

**Fence Exemption Request
486 Fairlawn Avenue**

Date:	May 16, 2008
To:	North York Community Council
From:	District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	IBMS No. 08-155356

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 486 Fairlawn Avenue, to be exempted from Chapter 447 – Fences, section 447-2(B). This section states that the maximum height of a fence in the flankage yard within 2.4 metres of side lot line and 2.4 metres of any driveway is 2 metres for open mesh chain link fence or equivalent open fence construction that does not restrict sight lines and 800 millimetres for any other type.

Only the portion of the proposed board on board fence that will be located on the northeast corner of the lot requires an exemption. It will be the section within 2.4 metres of the driveway on 148 Ledbury Street. They wish to construct the entire fence to a height of 2 metres. The driveway on 148 Ledbury runs parallel to the north property line at a distance of approximately 20 centimetres.

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 arose as a public complaint. This exemption request was submitted after our contact with the owner(s).

COMMENTS

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

The house is located on the northwest corner of Fairlawn Avenue and Ledbury Street. The area where the fence is being constructed will enclose their backyard which is adjacent to Ledbury Street and the driveway of the next house north, 148 Ledbury Street. The proposed fence will be a sight line obstruction for the neighbour.

In 2007, the owners of 486 Fairlawn Avenue complied with a direction to reduce the height of shrubs/hedges on the northeast corner of their lot to provide unhindered sight lines for 148 Ledbury Street.

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. Survey