



STAFF REPORT ACTION REQUIRED

Request for an exemption from Chapter 313 of the former City of Toronto Municipal Code to permit a 1.5 m high retaining wall and railing at 122 Heddington Avenue

Date:	February 15, 2008
To:	North York Community Council
From:	Director, Transportation Services, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	p:\2008\ClusterB\TRA\NorthYork\ny08023 (7142)

SUMMARY

This staff report is about a matter for which community council has delegated authority to make a final decision.

To report on a request for an exemption from Chapter 313 of the former City of Toronto Municipal Code, to permit maintenance of a railing surmounted on a retaining wall at 122 Heddington Avenue which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

RECOMMENDATIONS

Transportation Services, North York District recommends that:

1. the application for the railing surmounted on the retaining wall be denied as the proposal does not comply with the requirements of the Municipal Code.

FINANCIAL IMPACT

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

DECISION HISTORY

On April 11, 2006, a permit was issued permitting the construction of a front yard parking pad and a 0.8 m high retaining wall surmounted with a railing at the subject premises. Final site inspection has determined that the railing installed has a height of 0.7 m. The total height of the retaining wall and railing is 1.5 m but the maximum height permitted under Chapter 313 of the former City of Toronto Municipal Code is 1.0 m.

The retaining wall was constructed to replace an existing retaining wall in accordance with Forestry Division requirements to protect trees in the vicinity but the railing which is surmounted on the retaining wall is a potential vision impediment affecting vehicular access to the front yard parking pad.

COMMENTS

The proposal for a railing surmounted on the retaining wall at 122 Heddington Avenue does not comply with the requirements of the Municipal Code as the retaining wall surmounted with the railing exceeds the maximum 1.0 m height permitted.

Staff cannot authorize the encroachment for this location as it does not meet the requirements of the Municipal Code.

Councillor Karen Stintz has been advised of the contents of this staff report.

CONTACT

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SIGNATURE

Myles Currie, B.A.
Director

ATTACHMENTS

Attachment 1: Site plan showing encroaching retaining wall & railing