

**Fence Exemption Request  
66 Northdale Road**

<b>Date:</b>	June 16, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	District Manager, Municipal Licensing and Standards, North York District
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	IBMS No. 06-164859

**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 66 Northdale Road, 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.

The owner(s) of the subject property are seeking this exemption to the fence bylaw for a partially constructed perimeter fence in the front yard. The wrought iron fence on the west and east sides have not been constructed and will be approximately 2.0 meters in height. The driveway gate and posts which are already constructed are approximately 2.4 metres in height. The wrought iron walkway gate will be approximately 2.0 metres in height. The existing concrete retaining wall which forms part of the walkway entrance and surrounds the parking pad ranges in height to approximately 2.1 metres. These fence heights all exceed the maximum permitted under the bylaw.

**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 from an encroachment application made by the owner(s) which indicated proposed fencing as well.

## **COMMENTS**

The owner(s) are requesting this exemption for reasons of privacy, safety and security. This proposed fence, existing gate and retaining wall are not out of keeping with the neighbourhood.

This report was held from 2006 while discussions between the owner(s) and the transportation division regarding an encroachment issue took place. That issue was recently resolved therefore this report was brought forward.

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. Site Plan
2. Landscape Plan A1
3. Landscape Plan A2

#### 4. Photographs