

## **Request for a fence exemption between 45 Killdeer Crescent**

<b>Date:</b>	December 20, 2006
<b>To:</b>	North York Community Council
<b>From:</b>	Bryan Byng, Manager, Municipal Licensing and Standards, North York District
<b>Wards:</b>	Ward 26 - Don Valley West
<b>Reference Number:</b>	IBMS No. 06-133947

### **SUMMARY**

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The purpose of this report is to consider a request by the owner(s) of 45 Killdeer Crescent 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 unless it is within 2.4 metres and it restricts site lines then it can be a maximum of 1 metre.

This existing wood fence is in the front yard on the south side of the property. The fence extends from the southeast corner of the house on the east side of the property 8.53 metres to within 2.4 metres of the front property line. The section along the south side extends 11.5 metres is parallel to and approximately 2 metres from the property line. The last section extends along the west property line 8.53 metres to the southwest corner of the house. The total length of fence for this exemption request is 28.56 metres. All of the fence sections are 1.8 metres in height.

### **RECOMMENDATIONS**

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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 the height of the fence and the restriction of site lines. A notice of violation was issued and an exemption request made.

## **ISSUE BACKGROUND**

The complainant stated after the exemption request was made that they wished to withdraw their complaint. Since a bylaw violation existed the matter necessarily proceeded.

## **COMMENTS**

The fence is 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**

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Bryan Byng, Manager

## **ATTACHMENTS**

1. Fence exemption letter
2. Photos