



STAFF REPORT ACTION REQUIRED

Fence Exemption Request – 6 Bluebell Gate

Date:	March 4, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Wards:	Ward 12 - York South-Weston
Reference Number:	ML&S Folder Number 07-289303 FEN

SUMMARY

This Staff Report is about a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision. The subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain existing hedges in the front yard and to erect a wooden fence in the front and the side yard which are/will be in violation of the By-law.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Etobicoke York Community Council deny the request for the fence exemption based on non-compliance with the requirements set out in Chapter 447 of Toronto Municipal Code, Fences.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

This is a single family detached residential property located on Bluebell Gate between Queens Drive and Gracefield Avenue (Attachment 1).

On January 21st, 2007, a formal complaint was filed with the Municipal Licensing and Standards Division about the height of the hedges/shrubs in the front yard of the subject property. The hedges/shrubs varied in height from approximately 1.0 metre to approximately 2.5 metres in the front yard, along the east elevation.

As a result, a Notice of Violation was issued to the property owners on August 15th, 2007 citing that existing hedges/shrubs which are located within 2.4 metres of the front lot line is limited to 1.0 metre in height while the hedges/shrubs in the front yard not within 2.4 metres of the front lot line is limited to 1.2 metres in height pursuant to Section 447-2.B. Chapter 447, Fences, in the Toronto Municipal Code (Attachment 4). The existing hedges/shrubs breach these maximum permitted heights and may also be creating sight-line issues for the adjoining property.

COMMENTS

The property owner has requested an exemption to the by-law to maintain the existing hedges/shrubs in the front yard and to allow for the construction of an additional fence in the front yard (extending into the side yard as well) measuring approximately 2.0 metres in height (Attachments 2 and 3).

The portion of the proposed fence in the front yard will measure approximately 4 lineal metres into the front yard (measured from the front wall of the subject dwelling and toward the sidewalk) where the maximum permitted height in the by-law is 1.2 metres. The exemption is being requested on the grounds that more privacy between the neighbours is necessary.

CONTACT

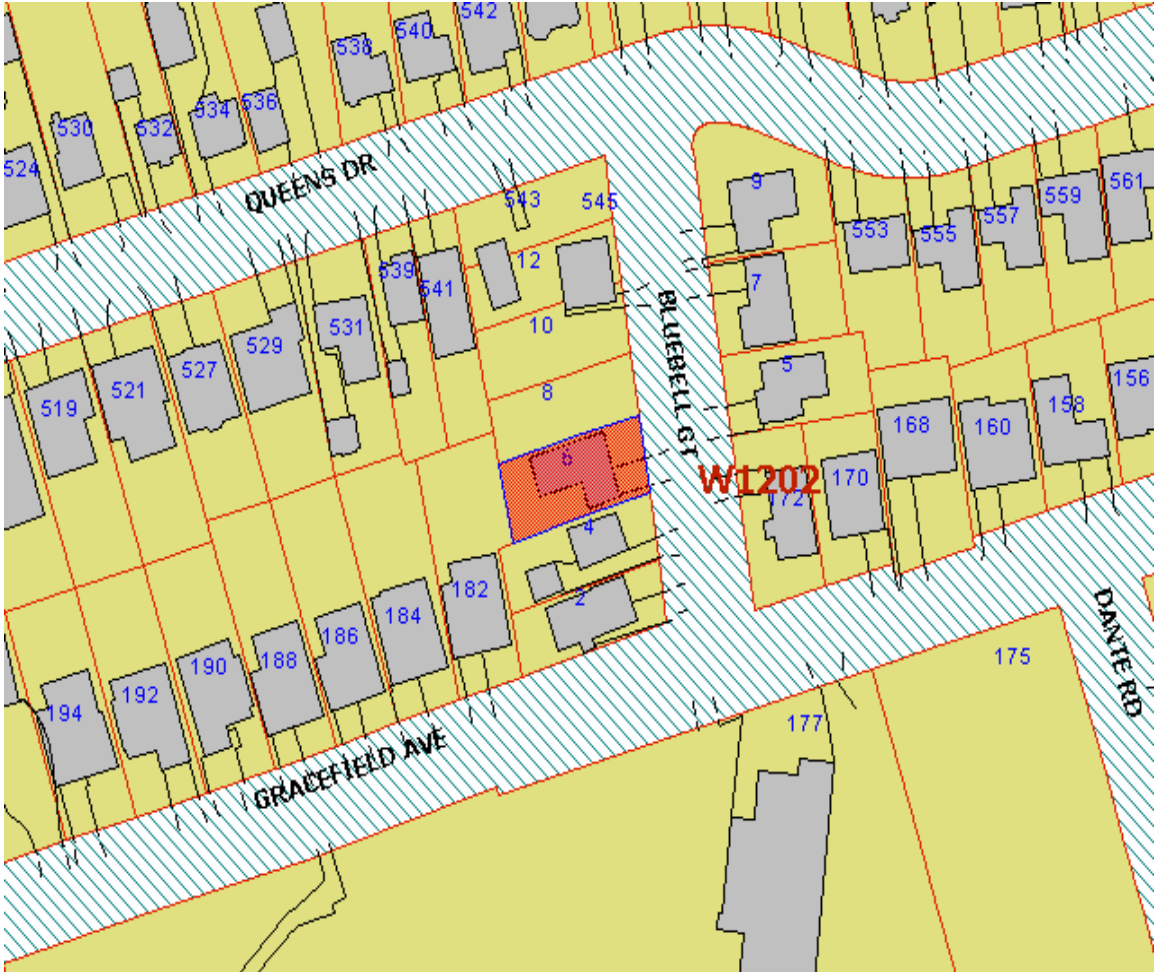
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Municipal Licensing and Standards
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SIGNATURE

Curtis Sealock, District Manager
Municipal Licensing and Standards
Etobicoke York District

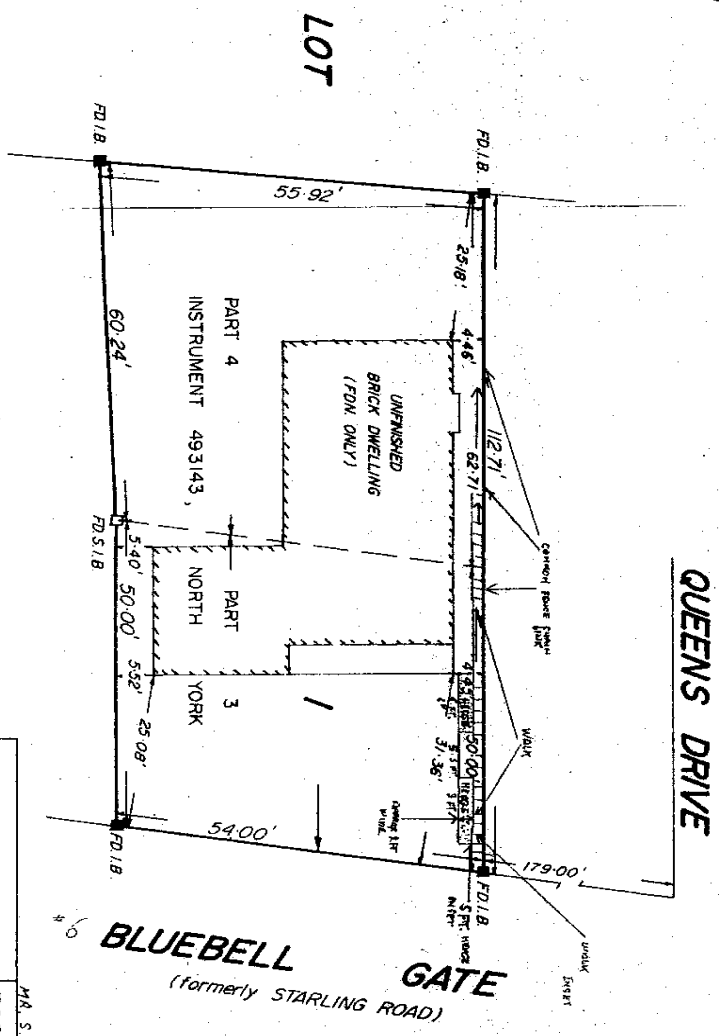
Attachments:

Attachment 1: Site Plan of 6 Blue Bell Gate
Attachment 2: Survey of 6 Blue Bell Gate
Attachment 3: Fence Details (Proposed Fencing in the Front/Side Yards)
Attachment 4: Photos of 6 Blue Bell Gate



Attachment 1: Site Plan of 6 Blue Bell Gate

**PLAN
OF PART OF LOT 1, REGISTERED PLAN 1557
TOWNSHIP OF NORTH YORK
SCALE 1" = 20'**



For:
Rimpp Carpenters.

ONTARIO LAND SURVEYORS
NOVEMBER 10, 1966

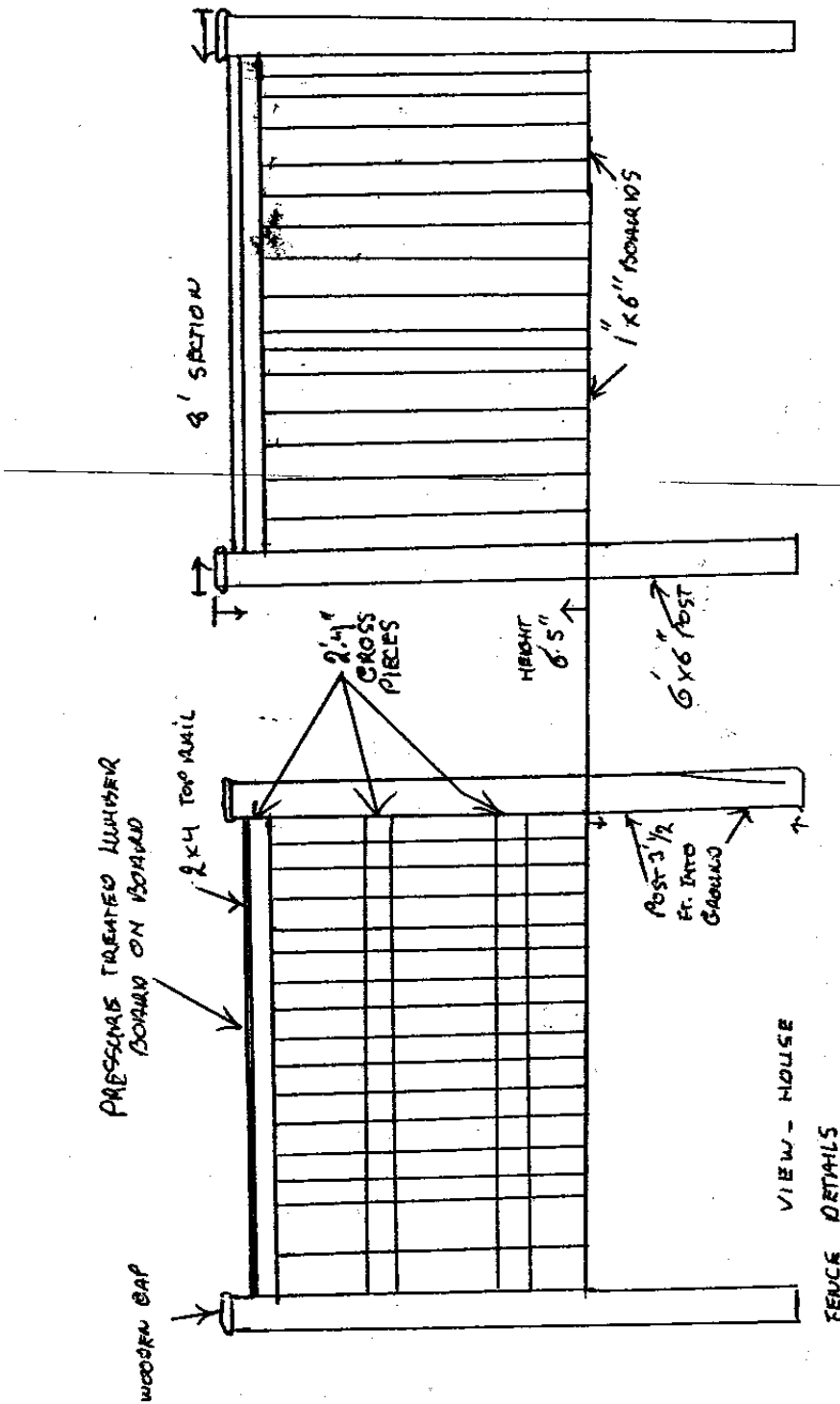
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Attachment 2: Survey of 6 Blue Bell Gate



EXISTING AND PROPOSED 2 METRES HIGH CLOSE BOARD WOODEN FENCE ABOVE

FENCE EXEMPTION REQUEST - 6 BLUEBELL GATE.

Attachment 3: Fence Detail of 6 Blue Bell Gate



Photo # 1 - Showing the Front Yard (from the neighbour's yard @ # 8 Bluebell Gate)



Photo # 2 - Showing the Front Yard (from the street line looking towards the rear yard)

Attachment 4: Photos of 6 Blue Bell Gate