



**STAFF REPORT
ACTION REQUIRED**

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 20 Roncesvalles Avenue (TTC Roncesvalles Sub Station)

Date:	October 20, 2009
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards Division, Toronto and East York District
Wards:	Ward 14 – Parkdale-High Park
Reference Number:	IBMS No.09-180643

SUMMARY

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 applicant being the Toronto Transit Commission is seeking an exemption to the provisions of the City of Toronto Municipal Code, Chapter 447 Fences, Section 447-2(B), to erect a fence, at the north and south sides of the property, to exceed the maximum allowable height. The Fence By-law provides that a fence can be constructed to a height of 1.2 metres in a front yard. The By-law also provides that a fence can be constructed to a height of 2.5 metres when it abuts a non-residential property.

The proposed sections of wrought iron fence along the east and north sides of the property will replace the existing chain link fence. The proposed section of fence along the east side of the property is to be constructed to a height of approximately 2 metres and 18.83 metres in length. The proposed section of fence along the north side of the property is to be constructed to a height of approximately 2 metres and 3.65 metres in length. The proposed section of fence on the south side of the property is to be constructed to a height of approximately 3 metres and 3 metres in length. All new sections of the proposed fence would not be in compliance with the By-law.

RECOMMENDATIONS

Municipal Licensing and Standards Division recommends that the Toronto and East York Community Council not grant the fence exemption for 20 Roncesvalles Avenue.

Financial Impact

There is no financial impact anticipated in this report.

DECISION HISTORY

The City of Toronto Municipal Code, Chapter 447-Fences, Section 447-2(B), provides that the maximum height of a fence for a non-residential property should not exceed 2.5 metres in height. Furthermore, the By-law provides that a fence in a front yard should not exceed 1.2 metres in height.

ISSUE BACKGROUND

The Municipal Licensing and Standards Division received an application for exemption from the Fence By-law, by the Toronto Transit Commission (TTC). The TTC is responding to concerns about loitering and trespassing on the property. The stated purpose for the proposed fence is to provide safety and security to the public and its employees as well as improve the appearance of the streetscape.

COMMENTS

The Council of the City of Toronto enacted the amalgamated By-law No. 472-2000 on July 06, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned swimming pools to erect and maintain safety fences and gates around private swimming pools. This By-law and the amendments are now found in the Toronto Municipal Code, Chapter 447-Fences.

CONTACT

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SIGNATURE

Elizabeth Glibbery
Manager, Municipal Licensing and Standards Division

ATTACHMENTS

1. Conceptual Design Drawing #1 (with measurements)
2. Conceptual Design Drawing #2