



STAFF REPORT ACTION REQUIRED

Fence Exemption Request 32 York Valley Crescent

Date:	January 6, 2009
To:	North York Community Council
From:	District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 25 – Don Valley West
Reference Number:	IBMS No. 08-222969

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision, provided that it is not amended so that it varies with City policy or by-laws. The subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the rear yard which is in violation of the By-law.

RECOMMENDATIONS

- 1. Municipal Licensing and Standards recommends that the fence exemption not be granted.**

FINANCIAL IMPACT

There is no financial impact anticipated in this report

DECISION HISTORY

The owner(s) existing fence was the subject of a public complaint. As a result of the investigation the owner(s) subsequently applied for a fence exemption.

ISSUE BACKGROUND

This is a single family detached home built in 1949 with a 2 storey rear addition in 2007 located in a one family third density (R3) zone (*Attachments 1 and 2*).

Fences in the rear yard are limited to 2 metres in height. This is pursuant to Section 447-2.B. Chapter 447, Fences, of the Toronto Municipal Code.

The owner(s) existing tongue in groove cedar privacy fence is approximately 2.5 metres in height and extends in the rear yard for 34 metres along the south property line (*Attachments 3, 4, 5 and 6*).

COMMENTS

The owner(s) state that they wish to maintain the fence for reasons of privacy, safety, security and enjoyment. The fence is parallel to 34 York Valley Crescent and to a cedar hedge on that property that exceeds the height of this fence by several metres.

Should the recommendation not be accepted and the request approved, a condition of approval should include that when the fence is replaced it should be constructed in compliance with Chapter 447 or its successor by-law.

CONTACT

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SIGNATURE

Bryan Byng, District Manager
Municipal Licensing and Standards
North York District

ATTACHMENTS

1. Aerial view of 32 York Valley
2. Zoning diagram for 32 York Valley
3. Plan of survey for 32 York Valley
4. Photo of rear yard fence 1 – 32 York Valley
5. Photo of rear yard fence 2 – 32 York Valley
6. Photo of rear yard fence 3 – 32 York Valley