



**STAFF REPORT  
ACTION REQUIRED**

**Fence Exemption Request  
52 Gwendolen Crescent**

<b>Date:</b>	March 13, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	District Manager, Municipal Licensing and Standards, North York District
<b>Wards:</b>	Ward 23 – Willowdale
<b>Reference Number:</b>	IBMS No. 08-108224

**SUMMARY**

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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 52 Gwendolen Crescent, to be exempted from Chapter 447 – Fences, section 447-2(B). This section states that the maximum height of a fence in the rear or side yard is 2 metres.

The exemption request is for an existing section of board on board wood fence in the rear yard of 52 and along the side yard/front entrance of 54 Gwendolen Crescent. The fence is 9.14 metres in length and 2 metres in height. The grade on 54 is 0.48 metres lower over the length of the fence making the effective height of the fence 2.48 metres from that side. Because of this difference in grade, the maximum permitted height of the fence is 1.76 metres. This measurement is obtained by measuring the average grade level one metre away and perpendicular to either side of the fence.

**RECOMMENDATIONS**

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

**FINANCIAL IMPACT**

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There is no financial impact anticipated in this report

## **DECISION HISTORY**

This matter arose because of a public complaint. An exemption request was received after a notice of violation was issued.

## **COMMENTS**

The owner(s) are requesting this exemption for reasons of privacy, security, safety and 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**

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

## **ATTACHMENTS**

1. Pictures.
2. Site map