



STAFF REPORT ACTION REQUIRED

Request for a fence exemption to the Toronto Municipal Code, Chapter 447-Fences at 164 Inglewood Drive.

Date:	November 12, 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. 07-271176

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 builder for the owners of 164 Inglewood Drive, 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 wood and lattice fence construction to provide security. The proposed construction of the rear yard fence consists of three portions along the south property line 7.3 metres (24 feet) in length; the east property line is 8.5 metres (28 feet) in length and the west property line 8.2 metres (27 feet) in length in rear yard. The proposed fence is 3 metres (10 feet) in height whereas the by-law restricts the maximum height of a rear yard fence to 2 metres (6 feet, 6 inches). Attachment 1 depicts an artists rendering of the proposed fence. Attachment 2 is a site plan for the proposed fence. Attachment 3 shows the current curb side view of the property.

RECOMMENDATIONS

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 wood and lattice fence in the rear yard area of 164 Inglewood Drive. The proposed fence construction height of 3 metres (10 feet) would not be in compliance with the provisions of the by-law, which restricts the height of a rear yard fence to 2 metres (6 feet 6 inches).

ISSUE BACKGROUND

The Municipal Licensing and Standards Division was contacted by the agent representing the owners of 164 Inglewood Drive and submitted information outlining the proposed fence location and construction. As well, the adjoining neighbours submitted letters of approval. Upon review it was determined that the proposed fence in the rear yard area at a height of 3 metres (10 feet) was not in accordance with the by-law provisions that restricts the maximum height of an rear yard fence to 2 metres (6 feet 6 inches).

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 for a rear yard fence should not exceed 2 metres (6 feet 6 inches) in height.

CONTACT

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SIGNATURE

Elizabeth Glibbery, Manager
Toronto East York District

ATTACHMENTS

1. Sketch of proposed fence
2. Proposed fence site plan
3. Photographs of 164 Inglewood Drive