

**Form: Request to Speak to Committee of Council Form**

Monday, July 6, 2015 - 5:16pm

**Committee**

Planning Committee

**Name of Individual**

Tony DiGiovanni

**Name of Organization**

Landscape Ontario Horticultural Trades Association

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**Reason(s) for delegation request**

To respond to recent correspondence against the grandfathering of  
Landscape companies

**Will you be requesting funds from the City?**

No

**Will you be submitting a formal presentation?**

Yes

**Are you a lobbyist?**

No

Most commercial properties do not allow outdoor storage. Most commercial properties do not have the infrastructure and land necessary to maintain plant material. Rural and Agricultural land allows diversity of operations and therefore greater potential for economic success.

"Crop" maintains their right of appeal to the Ontario Municipal Board if "Grandfathering" goes through. I would like to inform the committee that this has been dealt with by the OMB a number of years ago. They allowed a landscape operation to continue operating on a rural property. Landscape Ontario is also prepared make our case before the OMB if necessary.

CROP also makes the case that some of their members have been dealing with nuisance impacts from existing landscape businesses. Landscape Ontario would be pleased to be involved in specific cases that may involve some of our members. Landscape Operations are specialists in enhancing properties. I am sure that nuisance impacts can be reduced. All it takes is willingness for both sides to be open to mutually beneficial solutions. However it is not fair to use a specific case (or cases) to impact the hundreds of other families that are operating without any nuisance complaints. I urge CROP to let us help their individual members deal with specific issues they may have. In a more general sense, I urge the planning committee and Council to work with Landscape Ontario to ensure that nuisance impacts are kept to a minimum. I can also say with certainty that landscape operations should be able to operate with much less impact than traditional agricultural businesses.

Landscape businesses have historically and traditionally operated from rural properties. They were there before the Greenbelt. They continue to operate freely and without complaint. It is our view that nursery and landscape businesses are perfect for greenbelt locations. We have made this view known to the Greenbelt Review group. Landscape operations are in the greenspace and green infrastructure business and can be sustainable on much smaller parcels of land necessary for a traditional agricultural operation. We are prepared to contest any legal action taken by CROP to negate your "Grandfathering" provision.

CROP points out that there are problems associated with Noise and nuisance at all hours during the spring/summer/fall "work" season, increased traffic, illegal dumping and burning of landscape waste, and operation of heavy equipment on already-stressed rural roads. Landscape Ontario maintains that most landscape companies operate without complaint. The owner usually lives on the same property and therefore they would share any nuisance impacts with their neighbours. Again any specific issues can be dealt with by developing reasonable property standards guidelines

CROP also maintains that the value of rural residential properties will be negatively affected by allowing Landscape businesses to operate. Landscape operations are in the property enhancement business. Their work increases property values. They are able to maintain their own properties in a way that increases property values for the entire neighbourhood.

CROP also maintains that landscape businesses should operate from commercial properties. This is problematic because most commercial properties do not allow outdoor storage nor do



To Planning Committee- July 7, 2015  
Response to concerns from CROP

Members of the Planning Committee and Members of Council, thank you for listening to the concerns of many of our members regarding the proposed rural and agricultural bylaw.

Your decision to allow the grandfathering of landscape establishments to operate on rural and agricultural land was the right one. It demonstrates empathy for the many families that earn their living by installing and maintaining Hamilton's gardens, landscapes and green infrastructure. It also recognizes the immense economic, environmental and community contributions that the families that operate horticultural businesses make.

The purpose of this presentation is to respond to the concerns of the Coalition for Rural Ontario Environmental Protection (CROP).

I would like to begin by saying we have listened respectfully and carefully to the concerns of CROP. All of us can imagine living beside farm, horticultural and landscape operations. Sometimes work on farms and landscape operations can cause issues for neighbours. Sometimes storage can visually impact a property in a negative fashion.

When Landscape Ontario made a presentation in favour of allowing landscape businesses on rural and agricultural properties we also acknowledged that most of the issues that have arisen in the past have everything to do with property standards. Not zoning. The vast majority of landscape businesses have historically operated on rural properties for generations. The vast majority of owners of these operations live where they work. The vast majority are operating in complete harmony with their neighbours.

I would like to briefly repeat from our original submission. Horticulture is part of Agriculture. Landscape Operations are horticultural businesses. The equipment and skill sets of a typical agricultural business are very similar to a landscape operation. Landscape Operations are practicing agriculture on rural properties. They are the original green industry. Their job is to recreate and maintain nature in urban setting. They are environmental specialists. Their environmental values are aligned with "CROP". They exist to protect and enhance the environment. They are best suited on rural properties because they need outdoor space for equipment and materials such as plants soil, mulch and composts and they need to be able to maintain plant material until such time as it is required. Their skills and equipment also allow them to expand into crop production.

they have the infrastructure to maintain living plant material. It is also difficult to maintain year-round rents when involved in a seasonal operation. Commercial properties also limit their ability to expand into growing crops.

**In Summary:**

CROP maintains that zoning exemptions allow unacceptable impacts from existing businesses to continue. Landscape Ontario maintains that the vast majority of landscape businesses operate without complaint. They are in the land care business and are able to improve their properties so they enhance the environment. Landscape Ontario would be pleased to work with CROP on dealing with existing issues that some of their members may be experiencing. Using a few negative issues to negatively influence the vast majority of companies operating peacefully is just not fair. Dealing with the minority nuisance impacts is easily done without forcing landscape business to leave their homes.

CROP is against "Grandfathering".

Landscape Ontario maintains that grandfathering reduces the impacts to families and economy and recognizes the positive contributions to the community. It is the decent and empathetic way to introduce new regulations.

CROP maintains that landscape businesses should be classified as illegal. Our point is that landscaping is horticulture and that horticulture is part of agriculture. The skill sets are similar. (It is agriculture performed in urban settings.) The industry is classified under agricultural rate codes in WSIB. Historically most landscape businesses have operated from rural and agricultural properties because of the similarity of work. The very first landscape program was offered by the Ontario Agricultural College at the University of Guelph. Traditionally landscape businesses operating from rural properties are not classified as illegal.

CROP points out that the grandfathering provision does not include regulations. Landscape Ontario would be pleased to work with CROP and the City to develop a framework that would reduce negative impacts on the environment and community. No one wants to live next to any operations (landscape or otherwise) that are not sensitive to their surroundings.

Landscape companies have been operating from rural and agricultural lands for generations. They have improved their community from an environmental, economic and social perspective. They are in the environmental and beautification businesses. They enhance rural properties and values. We look forward to working with CROP and the City of Hamilton to ensure that any nuisance impacts are kept to a minimum.

Respectfully submitted:

Tony DiGiovanni  
Executive Director  
Landscape Ontario Horticultural Trades Association