



STAFF REPORT ACTION REQUIRED

Request for a fence exemption to Chapter 447-Fences of the Toronto Municipal Code at 110 Glen Rd

Date:	June 5, 2007
To:	Toronto East York Community Council
From:	Municipal Licensing and Standards Division, Toronto East York District
Wards:	Ward 27 – Toronto Centre - Rosedale
Reference Number:	IBMS No. 07-110598

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 Landscape Architect for the owners of 110 Glen Road, is seeking approval for a fence exemption to the provisions of the City of Toronto Municipal Code, Chapter 447, Fences, to allow the proposed stone wall / metal fence, stone column and metal gates construction to provide security but not to encroach on the tree protection zone. Municipal Licensing & Standards responded to the request from the Agent of the owners of the subject property for an exemption to Toronto Municipal Code, Chapter 447-Fences.

RECOMMENDATIONS

It is recommended that an exemption not be granted to allow the proposed construction of the front yard fence measuring approximately 24.38 metres (80 feet) in length with approximately 1.85 metres (6 feet 1 inch) high columns and metal gates and 1.6 metres (5 feet 3 inches) high wall/fence on the private property portion of the front yard of 110 Glen Road. This construction proposed is not within 2.4 metres of the front property line therefore is required to be restricted to a maximum height of 1.2 metres (4 feet).

Financial Impact

There is no financial impact anticipated in this report.

DECISION HISTORY

The Municipal Licensing and Standard Division was contacted by the Landscape Architect representing the owners requesting information for a fence exemption. An exemption request was made on behalf of the owner (Attachment 1), a sketch of 110 Glen Road (Attachment 2), an example of the proposed fence (Attachment 3), a photograph of 110 Glen Road (Attachment 4) and letters of approval from neighbours (Attachments 5, 6 and 7). As well, we received a declaration from the property owners for release to allow the aforementioned documents to be viewed by all interested parties.

ISSUE BACKGROUND

On February 23, 2007, the Landscape Architect representing the property owners requested an onsite visit to review the proposed fence. Contact was made and on March 6th, 2007 an onsite visit occurred. The Landscape Architect submitted photos of similar type fencing in the neighbourhood as well as proposed plans. Information was given by Municipal Licensing and Standards staff to the Landscape Architect for filing a fence exemption and measurements was taken by the Municipal Standards Officer to determine the property lines.

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 in a front yard not within 2.4 metres of the front lot line should not exceed 1.2 metres (4 feet) in height.

CONTACT

Fiona Skurjat, Supervisor, Municipal Licensing and Standards Division
Toronto East York District, 416 392-6950, fax 416 392-0384, fskurja@toronto.ca

SIGNATURE

Elizabeth Glibbery, Manager
Toronto East York District

ATTACHMENTS

1. Fence exemption letter
2. Sketch of 110 Glen Rd
3. Photograph
4. Photograph
5. Approval Letter
6. Approval Letter
7. Approval Letter