

TORONTO STAFF REPORT

August 31, 2005

To: Etobicoke York Community Council

From: Curtis Sealock, Manager, West District, Municipal Licensing and Standards

Subject: 74 Elmcrest Road, Toronto,
Application for an exemption from the City of Toronto Municipal Code, Chapter, 447.
Ward 3 - Etobicoke Centre

Purpose:

The applicant, being the agent of the owner of 74 Elmcrest Road, is seeking approval for an exemption to the provisions of the City of Toronto Municipal Code, Chapter 447, Fences, to erect a wrought iron fence with stone posts measuring 1.4 metres at the front yard of the property.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that that the application be refused as the height of the columns exceeds the height provision of the City of Toronto Municipal Code Chapter 447, Fences.

Background:

On May 9, 2005, Municipal Licensing & Standards received a complaint that a wrought iron fence with concrete stone posts was being constructed at the front of the property with a height in excess of 1.2 metres (4 feet) (Attachments #1 and #2). An inspection of the property on May 10, 2005 revealed seven stone pillars had been constructed at the front of the property near the front property line. Five were constructed 1.52 metres high (5 feet) and measured 0.61 metres square (2 feet by 2 feet) and two (2) were constructed at 1.83 metres high (6 feet) and measured 0.76 metres square (2 feet 5 inches by 2 feet 5 inches).

Comments:

The City of Toronto of the Municipal Code, Chapter 447, Section 447-2, Fences, provides that the maximum permitted height of a fence located in the front yard of a residential property be no higher than 1.2 metres (4 feet), for an open mesh chain-link fence or equivalent open fence that does not restrict sight lines and 1 metre in height (3 feet 3 inches) for any other type of fence.

The proposal is to construct a wrought iron open picket fence with a height of 1.2 metres (4 feet) and the columns constructed to 1.4 metres (4 feet 6 inches) high. The proposed columns will be approximately 0.2 metres (6 inches) higher than the maximum permitted height for a fence located in a front yard, on a residential property.

Conclusions:

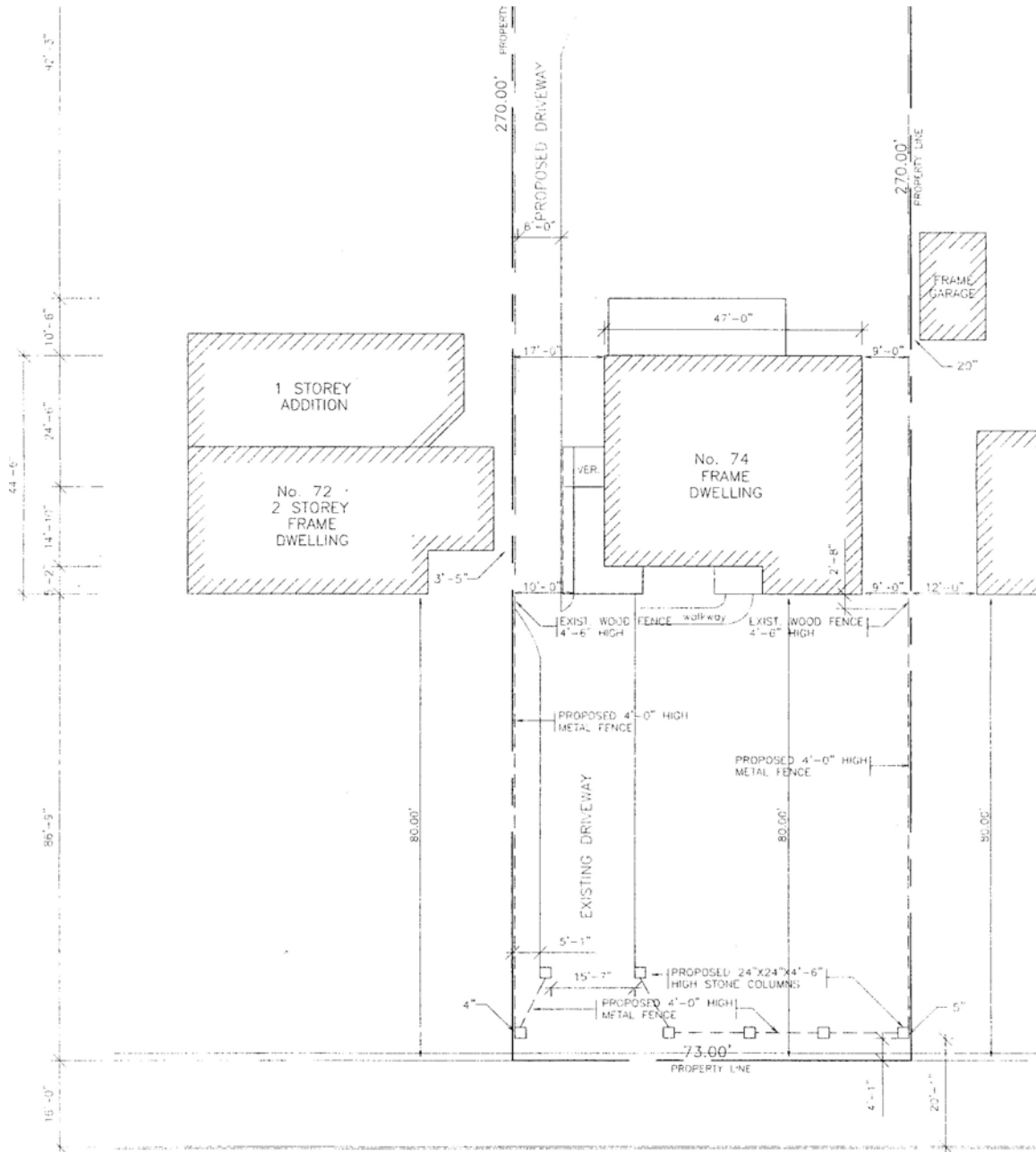
The height of the proposed fence will be 1.2 metres which complies with the requirements of the fence By-law. The columns supporting the fence will measure 1.4 metres high, and exceed the height requirement by 0.2 metres (6 inches) and therefore will not comply with the regulations set out in the Toronto Municipal Code, Chapter 447, Fences.

Contact:

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List of Attachment:

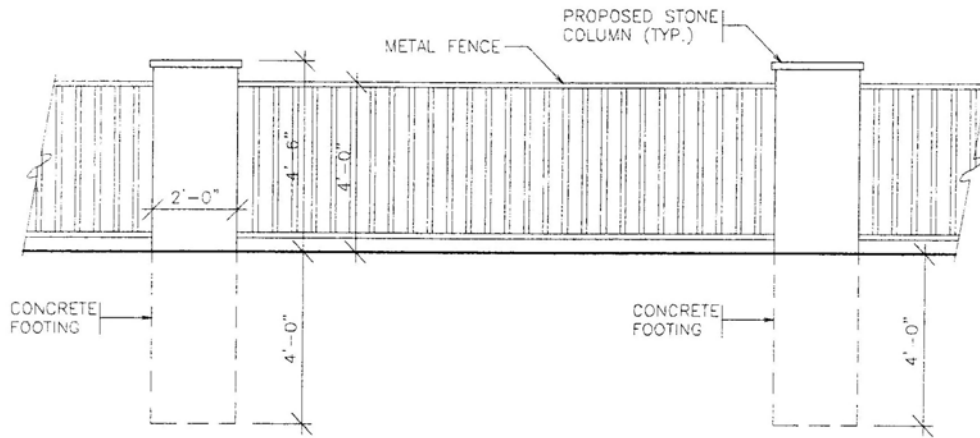
- Attachment 1 – Site Plan showing the location of the Proposed Fence
- Attachment 2 – Details of the Proposed Fence construction



ELMCREST ROAD

SITE PLAN

Attachment 1



ELEVATION

Attachment 2