

Request for a Fence Exemption 41 Tollerton Avenue

Date:	March 6, 2007
To:	North York Community Council
From:	Bryan Byng, Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	IBMS No. 06-155345

SUMMARY

This staff report is about a matter that the community council has delegated authority to make a final decision [provided that it is not amended so that it varies with City policy or by-laws]

The purpose of this report is to consider a request by the owner(s) of 41 Tollerton Avenue to be exempted from three different requirements of Chapter 447 - Fences, section 447-2(B). The first is that the maximum height of a fence in the front yard is 1.2 metres, except for a fence which restricts sight lines in which case the maximum is 1 metre. The second is that the maximum height for a fence in the side or rear yard is 2 metres. The third is that the maximum height for a fence that restricts sight lines within 2.4 metres of the side lot line and 2.4 metres of any driveways is 800 millimetres.

The subject of this exemption request is an existing board on board/lattice top wood fence in the front, side and rear yards of this corner lot. The fence is 2.3 metres in height and is 63 metres in length. This fence encloses all of the property from the west side of the driveway in the front yard to the southeast corner of the house. The fence is within 2.4 metres of the driveway and the front lot line where the maximum height can be 1 metre. The maximum height for the rest of the fence in the front yard is 1.2 metres. The fence in the rear yard is approximately 2 metres from the driveway for 37 Tollerton Avenue where the maximum height can be 800 millimetres within 2.4 metres of the driveway. The maximum height for the rest of this fence is 2 metres.

RECOMMENDATIONS

1. **Municipal Licensing and Standards recommends that the provisions of Chapter 447 be supported by not granting the exemption request.**

FINANCIAL IMPACT

There is no financial impact anticipated in this report

DECISION HISTORY

This was a public complaint. A notice of violation was issued. An exemption request was received.

COMMENTS

This property is a corner lot located on the southeast corner of Sawley Drive and Tollerton Avenue. The fence in the front yard which extends from the building face is a sight obstruction for the driveway of 41 Tollerton Avenue and for the intersection of Sawley Drive and Tollerton Avenue. The fence in the side/rear yard is also a sight obstruction for the driveway of 37 Tollerton Avenue.

CONTACT

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SIGNATURE

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

ATTACHMENTS

1. Fence exemption letter
2. Photos
3. Diagram