

Request for Fence Exemption – 445 Pharmacy Avenue

Date:	August 1, 2008
To:	Scarborough Community Council
From:	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
Wards:	Ward 35 – Scarborough-Southwest
Reference Number:	IBMS No. 06 140633

SUMMARY

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 to consider a request by the owner(s) of 445 Pharmacy Avenue to be exempted from Chapter 447-Fence section (2) of the Toronto Municipal Code. This section states that the maximum height of the fence on a non-residential property in a flankage yard within 2.4 metres of the side lot line and 2.4 metres of any driveway 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 2.5 metre high non-open chain link 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 6th, 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

A investigation conducted by Municipal Licensing and Standards found that the 2.5 metre high non open chain link fence located in the flankage yard of 445 Pharmacy Avenue exceeds the 800 millimetres maximum height required by the by-law. A Notice of Violation was issued to the owner(s) of 445 Pharmacy Avenue. 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

Bill Blakes, Manager Municipal Licensing and Standards, Scarborough District

ATTACHMENTS

1. Pictures