



STAFF REPORT ACTION REQUIRED

Fence Exemption Request 63 Rollscourt Drive

Date:	October 27, 2008
To:	North York Community Council
From:	District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 25 – Don Valley West
Reference Number:	IBMS No. 08-202301

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 an existing fence in the front yard which is in violation of the By-law.

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

The owner(s) existing fence was observed by MLS staff and as a result of our investigation, a fence exemption request was received.

ISSUE BACKGROUND

This is a single family detached home built in 2005. It is located in a one family second density (R2) zone (*Attachment 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. (*Attachment 3*).

The owner(s) existing wrought iron fence runs along the south and west sides of the property line in the front yard and ranges in height from 1.85 metres to 2.35 metres at the peak of the entrance gate for a length of approximately 35 metres (*Attachments 4, 5, 6 and 7*).

COMMENTS

The owner(s) state that they wish to maintain this fence for safety, security and aesthetic reasons.

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. Zoning map for 63 Rollscourt
2. Aerial view of 63 Rollscourt
3. Front Yard Fence – Relief Diagram
4. Photo of fence from Rollscourt
5. Photo of fence from south side
6. Photo of fence from north side
7. Survey extract