



STAFF REPORT ACTION REQUIRED

Fence Exemption Request for 8 Briarcroft Road

Date:	March 13, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager
Wards:	Ward 13, Parkdale-High Park
Reference Number:	ML&S File No. 07 286174 FEN

SUMMARY

This report is in response to an application by the owner of the property to maintain a newly constructed fence in the front yard private property portion of the property at a height of 1.83 metres (72 inches). The construction of the fence continues into the road allowance and as a result, this report should be considered in conjunction with the report for the fence encroachment at this property, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommend:

1. The height of the fence within the front yard private property is restricted to the height approved by the Community Council in connection with the fence encroachment application before this Council.
2. Should Council not approve the encroachment application, the fence height should comply with the requirements set out in Chapter 447 of the Municipal Code, Fences.

Financial Impact

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

ISSUE BACKGROUND

As the result of a complaint being received regarding the installation of a fence in the front yard, and inspection was conducted and determined that a vinyl close board fence had been erected at the front yard. The height of the fence varied between 1.07 metres to 1.20 metres (42 inches – 48 inches) within the road allowance and continued onto the private property within the front yard to a height of 1.83 metres (72 inches). The owner was advised that the fence was in violation as it was encroaching within the road allowance without an encroachment agreement and did not conform to the requirements set out in Toronto Municipal Code, Chapter 447, Fences (Attachments 1, 2 & 3).

COMMENTS

Municipal Code, Chapter 447, Fences, Section 447-2, Table 1 specifies that fences in the front yard within 2.4 metres of the street line are limited to 1.2 metres high for open mesh fencing and 1.0 metre high for closed board fencing.

CONTACT

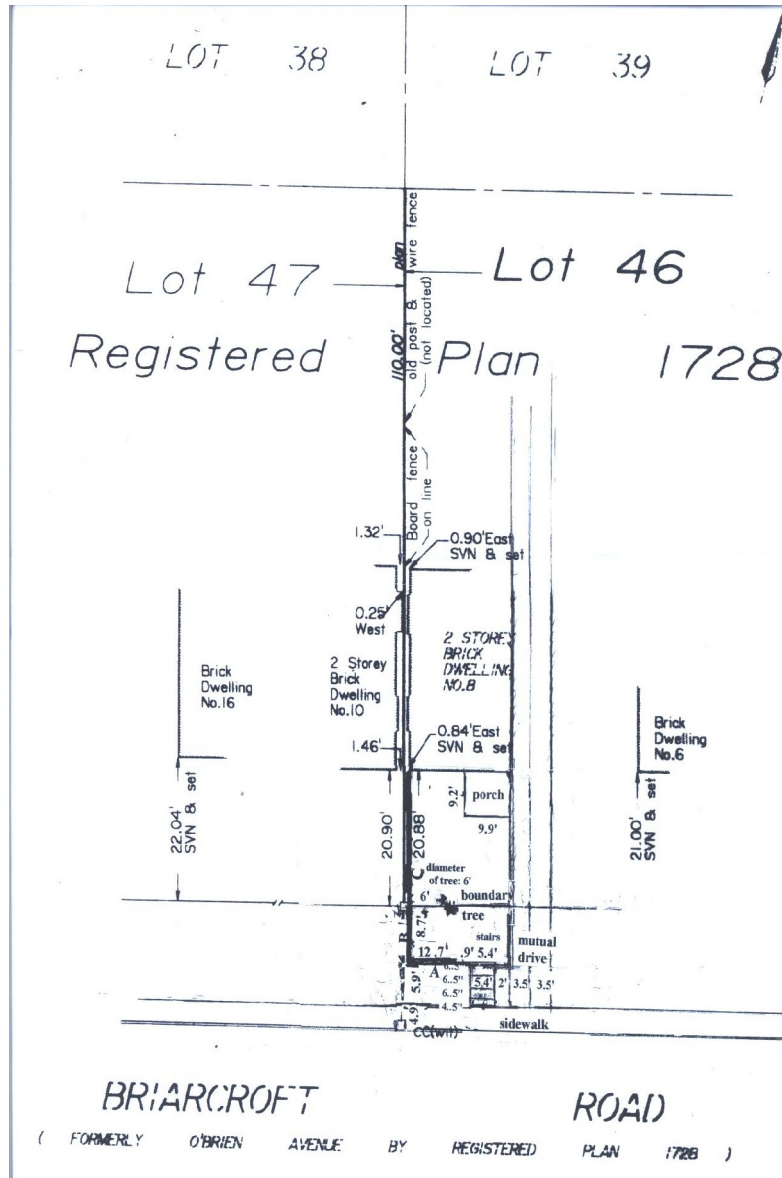
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SIGNATURE

Curtis Sealock, District Manager
Municipal Licensing and Standards

ATTACHMENTS

Attachment 1 - Plan showing location of fencing
Attachment 2 - Fence profile for road allowance and private property
Attachment 3 - Fence profiles



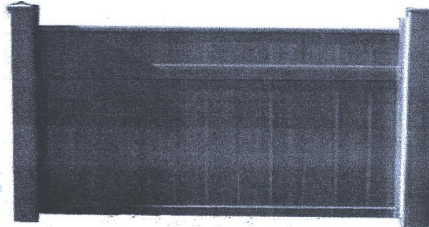
Attachment 1 - Plan showing location of fencing

C. FENCE ON PRIVATE PROPERTY (north to south)

fence materials: PVC fencing: made of vinyl from composite recycled materials that are maintenance free and having a 15 year warranty. The fence posts are steel pipes on the interior with pvc materials on the exterior.

Height: 72"

fence posts: 4' into ground



Front Yard Fencing



Attachment 2 – Fence profile for road allowance and private property



Attachment 3 – Fence Elevations