



## STAFF REPORT ACTION REQUIRED

### Fence Exemption Request 9 Legacy Court

<b>Date:</b>	October 15, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Bryan Byng, District Manager, Municipal Licensing and Standards, North York District
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	IBMS No. 07-263591

#### **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 9 Legacy Court, to be exempted from Chapter 447 – Fences, section 447-2(B). This section states that the maximum height of a fence in the front yard not within 2.4 metres of the front lot line can be 1.2 metres. Within 2.4 metres of the front lot line the maximum height can be 1.2 metres provided it is open mesh chain link or an equivalent that does not restrict sight lines otherwise the maximum height of the fence can be 1 metre. This section further states that the maximum height for any other fence is 2 metres.

The exemption request is for a fence located along the front property line. It is an iron fence with stone posts on the gated entrance. Most of the fence ranges in height from 1.55 to 2.1 metres. The stone posts are 2.1 metres in height and the gate rises to 2.9 metres. The total length of this fence is approximately 71 metres.

#### **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 is not a public complaint. It arose as an exemption request by the owner(s).

## **COMMENTS**

The owner(s) are requesting this exemption for reasons of privacy, property security, and aesthetics and to increase the value of their property.

There is no sidewalk along the front of this property and the property is located on the end of a cul-de-sac.

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.