



STAFF REPORT ACTION REQUIRED

Application for Fence Exemption 31 King Georges Road

Date:	April 13, 2007
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Wards:	Ward 5, Etobicoke-Lakeshore
Reference Number:	ML&S Folder No. 07 107205 FEN

SUMMARY

This Staff Report is about an application for an exemption to the Fence by-law under Chapter 447 of the Toronto Municipal Code to maintain an existing close board wooden fence on the west flankage of Prince Edward Drive which is in violation of the by-law, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

This application should be read and considered in conjunction with the application for the encroachment agreement for existing fences erected on the property and within the road allowance and for which a report has been submitted to the Etobicoke York Community Council at this time.

RECOMMENDATIONS

Municipal Licensing and Standards recommend that:

The Etobicoke York Community Council approve this application for the fence exemption only upon the approval of the Encroachment Agreement Application submitted in conjunction with this report to the Etobicoke York Community Council.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

As the result of a complaint being received, Municipal Licensing and Standards staff investigated the property and determined that fencing had been erected around the perimeter of the property, both on private property portion as well as the City road allowance. The owner was contacted and advised that the constructed fence was in violation as it did not comply with the requirements for private property set out in Toronto Municipal Code, Chapter 447, Fences, and a portion of the 1.83 metre height fencing within the road allowance was built without an encroachment agreement and created an unsafe condition due to sight line obstructions (Attachments 1 and 2).

COMMENTS

This application should be considered in conjunction with the application for an Encroachment Agreement made by the applicant, as the majority of the fence erected at the property falls within the City road allowance.

Section 447-2 of Toronto Municipal Code, Chapter 447, Fences, restricts the height of a fence in the flankage yard of a property of a single family residential property to 0.8 of a metre in height for a distance of 2.4 metres from the property line and 2 metres in height beyond that point.

The close board fence measuring 1.83 metres in height is not in compliance with Section 447-2.B (4) of Toronto Municipal Code, Chapter 447, Fences, as constructed, and the fence height obstructs the line of sight adjacent to the driveway.

CONTACT

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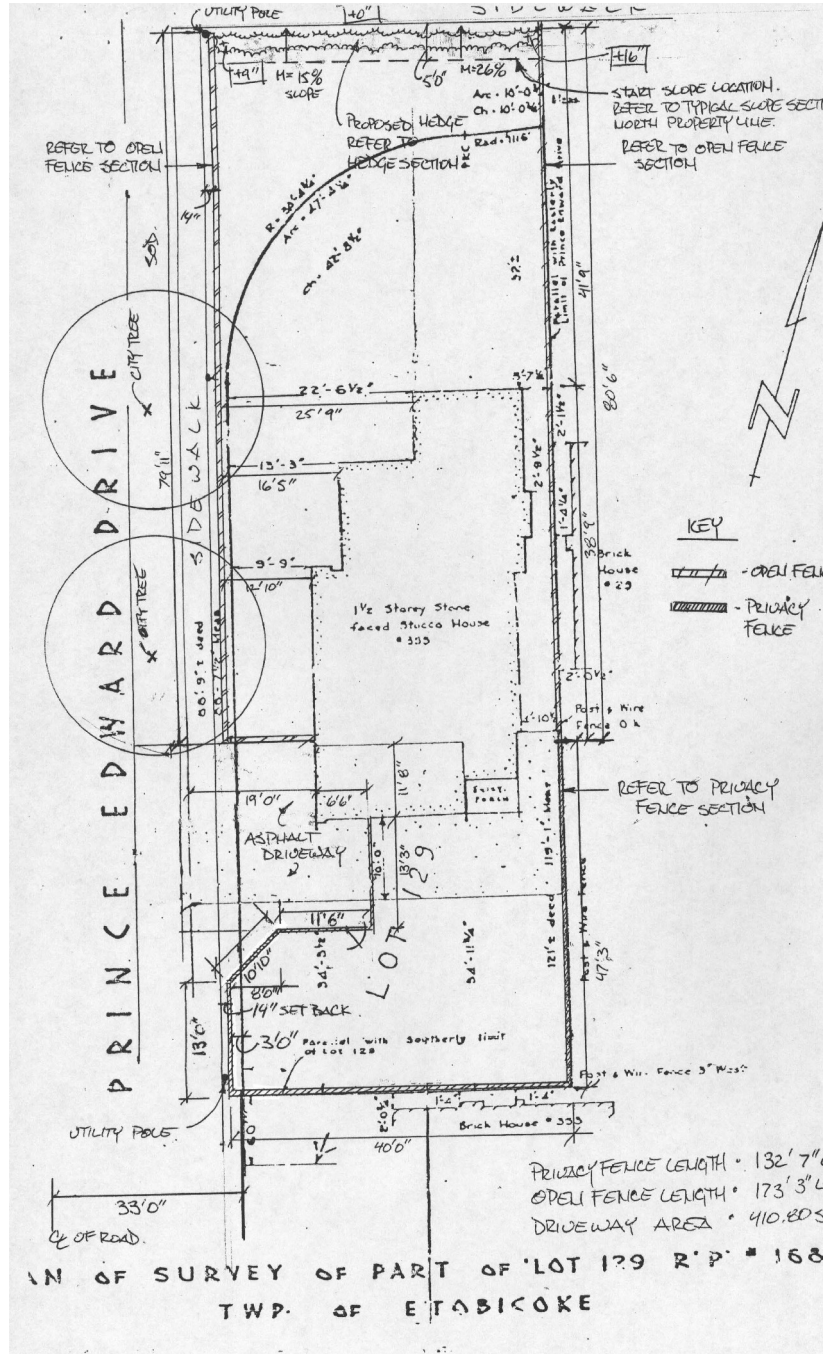
SIGNATURE

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

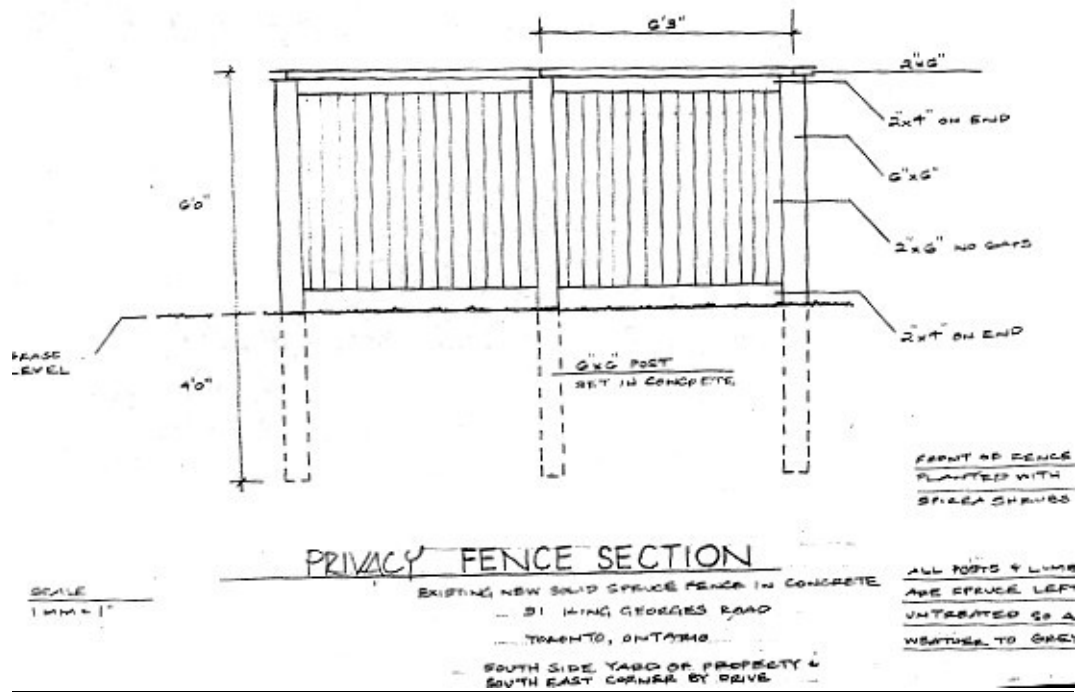
ATTACHMENTS

Attachment 1: Survey of Property

Attachment 2: Sketch of close board wooden fence



Attachment 1 – Property Survey



Attachment 2 – Sketch of Close board Wood Fence