



## STAFF REPORT ACTION REQUIRED

### Request for a Fence Exemption 8 Southgate Avenue

<b>Date:</b>	January 26, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Bryan Byng, District Manager, Municipal Licensing and Standards, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	IBMS No. 06-169905

#### SUMMARY

---

The purpose of this report is to consider a request by the owner(s) of 8 Southgate Avenue to be exempted from the City of Toronto Municipal Code, Chapter 447 - Fences, section 447-2(B). This section states that the maximum height of a fence on an unroofed deck can be 2.0 metres above the surface of the deck.

The existing wood lattice fence located on the unroofed deck in the rear yard is 2.9 metres in height.

#### RECOMMENDATIONS

---

- 1. Municipal Licensing and Standards recommends that the fence exemption not be granted.**

#### FINANCIAL IMPACT

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

#### DECISION HISTORY

This matter came in as a result of a pool fence enclosure permit application.

## **ISSUE BACKGROUND**

The fence section that is in contravention of the by-law has been constructed on top of a cedar deck, which is not higher than 0.609 metre from the ground and serves as a walkout from the home. The wood lattice fence is approximately 0.914 metre from the neighbouring fence.

The owner(s) of the subject property are seeking this exemption to the fence by-law for a fence located on a deck in the rear yard. The existing fence is 2.9 metres in height and 4.8 metres in length, and constructed of wood lattice.

## **COMMENTS**

The existing fence on the unroofed deck does not represent a sight line obstruction for the adjoining neighbours. The owner(s) are requesting the exemption for reasons of privacy, as well aesthetic value.

Should the recommendation not be accepted and the request approved, a condition of approval should include that when the fence is replaced, it should be constructed in compliance with Chapter 447 or its successor by-law.

## **CONTACT**

Emilio Vettese, Supervisor, Municipal Licensing and Standards, North York District  
Tel: 416-395-7013; Fax: 416-395-7056; Email: [evettes@toronto.ca](mailto:evettes@toronto.ca)

## **SIGNATURE**

---

Bryan Byng, District Manager  
Municipal Licensing and Standards  
North York District

## **ATTACHMENTS**

1. Photos