



STAFF REPORT ACTION REQUIRED

Application for Fence Exemption 60 Birmingham Street – Installation of a Noise Barrier

Date:	December 13, 2007
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 6, Etobicoke-Lakshore
Reference Number:	ML&S Folder Number 07-281188

SUMMARY

This Staff Report is in response to an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to construct a 3.0 metres high pre-cast concrete noise barrier wall and maintain an existing open wrought iron grille fence of a variable height ranging from 2.1 metres to 2.4 metres along the Dwight Avenue flankage of the Campbell Company of Canada factory complex located at 60 Birmingham Street. The Etobicoke York Community Council has delegated authority from City Council to make a final decision for this application.

RECOMMENDATIONS

The Municipal Licensing and Standards recommends the Etobicoke York Community Council approve the application on the basis that the noise barrier wall is an environmental enhancement.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

The factory complex of Campbell Company of Canada is located on a site bounded by New Toronto Street to the north, Dwight Avenue to the east and Birmingham Street to the south (where the main entrance is located) [Attachments 1 and 2].

In view of the noise complaints received, the Company is building a 3 metres high L-shaped pre-cast concrete noise barrier wall on the Dwight Avenue flankage to screen off the loading/unloading area at the south east corner of the lot [Attachments 2 and 3].

The wall, which is designed by a professional engineer, measures 64.0 metres long running from north to south alongside the eastern boundary, and 10.9 metres long from east to west. It is made up of pre-cast concrete panels with natural stone pattern supported by W200 x 46 H-shaped galvanized steel posts spaced at 4.6 metres apart [Attachments 3 and 4].

Inspection also revealed an existing wrought iron open grille fence of a variable height ranging from 2.1 metres to 2.4 metres is built at the flankage yard abutting the noise barrier wall [Attachments 3 and 6].

COMMENTS

Chapter 447 of Toronto Municipal Code, Fences, restricts the height of a fence at the flankage yard to:

- 800 mm if it is not of an open construction within 2.4 metres from the side lot line;
- 2.0 metres if it is of open construction within 2.4 metres from the side lot line, and;
- 2.0 metres if it is beyond 2.4 metres from the side lot line.

The noise barrier wall, being defined as a fence, is 3 metres high and will exceed the height restrictions provided by the By-law. The existing wrought iron open grille fence at the flankage yard is also in violation.

While this noise barrier wall is in violation of the Fence By-law, it is the owner's intention to mitigate noise disturbance caused by the operation, in particular during loading and unloading, to the local residents in the vicinity of the Campbell factory, namely the residents along Dwight Avenue at Murrie Street, Lake Crescent and Symons Street [Attachments 1 and 5]. In other words, it is an enhancement to the environment.

Expectedly the impact of this noise barrier wall to these residents in terms of light and view reduction would be minimal, since the existing factory building behind the wall in itself is a huge block which is substantially higher than the wall [Attachment 5]. The wall may also form a screen to the unsightly operations. There are no traffic sightline issues with the open grille fence and the noise barrier wall is far from any driveway exits.

CONTACT

Chip Au, Supervisor
Etobicoke York District
Municipal Licensing and Standards
Tel: 416-394-2533 Fax: 416-394-2904
E-mail: cau2@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Location Plan

Attachment 2: Site Plan

Attachment 3: Plans showing the Noise Barrier and the Wrought Iron Fence

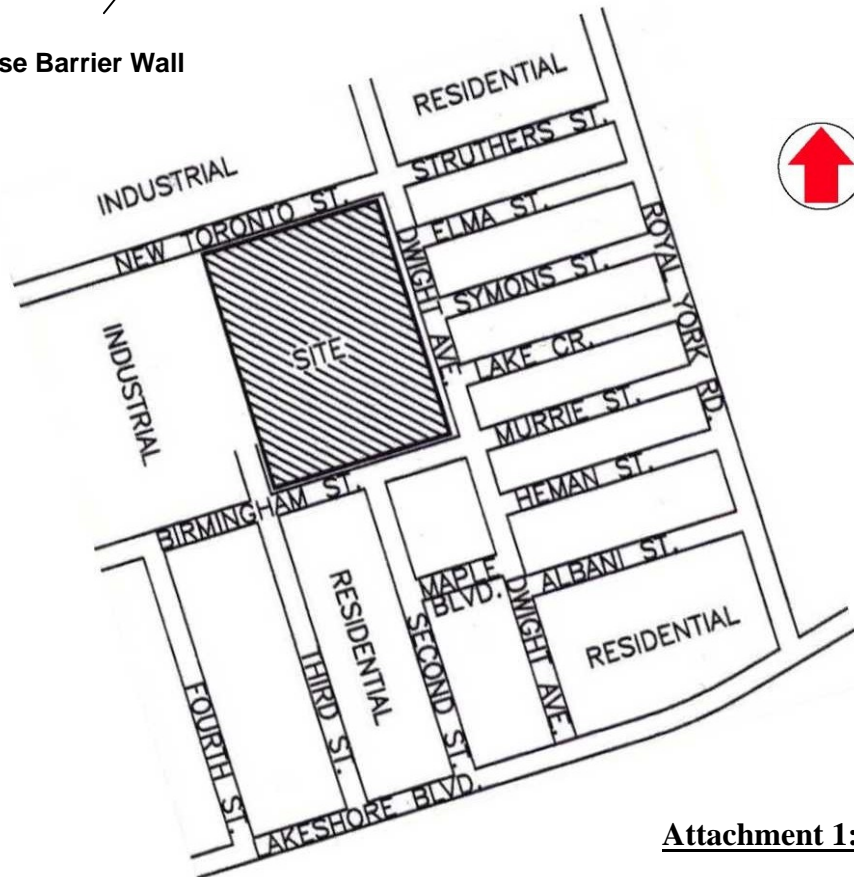
Attachment 4: Section, Elevation and Details of the Noise Barrier Wall

Attachment 5: View of the Factory Loading/Unloading Area before and after
construction of the Noise Barrier Wall on Dwight Avenue

Attachment 6: Photos showing the Wrought Iron Open Grille Fence on Dwight Avenue
and Birmingham Street

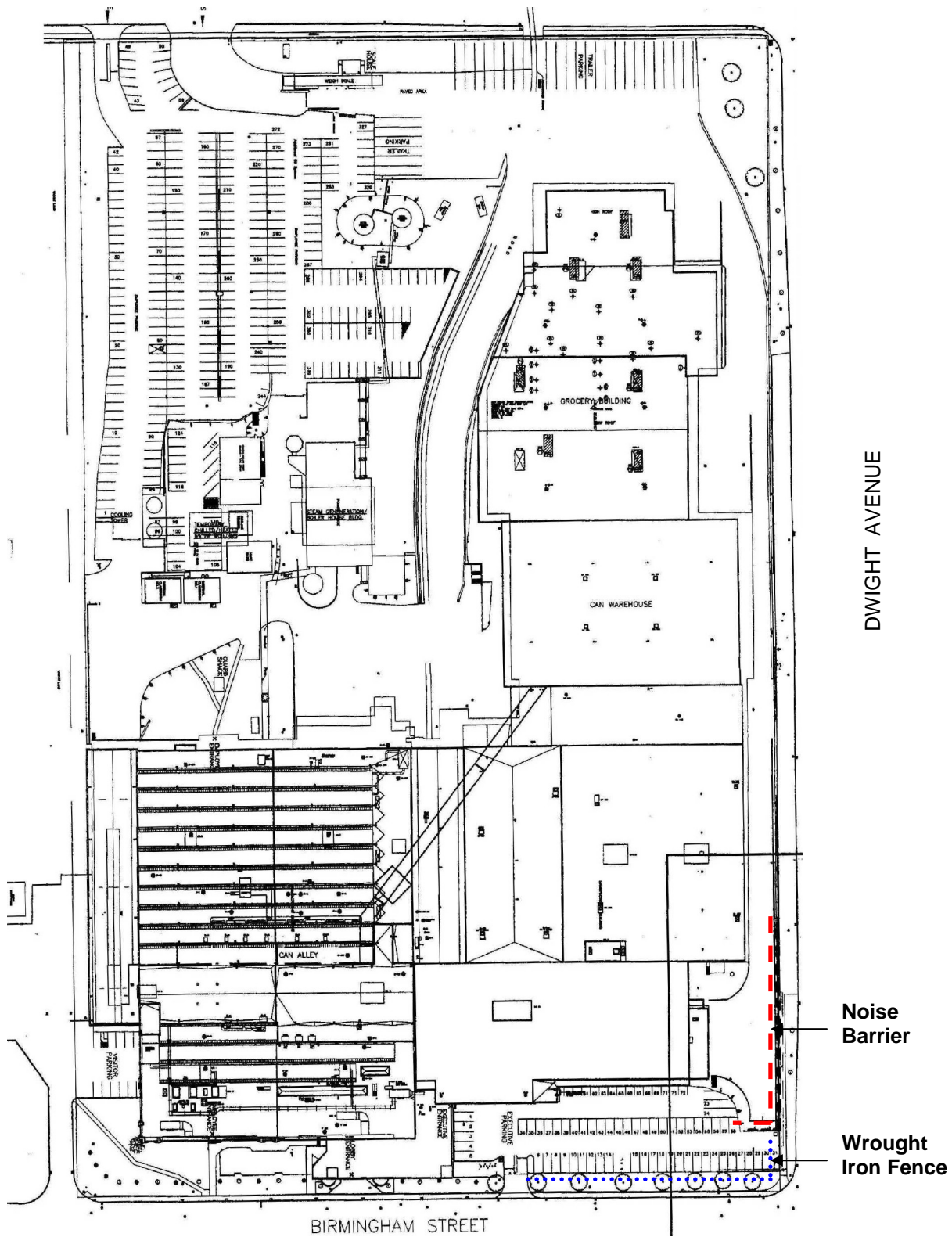


Noise Barrier Wall

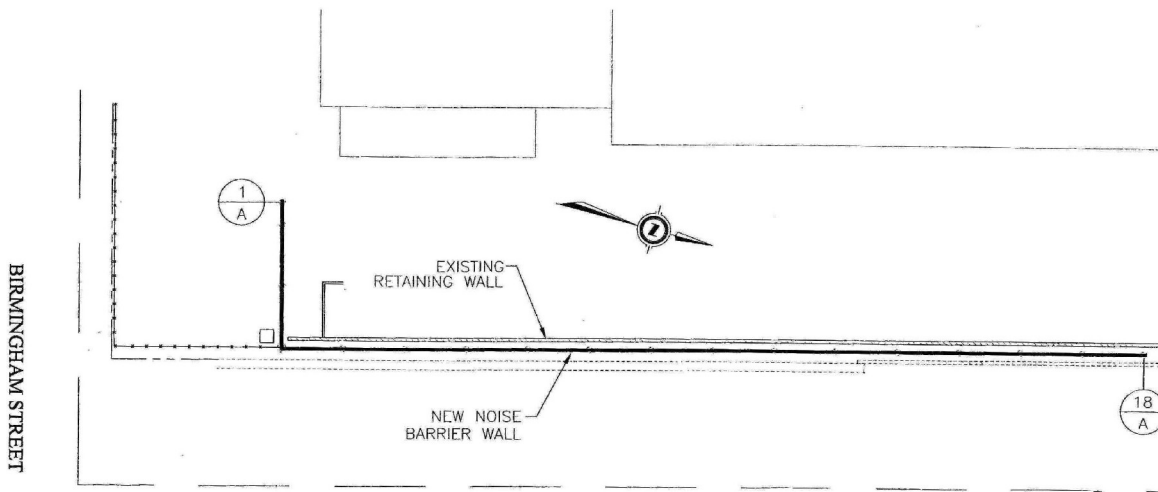


Attachment 1: Location Plan

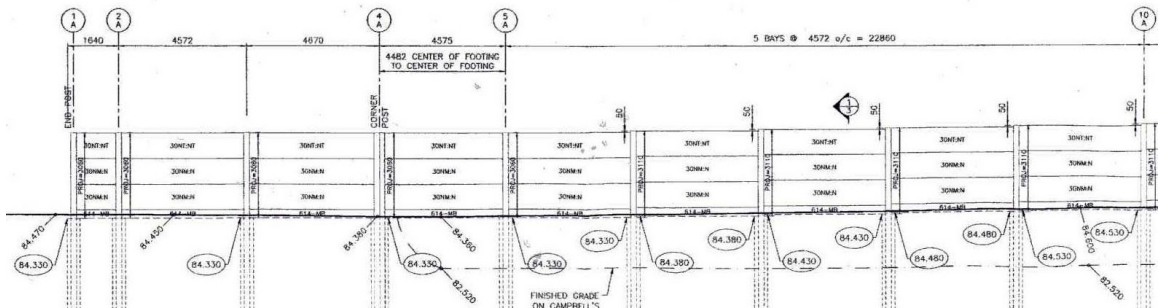
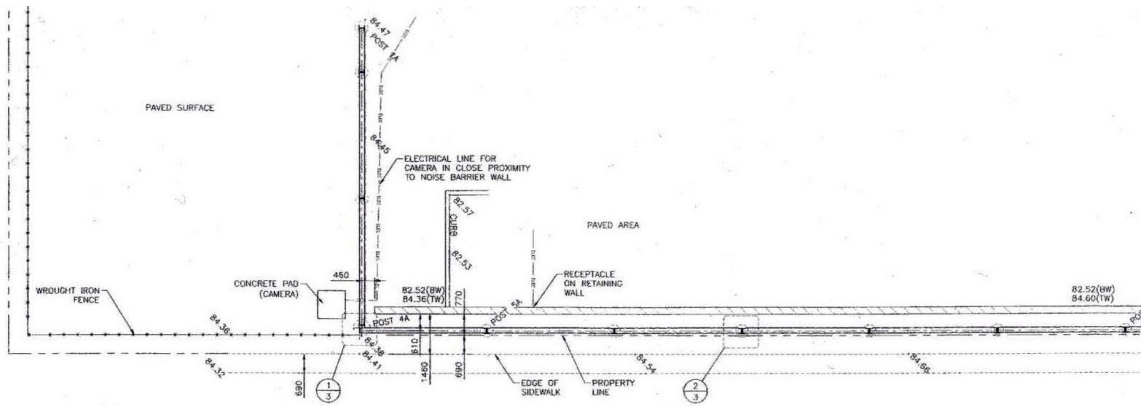
NEW TORONTO STREET



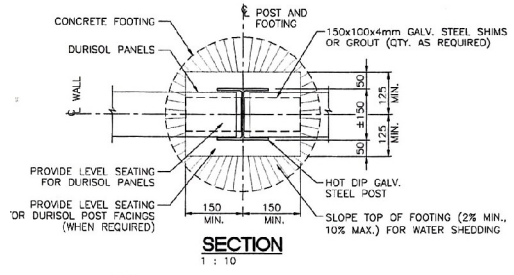
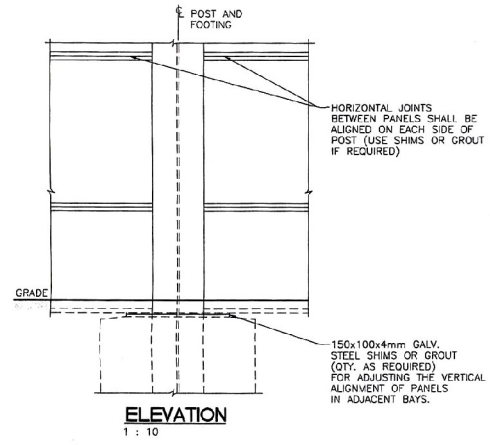
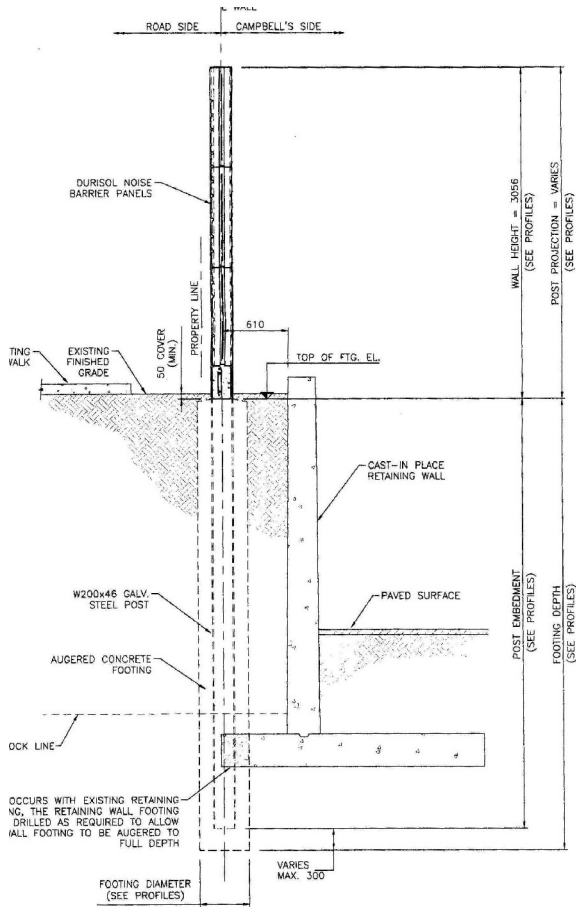
Attachment 2: Site Plan



DWIGHT AVENUE

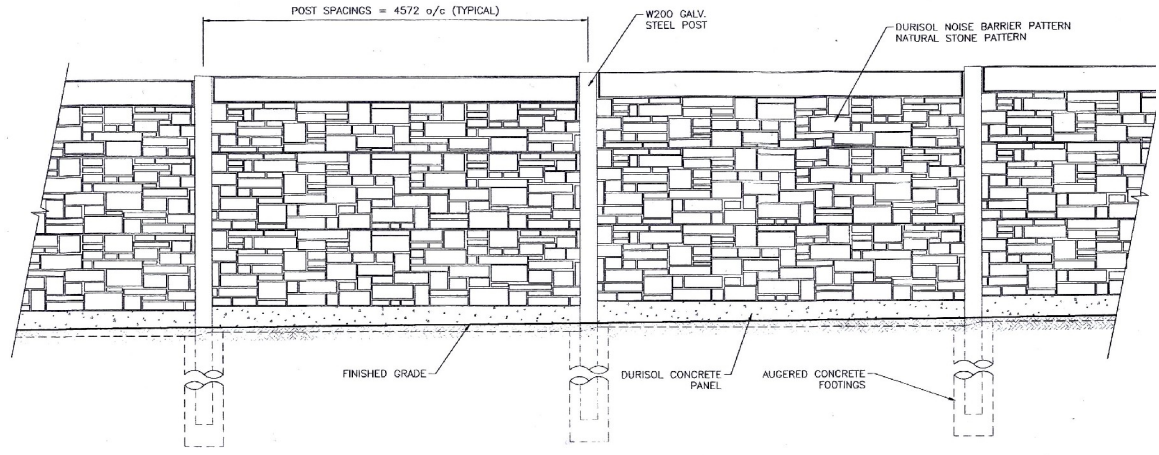


Attachment 3: Plans showing the Noise Barrier and Wrought Iron Fence



NOTE:
1. PROJECT SPECIFIC PANEL PATTERN NOT SHOWN.

SECTION
1:30



TYPICAL DWIGHT AVENUE ELEVATION

Attachment 4: Section, Elevation and Details of the Noise Barrier Wall



Attachment 5: View of Loading/Unloading Area before (above) and after (below) installation of Noise Barrier Wall on Dwight Avenue



Attachment 6: Photos showing the Wrought Iron Open Grille fence at Dwight Avenue and Birmingham Street