



## STAFF REPORT ACTION REQUIRED

### Fence Exemption Request 408 Glencairn Avenue

<b>Date:</b>	January 6, 2009
<b>To:</b>	North York Community Council
<b>From:</b>	District Manager, Municipal Licensing and Standards, North York District
<b>Wards:</b>	Ward 16 – Eglinton-Lawrence
<b>Reference Number:</b>	IBMS No. 08-223978

### SUMMARY

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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

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

### FINANCIAL IMPACT

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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) were issued a Notice of Violation and they subsequently applied for a fence exemption.

## **ISSUE BACKGROUND**

This is single family detached home built in 1937 with a 2007 second storey rear addition located in a one family third density (R3) zone (*Attachments 1 and 2*).

Fences in the side or 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 (*Attachment 3*).

The owner(s) existing horizontal board fence encloses the rear yard and is attached in both side yards with an access gate. The fence ranges in height above grade from approximately 2.2 to 2.5 metres (*Attachments 4, 5, 6 and 7*).

## **COMMENTS**

The owner(s) state that they wish to maintain the fence for reasons of privacy, security and aesthetics.

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**

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

## **ATTACHMENTS**

1. Aerial view of 408 Glencairn
2. Zoning map of 408 Glencairn
3. Plan of survey 408 Glencairn
4. Photo of rear yard fence 1 and 2 – 408 Glencairn
5. Photo of rear yard fence 3 and 4 – 408 Glencairn
6. Photo of rear yard fence 3 and 4 – 408 Glencairn
7. Photo of rear yard fence 5 and 6 – 408 Glencairn