



**STAFF REPORT
ACTION REQUIRED**

**Fence Exemption Request
229 Betty Ann Drive**

Date:	March 13, 2008
To:	North York Community Council
From:	District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	IBMS No. 07-283241

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 229 Betty Ann Drive, to be exempted from 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 front lot line can be 1.2 metres. Within 2.4 metres of the front lot line the maximum height can be 1.2 metres provided it is open mesh chain link or an equivalent that does not restrict sight lines otherwise the maximum height of the fence can be 1 metre. This section further states that the maximum height for any other fence is 2 metres.

The exemption request is for an existing trellis structure located along the west property line in the front yard. As such it meets the definition for a fence since it is located along the property line and partially screens the front yard. Briefly, it consists of two posts and a supporting frame upon which an open mesh lattice has been installed. It is approximately 2.5 metres in length and ranges in height from 1.7 to 1.9 metres. It is approximately 3 metres from the building face and 9.5 metres from the curb face and 1.2 metres from the property line.

RECOMMENDATIONS

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

FINANCIAL IMPACT

There is no financial impact anticipated in this report

DECISION HISTORY

This matter originated as a public complaint. The owner(s) applied for an exemption to the bylaw after being advised that a violation existed by the investigating officer.

COMMENTS

The owner(s) are requesting this exemption for reasons of aesthetics.

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

ATTACHMENTS

1. Pictures.
2. Site diagram.