



STAFF REPORT ACTION REQUIRED

Fence Exemption Request 130 Alexis Boulevard

Date:	October 27, 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. 08-202879

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 subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain existing fences in the front and side yards which are in violation of the By-law.

RECOMMENDATIONS

- 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

The owner(s) had a fence in the front yard in 2007 that was the subject of a public complaint. That fence was cut down and brought into compliance in 2007 and the file was closed. A new section of front yard fence was observed in 2008 by MLS staff. As a result of that investigation a notice of violation was issued and a subsequent fence exemption request received.

ISSUE BACKGROUND

This is a single family detached home built in 1953 located in a one family sixth density (R6) zone. This house is on the northeast corner of Gorman Park Road and Alexis Boulevard (*Attachments 1 and 2*).

Fences in the front yard within 2.4 metres of the front lot line are limited to 1.2 metres in height for open mesh chain link fencing or equivalent open construction that does not restrict sight lines and 1.0 metre in height for all other types, while fences in the front yard not within 2.4 metres of the front lot line are limited to 1.2 metres in height, pursuant to Section 447-2.B. Chapter 447, Fences, of the Toronto Municipal Code. This section also states, that the maximum height for a side, or rear yard fence not including flankage yard, is limited to 2 metres (*Attachment 3*).

The owner(s) existing board on board with lattice extension fence is in the front yard on the west side of the lot (*Attachments 4 and 5*). It encloses the front yard and is approximately 1.76 metres in height and extends for approximately 38 metres around the south, west and north property lines. There is approximately 5.7 metres between the curb and the west fence on Gorman Park Road and 5.6 metres between the curb and the south fence on Alexis Boulevard.

COMMENTS

The owner(s) wish to maintain this fence for reasons of safety and privacy. The owner(s) believe that the fence does not block the view for the street. The fence is located within the sight triangle for that intersection and corner lot.

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. GIS plan for 130 Alexis
2. Aerial view of 130 Alexis
3. Front Yard Fence – Relief Diagram
4. Site plan submitted by 130 Alexis
5. Photos of 130 Alexis