



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 135 Cambridge Avenue

Date:	October 30, 2008
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards, Toronto and East York District
Wards:	Ward 29 – Toronto - Danforth
Reference Number:	IBMS No. 08169299

SUMMARY

This staff report is about a matter for which the Toronto and East York 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 of 135 Cambridge Avenue to be exempted from Chapter 447 – Fences, Section 447-2(B). This section states that the maximum height of a fence in the rear yard cannot exceed 2 metres. The portion of the existing fence exceeding the height requirement is constructed of solid wood and stands approximately 2.38 metres, in height and approximately 2.43 metres (8 feet) in length, along the south property line. All other portions of the remaining fence on private property are in compliance measuring approximately 1.9 metres (6 feet) in height. Attachment 1 and 2 are photographs of the fence.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Toronto and East York Community Council not grant the fence exemption.

Financial Impact

There is no financial impact anticipated in this report.

DECISION HISTORY

The Municipal Licensing and Standard Division conducted an inspection in response to a complaint that the rear yard fence at 135 Cambridge Avenue exceeded the Fence Bylaw height requirements. The inspection determined that a portion of the existing fence exceeded the maximum 2 metres height for a rear yard fence measuring approximately 2.38 metres. The owner applied for a fence exemption in response to the complaint.

ISSUE BACKGROUND

The existing fence was constructed for the purpose of ensuring security and privacy for the owner as well as for recreational purposes for their children.

COMMENTS

The owner is requesting an exemption in support of the portion of fence that exceeds the recommended height for a rear yard fence.

Should the request for an exemption be approved, a condition of approval should include that when the fence is replaced it should be constructed in compliance with Toronto Municipal Code, Chapter 447-Fences or its successor bylaw.

CONTACT

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SIGNATURE

Elizabeth Glibbery, Manager
Toronto and East York District

ATTACHMENTS

1. Photograph of fence
2. Photograph of fence