



**STAFF REPORT  
ACTION REQUIRED**

**Request for a fence exemption to the Toronto Municipal Code, Chapter 447-Fences at 180 Crescent Road**

<b>Date:</b>	November 12, 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 27 Toronto Centre - Rosedale
<b>Reference Number:</b>	IBMS No. 07-258530

**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 Architect for the owners of 180 Crescent Road, 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 and brick columned fence construction to provide security. Attachment 1 is an artists rendering of the proposed fence. The proposed construction of the front yard fence consists of three, (3) portions measuring approximately 16.2 metres (53 feet, 10 inches) in length along the north property line, 17.2 metres (56 feet 3 inches) in length along the west property line and 10.8 metres (35 feet, 2 inches) along the south property line on the private property portion of the front yard of 180 Crescent Road. Attachment 2 is the Site Plan. The proposed fence is open construction wrought iron and brick columns and is 1.8 metres (6 feet) in height whereas the by-law restricts the maximum height of a front yard fence to 1.2 metres (4 feet). Attachment 3 -6 are photographs of similar fences in the neighbourhood and Attachment 7 is a current curb side view of the property.

**RECOMMENDATIONS**

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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 Architect 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 and brick columned fence in the front yard area of 180 Crescent Road. The proposed fence construction height of 1.8 metres (6 feet) 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 by the Architect representing the owners requesting consideration and review of the fence proposal along with the submission of a survey of 180 Crescent Road outlining the proposed fence location. Upon review it was determined that the proposed fence in the front yard area at a height of 1.8 metres (6 feet) 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 Architect representing the property owners submitted an application for a fence exemption to permit a 1.8 metre (6 feet) high fence in the front yard for the purpose of ensuring the security and privacy of the owners and enhance the streetscape. He also submitted letters of approval from the adjoining neighbours.

## **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, and Section 447-2(B) provide 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. Site Plan
- 3-6 Photographs of similar fences in neighbourhood
7. Photograph of 180 Crescent Road