



## STAFF REPORT ACTION REQUIRED

### Fence Exemption Request for 15 Jeff Drive

<b>Date:</b>	August 25, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 3 – Etobicoke-Lakeshore
<b>Reference Number:</b>	Municipal Licensing and Standards File Number 09 158032 FEN

#### **SUMMARY**

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This report is in response to an application by the owner of the property to maintain the existing board on board wood fence with lattice on top and also the newly constructed portion, at the present heights. The fence is located in the rear yard and exceeds the 2 metre height permitted, Toronto Municipal Code, Chapter 447, Fences by 0.34 metres. This is a matter in which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

#### **RECOMMENDATIONS**

##### **Municipal Licensing and Standards recommends that:**

1. Etobicoke York Community Council deny this request due to non compliance with the provisions of The Toronto Municipal Code, Chapter 447, Fences.

##### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

#### **ISSUE BACKGROUND**

The owners of the property have made a request for an exemption from the Toronto Municipal Code, Chapter 447, Fences, to maintain the existing fence located in the rear yard, at the present heights. The fence is of board on board construction with lattice on

top, and varies in heights from 2.28 metres to 2.34 metres and exceeds the 2 metre height maximum permitted in the regulations, by 0.34 metres, Attachments 1, 2, 3, 4 and 5.

The fence located at east side of the property measures 2.34 metres in height and the fence located at west side of the property measures 2.28 metres in height, Attachments 2, 3, and 4.

The fence located at south side of the property is constructed next to a retaining wall separating the adjacent property at the rear. The fence measures 2.13 metres in height on the owner's property and 2.53 metres in height from the grade of the adjacent property which averages 2.33 metres in fence height, Attachments 2, 3, and 5.

## **COMMENTS**

The Toronto Municipal Code, Chapter 447, Fences, Section 2, Restriction on fences height, sub-section B, (1), states, "No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence, exceed the height set out in the Table for the fence," Toronto Municipal Code, Chapter 447, Fences, Section 47-2, Table 1, specifies that fences in the rear yard are limited to 2 metres in height.

## **CONTACT**

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## **SIGNATURE**

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Curtis Sealock, District Manager

## **ATTACHMENTS**

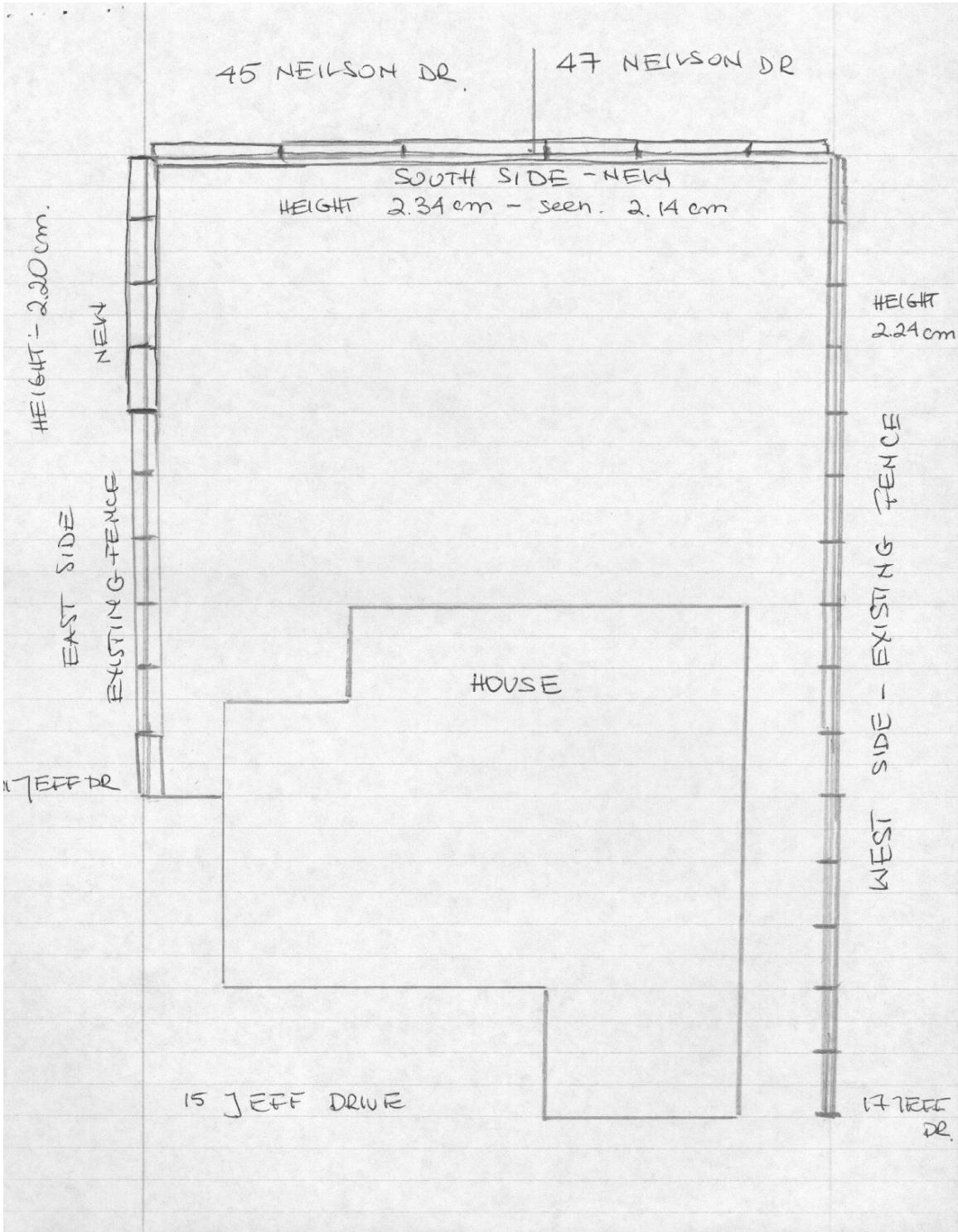
Attachment 1 – Fence layout

Attachment 2 – Fence elevation

Attachment 3 – Aerial view

Attachment 4 – Photographs of the East and West elevations

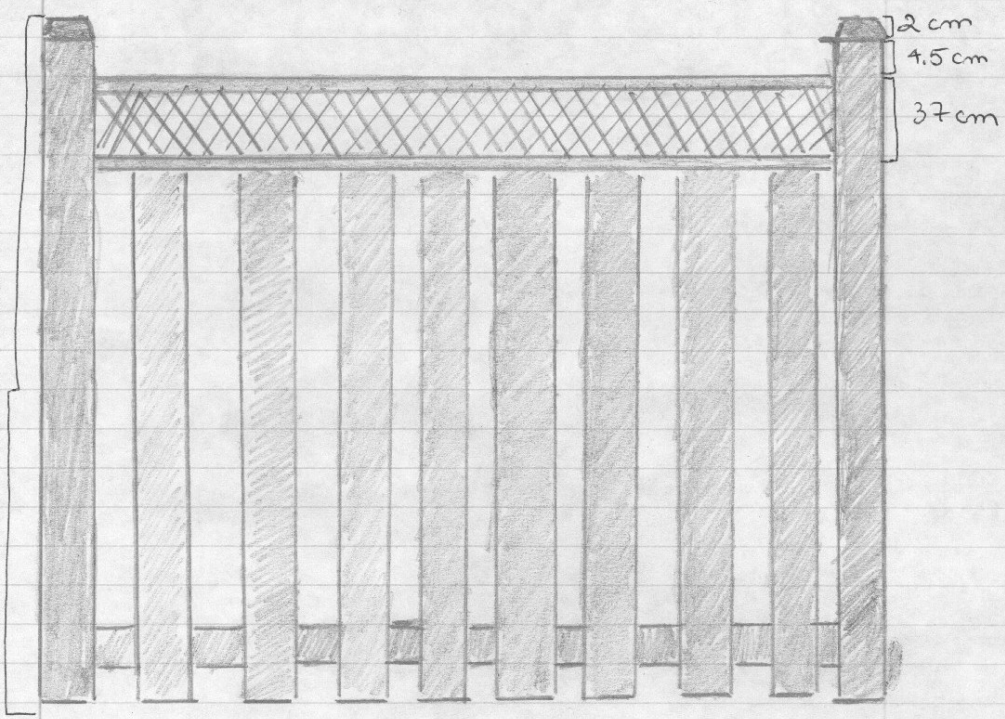
Attachment 5 – Photograph of South elevation



**Attachment 1** - Fence layout

① WOODEN FENCE

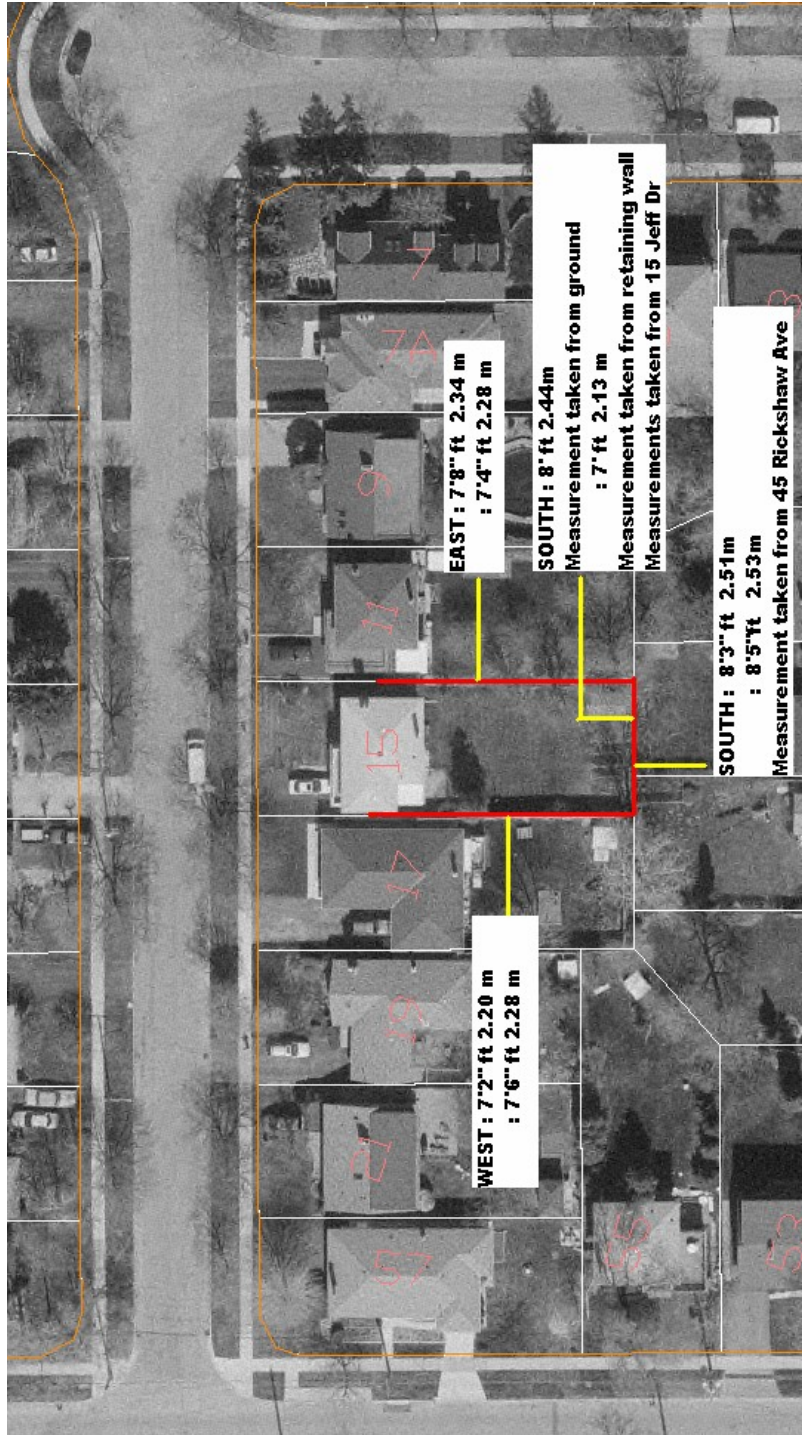
The length of the post depends on the side.  
West: 224 cm  
East: 220 cm  
South: 234 - seen ~~214~~ 214 cm.



**Attachment 2** - Fence Elevation



North



**Attachment 3** - Aerial View





Photograph of East Elevation



**Attachment 4** - Photograph of West Elevation





**Attachment 5** - Photograph of South Elevation