



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 1733 Bloor Street West (Keele Subway 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.09-180645

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 2.5 metres.

The current sections of fence (chain-link construction) along the north and south sides of the property, is constructed to a height of approximately 1.7 metres. The proposed section of fence on the north side of the property is to be constructed to a height of approximately 4 metres and 69 metres in length except for a section of the fence to be constructed at a height of 5 metres for a 22 metre span. The proposed section of fence on the south side of the property is to be constructed to a height of approximately 4 metres and 37 metres in length. Both sections of 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 at 1733 Bloor Street West (Keele Subway Station).

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 permitted height of a fence for a non-residential property should not exceed 2.5 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 raised by area residents of noise emanating from idling buses in the bus transfer area located adjacent to the existing north and south sections of fence. After commissioning an acoustical study of the area, the TTC is proposing to install an acoustic barrier wall, acting as a fence, consisting of Durisol acoustic panels supported by steel beams. The stated purpose for the proposed fence is to provide sound separation for residences both north and south of the subway station.

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
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ATTACHMENTS

1. Public Information Package