

Request for a fence exemption at 239 Hanna Road

Date:	December 21, 2006
To:	North York Community Council
From:	Bryan Byng, Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	IBMS No. 06-162201

SUMMARY

The purpose of this report is to consider a request by the owner(s) of 239 Hanna Road to be exempted from Chapter 447 - Fences, section 447-2(B). This section states that the maximum height of a fence in the rear yard can be 2 metres.

The existing wood fence is in the rear yard along the south side of the property. The fence separates the backyard from 237 Hanna Road. The fence extends from the back of the house for a distance of 3.05 metres at a height of 2.45 metres and continues for another 3.35 metres at a height of 3.65 metres. The total length of the exemption request is 6.4 metres.

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 came in as a public complaint about fence height and construction standards.

ISSUE BACKGROUND

The neighbouring owner(s) at 237 Hanna Road constructed an elevated deck under permit. The floor of the elevated deck is approximately 1.8 metres above ground level and it is constructed approximately one metre from the fence line. The fence section that is in contravention of the bylaw has been constructed beside and extending past this deck.

COMMENTS

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

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

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SIGNATURE

Bryan Byng, Manager

ATTACHMENTS

1. Fence exemption letter
2. Photos