS**

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Municipal Licensing & Standards recommends that the Toronto and East York Community Council confirm the notice and direct that a second notice be given to the property owners at 27 Camberwell Road under this section.

## Financial Impact

There is no financial impact anticipated in this report.

## DECISION HISTORY

The Municipal Licensing and Standards Division received an application for exemption from the Grass and Weed by-law to permit plant material to remain at a height in excess of 20 centimetres by exempting the growth as a natural garden. This request was reviewed and the property was inspected by Natural Environment staff who determined that the plant growth in its current state did not qualify as a natural garden.

## ISSUE BACKGROUND

In response to a Notice of Violation issued for Long Grass and Weeds the property owner's agent submitted a letter dated August 26th, 2009 requesting that a review be conducted with a view to designating the front and rear yard areas as natural gardens. The property was attended by a City of Toronto, Natural Environment Inspector, who found this garden *not* to be within the provisions of the natural garden exemption. In order to meet the criteria of a natural garden, proper weeding and pruning must be undertaken. To be in compliance with the natural garden exemption, a garden must be consistent with a "managed and natural landscape" (see Attachment 4).

### Findings:

A mix of trees, shrubs, herbaceous perennials. Some invasive weeds have been establishing themselves among the desirable plant material and will eventually take over these plants.

This garden contains a broad range of flowering shrubs and perennials including:  
Perennials: Hosta, Solomon's Seal, Lupines, Salvia Cranesbill, Phlox, Hollyhock, Aster, Iris, Peonies, Cosmos, Obedient Plant, Roses, Sedum, Rudbeckia, Allium. Shrubs: Mulberry, Japanese Kerria, Rose of Sharon, Roses (several different varieties), Spirea, some fruit trees.

Invasive weeds present include: Common Ragweed (*Ambrosia sp.*), *Glechoma hederacea* (Ground Ivy), *Taraxacum officinale* (Dandelion) *Solidago sp.* (Goldenrod), *Plantago major* (Broad-leaved plantain), *Chenopodium album* (Lamb's Quarters), *Lactuca scariola* (Prickly Lettuce), *Geum aleppicum* (Yellow avens), *Solanum dulcamara* (Deadly nightshade), *Polygonum persicaria* (Lady's Thumb), Common burdock (*Arctium minus*), Prickly lettuce (*Lactuca scariola*), Yellow avens (*Geum aleppicum*) Nodding beggarticks (*Bidens cernua*).

Some trees and shrubs are in need of proper pruning to remove broken /dead / overgrown branches.

Maintenance required to meet the provisions of a natural garden:

Removal of invasive and inappropriate plants (listed above).

Proper pruning and removal of dead / broken /overgrown branches of trees and shrubs.

On-going weed removal and proper pruning of tree / shrub material when required is recommended in order to comply with the requirement to be ‘managed’.

## **COMMENTS**

The City of Toronto Council enacted the amalgamated By-Law 255-2004 on April 16, 2004 to prescribe the maximum height permitted for long grass and weed growth. This By-Law and the amendments are now found in the Toronto Municipal Code, Chapter 489 – Grass and Weeds. The by-law further provides that the owner or occupant upon receipt of notice under this section may request that the issuance of the notice be reviewed by community council on the basis that the growth is exempt as a natural garden.

The By-law provides that a “natural garden” – has been deliberately implemented to produce ground cover, including one or more species of wildflowers, shrubs, perennials, grasses or combinations of them whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.

## **CONTACT**

Fiona Skurjat, Supervisor, Municipal Licensing and Standards Division  
Toronto and East York District, (416) 392-7735, fax (416) 392-0386, [fskurja@toronto.ca](mailto:fskurja@toronto.ca)

## **SIGNATURE**

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Elizabeth Glibbery, Manager  
Toronto and East York District

## **ATTACHMENTS**

Attachment 1, Photo of Front Yard  
Attachment 2, Photograph of Rear Yard  
Attachment 3, Photograph of Rear Yard, south side

Attachment 4, Report from Natural Environment