



**STAFF REPORT
ACTION REQUIRED**

East Side of Lansdowne Avenue, Between College Street and Bloor Street West – Prohibition of Construction of Fences and Hard Landscaping

Date:	October 16, 2007
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Davenport – Ward 18
Reference Number:	Te07075te.row

SUMMARY

This staff report is about a matter that Community Council has delegated authority from City Council to make a final decision.

In response to a request from Councillor Adam Giambrone, Transportation Services has reviewed a request to prohibit the installation and maintenance of fences together with hard landscaping within the newly constructed boulevards on the east side of Lansdowne Avenue between College Street and Bloor Street West. This initiative is in keeping with the recent road alterations, streetscape and pedestrian environment improvements created on Lansdowne Avenue between College Street and Bloor Street West, and Transportation Services is in support of this request. This request will require amendments to the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. amend former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to prohibit the construction and maintenance of fences, retaining, ornamental and toe walls and hard landscaping within the public right of way on the east side of Lansdowne Avenue, between College Street and Bloor Street West, measured 1.2 m from the rear edge of the City sidewalk;

2. allow only soft landscaping features to be installed within the public right of way on the east side of Lansdowne Avenue, between College Street and Bloor Street West, within the newly constructed boulevards, measured 1.2 m from the rear edge of the City sidewalk; and
3. direct Legal Services to amend § 313-33 and § 313-50 of the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to give effect to the foregoing.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

A request has been received from Councillor Adam Giambrone to prohibit the installation and maintenance of fences together with hard landscaping within the newly constructed boulevards on the east side of Lansdowne Avenue, between College Street and Bloor Street West. This will be consistent with the Community goals already underway on Lansdowne Avenue.

COMMENTS

City Council, at its meeting of April 23 and 24, 2007, approved the narrowing of Lansdowne Avenue, between College Street and Bloor Street West, together with various landscaping features to improve the pedestrian walking environment and safety and to provide a calming effect on vehicular traffic on Lansdowne Avenue. The pavement narrowing allowed for a wider landscaped boulevard of approximately 1.2 m on the east side of the street. More specifically on the east side of the street, the landscape plan included the restoration of grass boulevards with street trees. The majority of the construction has been completed and the planting of the trees should commence over the next few weeks.

Applicable regulations

The construction and maintenance of fences within the public right of way are governed under the criteria set out in the former City of Toronto Municipal Code Chapter 313-33, which provides for fences to be constructed to a maximum height of 1.9 m on the flank of a property and up to 1.0 m in height in front of a property if they are neither hazardous nor unsightly in appearance. In addition, fences must be set back a minimum of 0.46 m from the rear edge of the City sidewalk or a minimum of 2.1 m from the curb where no sidewalk is present.

Similarly, there are provisions with §313-50 of Municipal Code Chapter 313 to permit the construction and maintenance of retaining and toe walls within the public right of way.

Reasons for approval

In keeping with the Community goals to improve the neighbourhood environment and provide enhanced facilities for pedestrians, it may be prudent to amend the pertinent sections of the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to prohibit the construction and maintenance of fences, retaining, ornamental and toe walls, together with any hard landscaping within the newly constructed boulevards on the east side of Lansdowne Avenue, between College Street to Bloor Street West. Only soft landscaping (i.e., plantings, sod, flowers, etc.) would be allowed within this area.

CONTACT

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SIGNATURE

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