

**Application for Fence Exemption
15 Sagamore Crescent**

Date:	March 8, 2007
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Ward:	Ward 3 - Etobicoke Centre
Reference Number:	ML&S Folder No. 06-180984 FEN

SUMMARY

This staff report is about an application for exemption to the Fence By-law under Chapter 447 of the Toronto Municipal Code, to maintain a 3.66 metres (12 feet) long section of a 2.85 metres (9 feet 4 inches) high wooden lattice/close board fence at the north side yard of the property municipally known as 15 Sagamore Crescent, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that:

The Etobicoke York Community Council refuse this application on the grounds that the fence under question is in violation of the Fence By-law.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

In response to a complaint, an inspection of the north side yard of the property at 15 Sagamore Crescent revealed a 3.66 metres (12 feet) long by 2.44 metres (8 feet) high wooden lattice screen panel being mounted on an existing 2.03 metres (6 feet 8 inches) high close board wooden divisional fence at a level 41 centimetres (16 inches) above grade (Attachments 1, 2 and 3). This section of the fence, which is effectively 2.85 metres (9 feet 4 inches) high measured from grade, is in excess of the maximum height of 2 metres for a fence at the side yard of a single family dwelling.

A Notice of Violation was issued to the owner on July 28, 2006.

COMMENTS

While the existing close board wooden divisional fence at the north side yard of the subject property, shared between 15 Sagamore Crescent and 11 Sagamore Crescent, is marginally in excess of the maximum permitted height of 2 metres (by 0.03 metre), it is, for all intention purposes, the added 3.66 metre long by 2.44 metres high lattice panel with a total height of 2.85 metres above grade that is the main cause of concern to the complainant, this being the subject matter of this Fence Exemption Application (Attachment 2).

It is apparent that the installation of the lattice screen panel will enhance the privacy to the residents at 15 Sagamore Crescent. It does however to some extent pose an obstruction to daylight to the window and door on the south side of the house at 11 Sagamore Crescent next door (Attachments 4 and 5).

CONTACT

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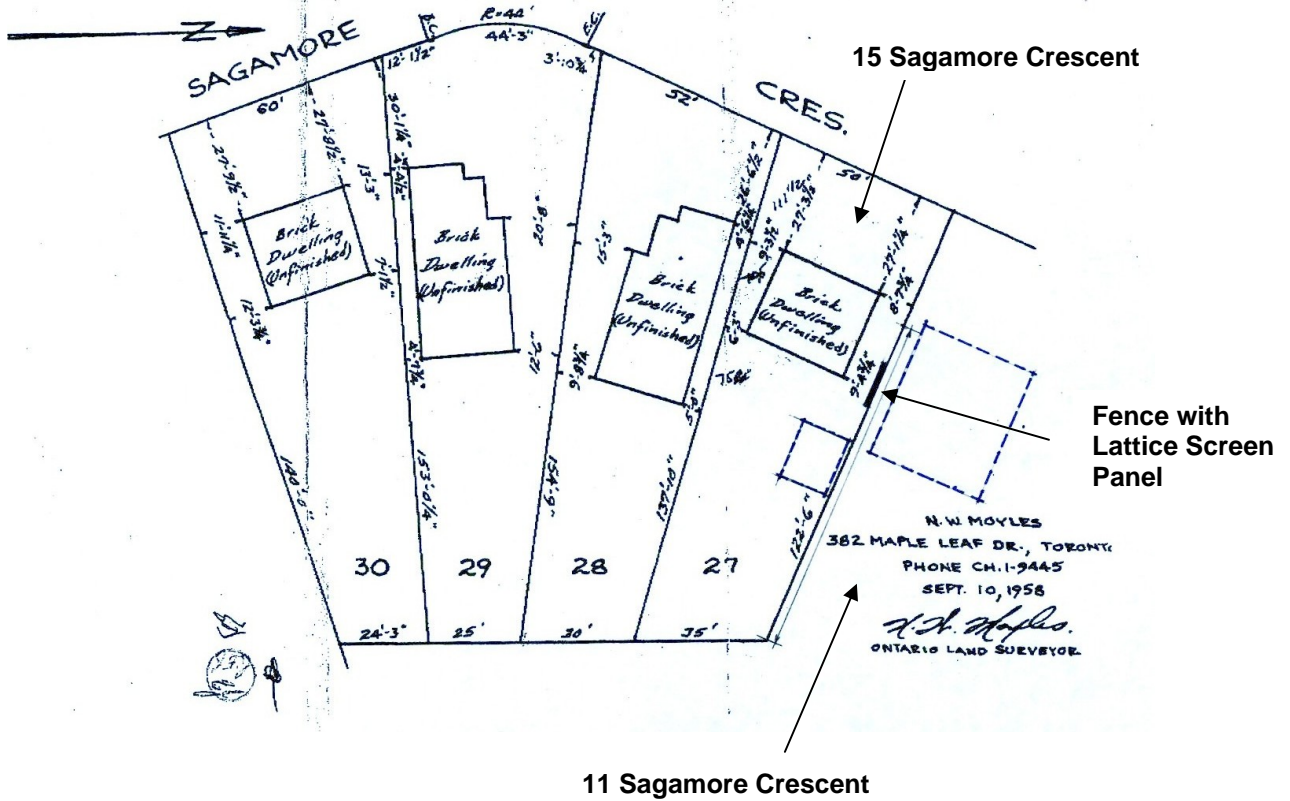
SIGNATURE

Curtis Sealock, District Manager
Etobicoke York District
Municipal Licensing and Standards

ATTACHMENTS

- Attachment 1: Site Plan/Survey
- Attachment 2: Photograph and sketch showing the Divisional Fence and the added Lattice Screen
- Attachment 3: Subject Fence viewing from the Front
- Attachment 4: Subject Fence viewing from the Rear
- Attachment 5: Photographs showing the impact of the Lattice Screen relative to the two properties

PLAN OF SURVEY OF
 LOTS 27 TO 30, REG'D PLAN NO 5135
 TOWNSHIP OF ETOBICOKE
 COUNTY OF YORK
 SCALE: 1"=30'



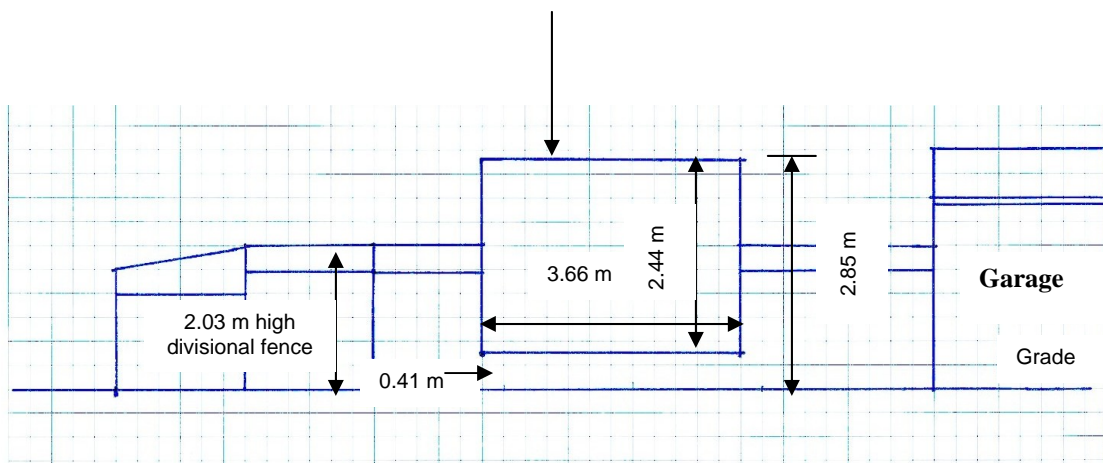
Attachment 1: Site Plan/Survey



**11 Sagamore Crescent
(Above)**

**15 Sagamore Crescent
(Above)**

Lattice Screen Panel



North Elevation of Fence

Attachment 2

Photograph and sketch showing the Divisional Fence and the added Lattice Screen



Attachment 3: Subject Fence viewing from the Front



Attachment 4:

**Subject Fence viewing from
the Rear**



←15 Sagamore Crescent (Above) 11 Sagamore Crescent→



View of the Backyard of 15 Sagamore Crescent looking South-east

Attachment 5: Photographs showing the impact of the Lattice Screen relative to the two properties (15 Sagamore Crescent and 11 Sagamore Crescent)