

## **Fence Encroachment - 578 Melrose Avenue - North York Centre South**

*(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)*

**The North York Community Council recommends:**

- (1) that the report (November 26, 1999) from the Director, Transportation Services, District 3, not be adopted; and**
- (2) the application for a fence encroachment on the Barse Road boulevard for the corner property at 578 Melrose Avenue, be permitted, provided that the property owners maintain the boulevard portion between the fence and the road; insure the property, indemnify the City for any claim resulting from the installation of the fence, and move the fence in the event the City must utilize the property in the future.**
- (3) that the applicant be required to pay the applicable fees of \$400.00 to the Transportation Services Division, Works and Emergency Services Department.**

**The North York Community Council submits the following report (November 26, 1999) from the Director, Transportation Services, District 3:**

Purpose:

To review an application for a fence encroachment on the Barse Road boulevard, for the corner property at 578 Melrose Avenue.

Financial Implications and Impact Statement:

There is no financial impact resulting from the recommendation of this report.

Recommendation:

It is recommended that the request for a fence encroachment not be approved.

Background:

The Transportation Division has received a request from Mr. Lawrence Saltzman, owner of 578 Melrose Avenue, who had recently purchased this property, to permit the placement of a five-foot plus one foot lattice fence within the road allowance. The property is on a corner lot and the request is to encroach on approximately 2.1 m (seven feet) of the approximately 5.5 m (eighteen feet), for a distance of approximately 24.5 m (eighty feet) on the Barse Road right-of-way.

Mr. Saltzman indicated in his submission, that his family desires to build a fence, to provide a greater protection for their small child.

Staff reviewed this application and determined that there are no technical circumstances that would preclude the placement of a safety fence on the property line.

Conclusions:

The construction of a fence on the property line, would offer the safety and protection sought by the Saltzman family. Staff have not identified any extenuating circumstances that would impede the installation of the fence on the property line.

Contact:

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The North York Community Council also reports having had before it a communication (November 24, 1999) from Mr. Saltzman outlining his reasons for the fence encroachment request.

