



STAFF REPORT ACTION REQUIRED

Request for a fence exemption at 13 Legacy Court

Date:	December 21, 2006
To:	North York Community Council
From:	Bryan Byng, Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 25 – Don Valley West
Reference Number:	IBMS No. 06-161419

SUMMARY

The purpose of this report is to consider a request by the owner(s) of 13 Legacy Court to be exempted from Chapter 447 - Fences, section 447-2(B). This section states that the maximum height of a fence in the front yard can be 1.2 metres.

The existing metal picket fence that is the subject of this exemption request is part of the free standing pool fence enclosure. Part of the pool has been constructed in the front yard and three sections of the fence on the south end of the pool that extend beyond the front building face are in contravention of the bylaw. These sections are 7.25, 6.0 and 7.25 metres respectively from west to east and all are 1.63 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 in this report

DECISION HISTORY

This matter is part of the pool fence enclosure application process.

COMMENTS

The fence does not represent a site line obstruction. The owner(s) are requesting the exemption for reasons of privacy and security.

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 bylaw.

CONTACT

Michael Carey, Supervisor, Municipal Licensing and Standards, North York District
416-395-7012, fax 416-395-7056, mcarey@toronto.ca

SIGNATURE

Bryan Byng, Manager

ATTACHMENTS

1. Fence exemption letter
2. Photos