



STAFF REPORT ACTION REQUIRED

Fence Exemption Request – 20 Mapledawn Road

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| Date: | March 6, 2008 |
| To: | Etobicoke York Community Council |
| From: | Curtis Seacock, Manager, Municipal Licensing and Standards |
| Wards: | Ward 3 - Etobicoke Centre |
| Reference Number: | ML&S Folder Number 07-248929 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 an existing fence in the flange yard which is 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 Mapledawn Road at the corner of Boxbury Road (Attachment 1, 2).

On July 31st, 2007, a formal complaint was filed with the Municipal Licensing and Standards Division about the height of the fences at the subject property. The existing closed board wooden fence complete with lattice at the top in the flange yard measured approximately 2.0 metres in height.

As a result of an investigation, the property owner was advised that the existing flankage yard fencing was in violation of the Fence By-law. The existing board fencing which is located within 2.4 metres of the side lot line is limited to 2.0 metres in height for open chain-link fencing or equivalent open fence construction that does not restrict sight lines, or 800 millimetres for any other type of fencing, pursuant to Section 447-2.B. Chapter 447, Fences, in the Toronto Municipal Code (Attachment 4). The existing board flankage yard fencing breaches these maximum permitted heights as the portion running parallel to the sidewalk is substantially on the side lot line and therefore limited to 800 millimetres in height (Attachment 4).

COMMENTS

The property owner has requested an exemption to the by-law to maintain the existing fence in the flankage yard (Attachment 3). The exemption is being requested on the grounds that more privacy and security is necessary for this corner lot arrangement.

CONTACT

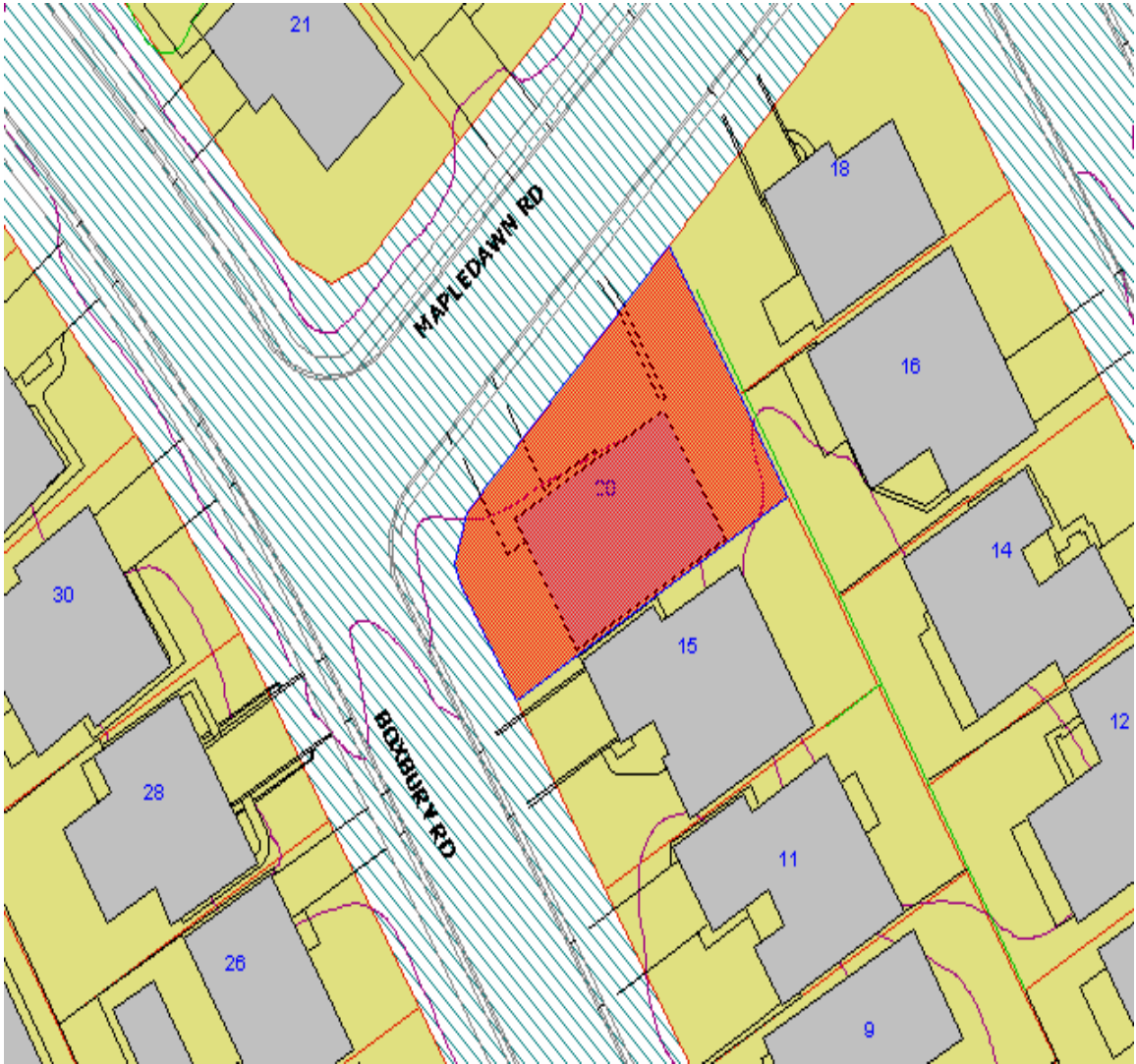
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SIGNATURE

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

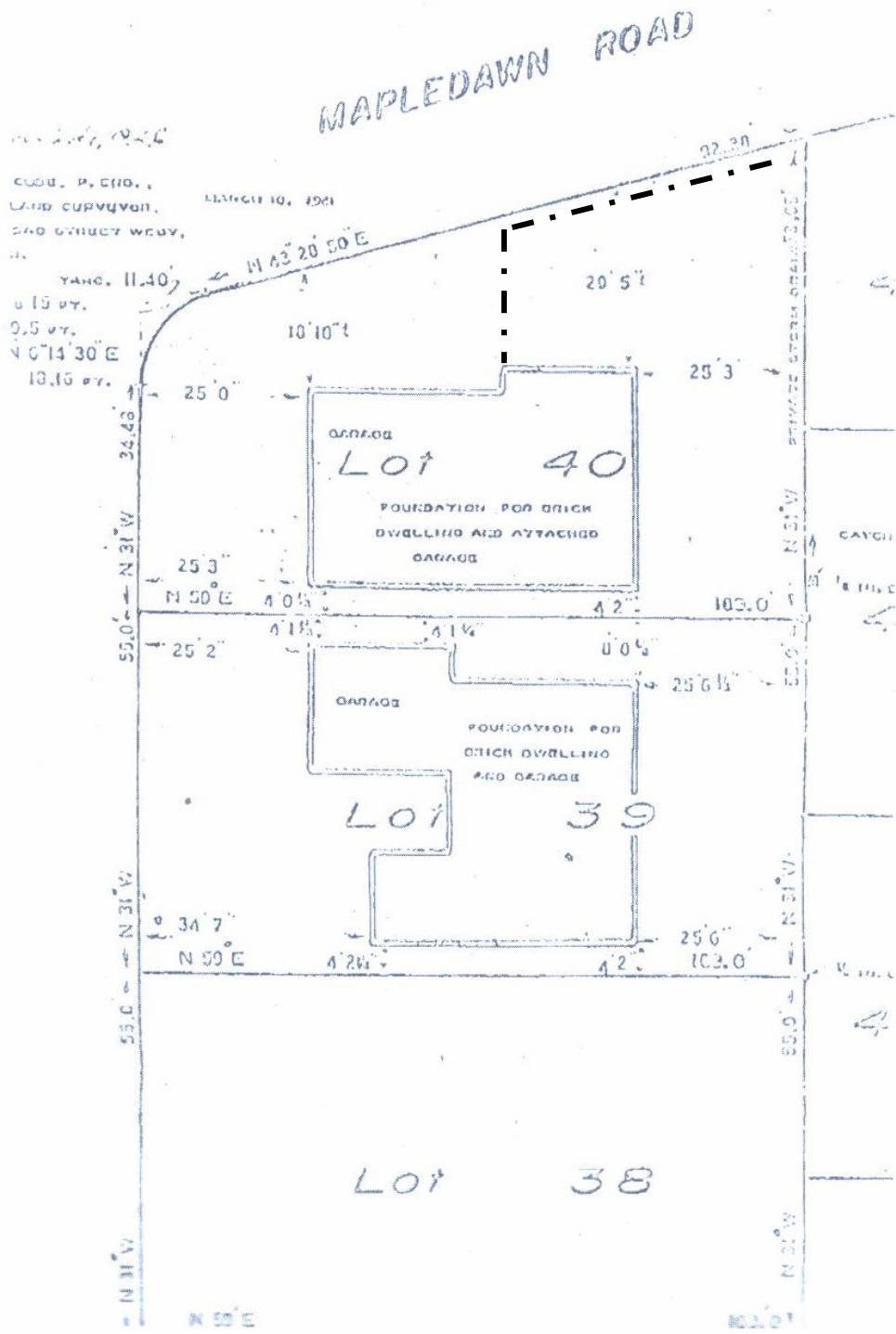
Attachments:

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|---------------|--------------------------------|
| Attachment 1: | Site Plan of 20 Mapledawn Road |
| Attachment 2: | Survey of 20 Mapledawn Road |
| Attachment 3: | Fence Detail |
| Attachment 4: | Photos of 20 Mapledawn Road |



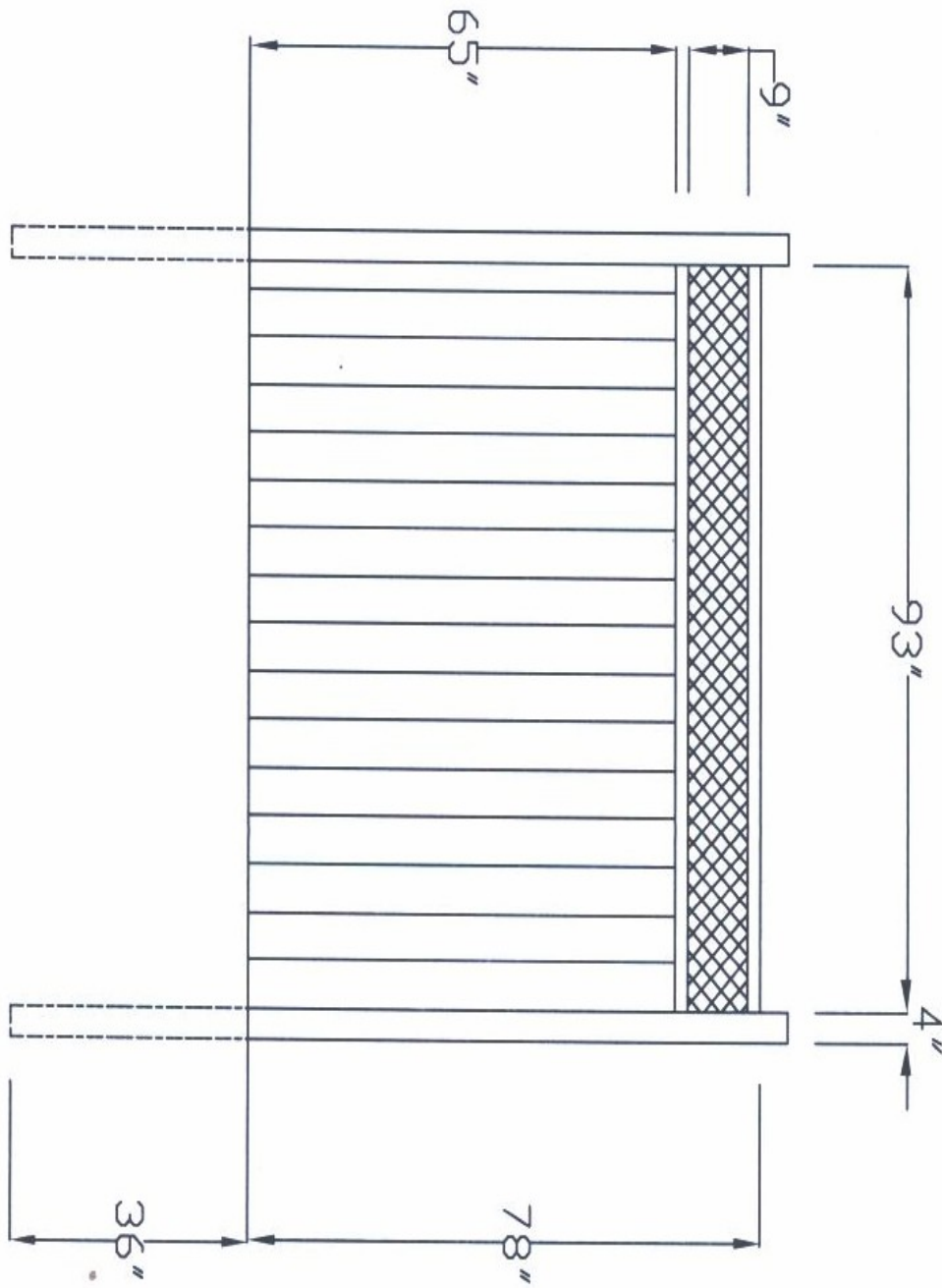
Attachment 1: Site Plan of 20 Mapledawn Road

LOTS 38, 39 AND 40, LAND TITLES PLAN M 307
 TOWNSHIP OF ETOBICOKE, COUNTY OF YORK
 SCALE 1 INCH EQUALS 20 FEET



Existing Fence

Attachment 2: Survey of 20 Mapledawn Road



Attachment 3: Fence Detail



Photo 1 – Showing the Main Entrance and Flankage Yard Fencing



Photo 2 – Showing the Flankage Yard Fencing (relative to sidewalk/neighbour's fence)

Attachment 4: Photos of 20 Mapledawn Road