

**Fence Exemption Request
4841 Yonge Street, Unit 117**

Date:	June 11, 2007
To:	North York Community Council
From:	Bryan Byng, District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	IBMS No. 07-220225

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 the business at 4841 Yonge Street, Unit 117, 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 within 2.4 metres of the front lot line that does not restrict site lines can be 1.2 metres and 1.0 metre for any other type.

The subject of this exemption request is a proposed glass fence enclosure for a temporary patio to be located in the front yard of a restaurant. The fence will be constructed of glass panels with metal posts that will be approximately 1.9 metres in height and run along the north, west and south sides of the patio for a total length of approximately 21.3 metres. In addition to this another glass enclosure of similar construction will be located within the patio area enclosing a ventilation shaft that is approximately 3 metres by 6.5 metres in dimension.

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 not a public complaint; it arose as an exemption request by the business.

COMMENTS

The proposed fence will enclose the proposed patio for “Boston Pizza”.

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, District Manager
Municipal Licensing and Standards
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ATTACHMENTS

1. Fence exemption letter
2. Floor plan