



**STAFF REPORT  
ACTION REQUIRED**

**Request for a fence exemption to the Toronto Municipal Code, Chapter 447-Fences at 6 Clarendon Crescent**

<b>Date:</b>	September 14, 2007
<b>To:</b>	Toronto East York Community Council
<b>From:</b>	Municipal Licensing and Standards Division, Toronto East York District
<b>Wards:</b>	Ward 22 – St. Paul’s
<b>Reference Number:</b>	IBMS No. 07-261034

**SUMMARY**

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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 solicitor for the owners of 6 Clarendon Crescent, is seeking approval for a fence exemption to the provisions of the City of Toronto Municipal Code, Chapter 447 Fences, Section 447-2(B), to permit a proposed wrought iron metal fence construction to provide security. The proposed construction of the front yard fence consists of three, (3) portions measuring approximately 21.85 metres (71.68 feet) in length along the south property line, 18.72 metres (61.4 feet) portion of the proposed 37.30 metres (122.4 feet) length along the east property line and 12.4 metres (41.4 feet) along the west property line on the private property portion of the front yard of 6 Clarendon Crescent. The proposed fence is open construction wrought iron, 2 metres, (6 feet, 6 inches) in height whereas the by-law restricts the maximum height of a front yard fence to 1.2 metres (4 feet). Attachment 1 shows an artists rendering of the proposed fence, Attachment 2 shows photographs of neighbouring properties with similar fences as proposed for 6 Clarendon Crescent which is shown in Attachment 3 photographs.

**RECOMMENDATIONS**

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1. Municipal Licensing & Standards recommends that community council not grant the proposed fence exemption.

**Financial Impact**

There is no financial impact anticipated in this report.

## **DECISION HISTORY**

The Municipal Licensing & Standards Division received a request from the agent of the owners of the subject property for an exemption to Toronto Municipal Code, Chapter 447-Fences, Section 447-2(B) to permit the construction of a wrought iron fence in the front yard area of 6 Clarendon Crescent. The proposed fence construction height of 2 metres, (6 feet, 6 inches) would not be in compliance with the provisions of the by-law which restricts the height of a front yard fence to 1.2 metres (4 feet).

## **ISSUE BACKGROUND**

The Municipal Licensing and Standards Division was contacted on August 30, 2007 by the solicitor representing the owners requesting consideration and review of a fence proposal along with the submission of a survey of 6 Clarendon Crescent outlining the proposed fence location along with pictures and sketches. Upon review it was determined that the proposed fence in the front yard area at a height of 2 metres, (6 feet, 6 inches) was not in accordance with the by-law provisions that restricts the maximum height of an open construction front yard fence to 1.2 metres, (4 feet). The remainder of the proposed fence is in accordance with the by-law provisions.

On September 10, 2007 the solicitor representing the property owners submitted an application for a fence exemption to permit a 2 metre, (6 feet, 6 inch) high fence in the front yard for the purpose of ensuring the security and privacy of the owners.

## **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 447-2(B) provides that the maximum permitted height of an open fence construction in a front yard should not exceed 1.2 metres (4 feet) in height.

## **CONTACT**

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## **SIGNATURE**

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Elizabeth Glibbery, Manager  
Toronto East York District

## **ATTACHMENTS**

1. Sketch of proposed fence
2. Photographs of similar fences in neighbourhood
3. Photographs of 6 Clarendon Crescent