



STAFF REPORT ACTION REQUIRED

Request for a fence exemption to Chapter 447-Fences of the Toronto Municipal Code at 102 Glen Rd

Date:	March 5, 2007
To:	Toronto East York Community Council
From:	Elizabeth Glibbery, Manager, Municipal Licensing and Standards Division Toronto East York District
Wards:	Ward 27 – Toronto Centre - Rosedale
Reference Number:	IBMS No. 170848

SUMMARY

This staff report is about a matter for which the community council has delegated authority from City Council to make a final decision. The applicant, being the agent for the owner of 102 Glen Road, is seeking approval for an exemption to the provisions of the City of Toronto Municipal Code, Chapter 447, Fences, to support the existing solid cinder block fence with columns measuring 1.92 metres in the front yard of the property and an existing 2.15 metre high iron gate and the 1.83 metre high solid construction columns on the east property on the front lot line at 102 Glen Rd.

Municipal Licensing & Standards responded to a request from the owner of the subject property for an exemption to Toronto Municipal Code, Chapter 447-Fences.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that:

1. The Toronto and East York Community Council deny the request for a fence exemption at 102 Glen Road.

Financial Impact

There is no financial impact anticipated in this report.

DECISION HISTORY

The Municipal Licensing and Standard Division received a public complaint that this fence exceeds the maximum height permitted. A notice of violation was issued and an exemption request was made by the owner.

ISSUE BACKGROUND

On July 6, 2006, Municipal Licensing & Standards received a complaint that a solid cinder block fence was being constructed at the front of the property with a height in excess of 1.9 metres (6' 3"). An inspection of the property on July 25, 2006 revealed a solid cinder block fence with gate columns was constructed in the front south and east sides of the property. The portion of fence measures 2.4 metres (7' 10") in length from the front property line and measures 1.92 metres in height and the columns at the front property line measures 1.83 metres (6') in height. The fence and columns of solid construction exceed the required height of 1.0 (3'3")metres.

The iron metal gate located on the east property line, also within 2.4 metres of the front property line, measures, including columns, 5.18 metres in length and 2.15 metres (7' 1") in height at the highest point at the centre of the gate. The columns on the north and south side of the gate measure 1.83 metres in height. Both columns and gate exceed the 1 metre height restriction.

The remaining 22.6 metres in length of front yard fence not within the 2.4 meters of the front lot line also exceeds the 1.2 metre (4') maximum, measuring approximately 1.92 metres in height. The fence is built approximately 1.5 mm (6") back from the adjacent property to the south of 102 Glen Road. The fence is constructed entirely on the 102 Glen Road property.

COMMENTS

The City of Toronto Council enacted the amalgamated By-Law 472-2000 on July 6, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pools to erect and maintain safety fences and gates around private swimming pools. This By-Law and the amendments are now found in the Toronto Municipal Code, Chapter 447 - Fences.

The City of Toronto Municipal Code, Chapter 447, Section 447-2B(2) states; Where more than one description in the following Table applies to a fence, each part that corresponds to a single description shall be deemed to be a separated fence for the purpose of the maximum height for that part.

Section 447-2, Fences Table, provides that the maximum permitted height of a fence located in the front yard within 2.4 metres of a front lot line be no higher than 1.2 metres, for an open mesh chain-link fence or equivalent open fence that does not restrict sight

lines and 1 metre in height for any other type of fence. Fences in the front yard not within 2.4 metres of front lot line should not exceed 1.2 metres in height.

CONTACT

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SIGNATURE

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Toronto East York District

ATTACHMENTS

1. Photographs