



STAFF REPORT ACTION REQUIRED

Request for Fence Exemption for 839 Brimorton Dr.

Date:	December 3, 2007
To:	Scarborough Community Council
From:	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
Wards:	Ward 38 – Scarborough Centre
Reference Number:	IBMS No. 06-189434

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 839 Brimorton Drive 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 front yard within 2.4 metres of the front lot line not exceed 1 metre,
- a fence in the front yard not within 2.4 metres of the front lot line not exceed 1.2 metres,
- a fence in the flankage yard within 2.4 metres of a side lot line and 2.4 metres of any driveway not exceed 800 millimetres,
- that the fence is located on private property.

RECOMMENDATIONS

1. It is recommended that this request to permit the proposed approx. 1.82 metre high board on board wood fence be refused based on the non-compliance with the requirements set out in Chapter 447 of the Toronto Municipal Code.

Financial Impact

There is 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

Municipal Licensing and Standards received a complaint from the public regarding a fence in front yard of the subject property exceeding the height restriction found in Chapter 447 of the Toronto Municipal Code. The fence is approximately 1.8 metres in height whereas the By-law restricts fences in a front yard to 1 metre. It has also been determined that the subject fence is located on City property. A letter has been received from the property owner requesting an exemption to Chapter 447, Toronto Municipal Code, Fences, to allow the existing fence height to remain when the fence is relocated onto private property

CONTACT

Glenn Shimoda, Supervisor, Municipal Licensing and Standards, Scarborough District
416-396-7371.

SIGNATURE

Bill Blakes, Manager Municipal Licensing and Standards, Scarborough District

ATTACHMENTS

1. Correspondence from Fernando Baldontin (Owner)
2. Pictures
3. Traffic Operation Report