



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption 38 Silverton Avenue

Date:	March 12, 2008
To:	North York Community Council
From:	District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 10 – York Centre
Reference Number:	IBMS No. 07-286768

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision, provided that it is not amended so that it varies with City policy or by-laws.

The purpose of this Report is to consider a request by the owner(s) of 38 Silverton Avenue to be exempted from the City of Toronto Municipal Code, Chapter 447 – Fences, Section 447-2(B). This Section states that the maximum height of a fence in the front yard not within 2.4 metres of the property line can be 1.2 metres. This Section also states that a solid fence that restricts site lines within 2.4 metres of the front lot line can be a maximum of 1.0 metre.

The existing cedar tree fence is located in the front yard approximately 0.75 metre inside of the south property line. The cedar tree fence extends from the front of the house 9.14 metres to the property line and be 1.5 metres in height.

The cedar tree fence extends 2.4 metres further into the road allowance and is part of an encroachment application.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the fence exemption not be granted.

FINANCIAL IMPACT

There is no financial impact anticipated resulting from the adoption of this Report.

DECISION HISTORY

The application was made by the property owner(s).

ISSUE BACKGROUND

The section of fence that is in contravention of the By-Law has been constructed (planted) approximately 0.75 metre inside of the south property line, is currently 1.98 metres high, and it is proposed by the owners that the cedar tree fence will be cut to 1.5 metres in height.

COMMENTS

Transportation Services, North York District staff, as part of their review, have indicated that the fence would not represent a site line obstruction. The owner(s) are requesting the exemption for reasons of privacy, security and aesthetic value.

Should the recommendation not be accepted and the request approved, a condition of approval should include that when the fence is replaced, it should be constructed in compliance with Chapter 447 or its successor by-law.

CONTACT

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SIGNATURE

Bryan Byng, District Manager
Municipal Licensing and Standards
North York District

ATTACHMENT

1. Plan