



STAFF REPORT ACTION REQUIRED

Fence Exemption Request 67 Cuffley Crescent North

| | |
|--------------------------|--|
| Date: | August 26, 2009 |
| To: | North York Community Council |
| From: | District Manager, Municipal Licensing and Standards, North York District |
| Wards: | Ward 9 – York Centre |
| Reference Number: | IBMS No. 09-101587 |

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 front yard which is in violation of the By-law.

RECOMMENDATIONS

- 1. Municipal Licensing and Standards recommends exemption from Chapter 447 – Fences, for the property at 67 Cuffley Crescent North be refused.**

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

ISSUE BACKGROUND

This is a single family detached house built in 2008 located in a multiple family dwelling fifth density (R5) zone. The home is located on a crescent with no sidewalks (*Attachments 1, 2, and 3*).

Fences in the front yard are limited to 1.2 metres in height. A fence within 2.4 metres of a driveway shall be open mesh chain link fencing or of an equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins so as to not obstruct the views of the boulevard or the highway, pursuant to Section 447-2.B and C, Chapter 447, Fences, of the Toronto Municipal Code..

The owner(s) existing fence is a wrought iron black picket design. The fence is approximately 2 meters in height and it runs along the east property line in the front yard adjacent to the driveway of 69 Cuffley Crescent North (*Attachments 4,5, 6 and 7*).

COMMENTS

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

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

Bruce Quick, Acting Supervisor, Municipal Licensing and Standards, North York District
Tel: 416-395-7054, Fax: 416-395-7056, E-mail: bquick@toronto.ca

SIGNATURE

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

ATTACHMENTS

1. Survey for 67 Cuffley Crescent North
2. Lot and Plan extract w of 67 Cuffley Crescent North
3. Aerial View of 67 Cuffley Crescent North
4. Photo facing southwest
5. Photo facing south
6. Photo facing southeast
7. Photo facing east