

## **Request for Fence Exemption – 47 Kentish Crescent**

<b>Date:</b>	April 14, 2008
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	IBMS No. 07 249683

### **SUMMARY**

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This Staff Report is about a matter for which the Community Council has delegated authority from City Council to make a final decision.

The purpose of this Report is consider a request by the owner(s) of 47 Kentish Crescent to be exempted from Chapter 447 – Fences section (2) of the Toronto Municipal Code. This section states that the maximum height of the fence in the flankage yard within 2.4 metres of the side lot line and 2.4 metres of any driveway shall not exceed 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.

### **RECOMMENDATIONS**

**Municipal Licensing and Standards, Scarborough District, recommends that Scarborough Community Council:**

1. Refuse the existing 1.85 metre high board on board wood fence based on non-compliance with the requirement set out in Chapter 447 of the Toronto Municipal Code.

## **Financial Impact**

There are no financial implications.

## **DECISION HISTORY**

The City of Toronto Council enacted the amalgamated Fence By-law on July 6<sup>th</sup>, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pools to erect and maintain fences and gates around swimming pools. This by-law and the amendments are now found in Chapter 447 of the Toronto Municipal Code.

## **ISSUE BACKGROUND**

An investigation conducted by Municipal Licensing and Standards found that the 1.85 metre wood fence located at 47 Kentish Crescent in the flankage yard was located within 2.4 metres of the side lot line and within 2.4 metres of a driveway and exceeded the 800 millimetre height restriction. A Notice of Violation was issued to the owner of 47 Kentish Crescent. A letter from the owner requesting an exemption to the fence by-law Chapter 447 was received by Municipal Licensing and Standards.

## **CONTACT**

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## **SIGNATURE**

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Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District

## **ATTACHMENTS**

1. Photographs