

Fence Exemption Request for 39 Montgomery Road

Date:	October 27, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	ML&S File No. 08 198783 FEN

SUMMARY

This report is in response to an application by the owner of the property to maintain a newly constructed 1.85 metre high close board wooden fence at the Belvedere Boulevard flankage. This fence encroaches from the private portion of the property onto the road allowance and should be considered in conjunction with the encroachment report, also submitted at this time; and for which the Etobicoke York Community Council has received delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that Etobicoke York Community Council approve this application subject to the following conditions:

1. The exemption only be approved should the Etobicoke York Community Council approve the application for the encroachment agreement for this fence.
2. Should the encroachment agreement request be approved, the height of the fence adopted within the road allowance report be adopted for the private property portion of the fence.
3. Should the encroachment application not be approved, the height of the fence within the private property portion of the flankage be restricted to requirements set out in by-law.

Financial Impact

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

ISSUE BACKGROUND

The owner of the property has made an application for an exemption to the requirements set out in the Toronto Municipal Code, Chapter 447, Fences, for the newly installed close board wooden fence measuring 1.85 metres in height, which has been installed on the private property portion on Belvedere Boulevard as well as encroaching onto the road allowance.

COMMENTS

The Toronto Municipal Code, Chapter 447, Fences, Section 47-2, Table 1 specifies that fences in the flankage yard within 2.4 metres of the street line are limited to 0.8 metres in height for close board fences and 1.2 for open mesh fencing.

CONTACT

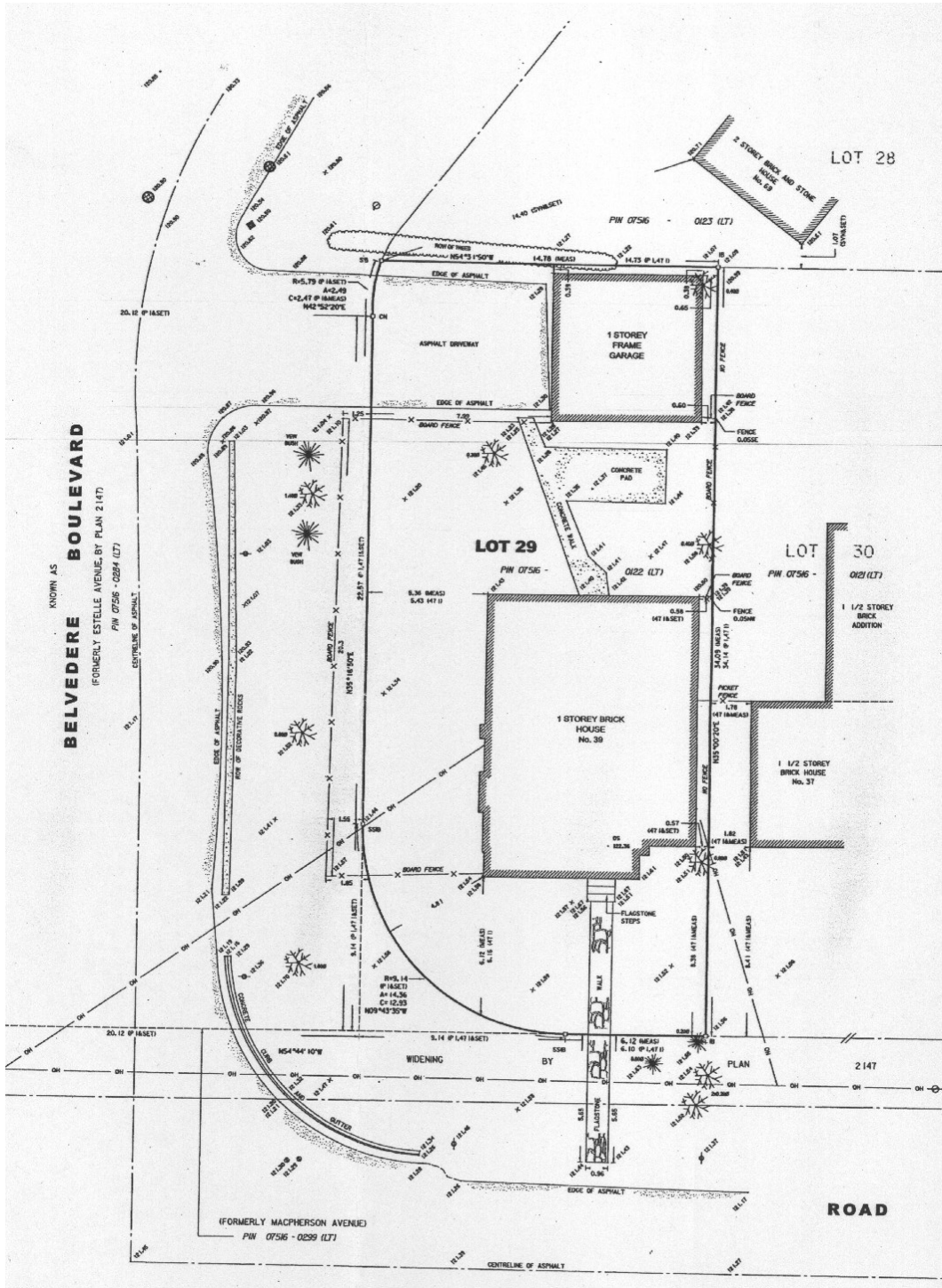
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SIGNATURE

Curtis Sealock,
District Manager

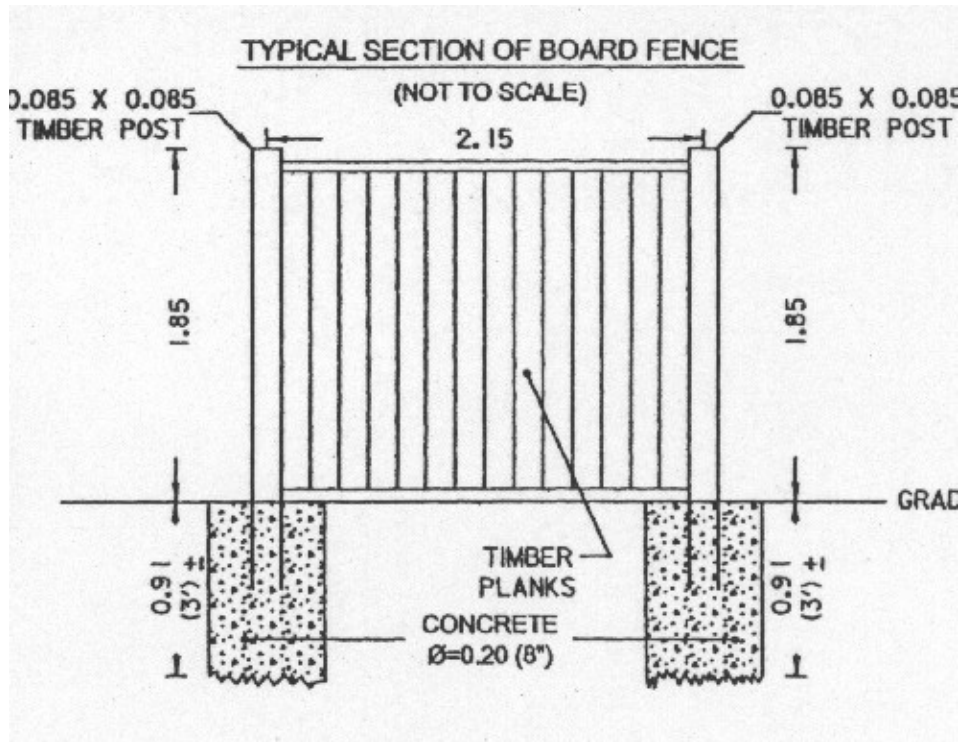
ATTACHMENTS

Attachment 1 – Site plan
Attachment 2 – Fence detail and Fence Photo
Attachment 3 – Fence Photos



Site Plan

Attachment 1



Fence Detail



South East Flankage View of Fence

Attachment 2



East Elevation Fence Enclosure
Attachment 3