



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 2 Castle Frank Road

Date:	January 19, 2009
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards, Toronto and East York District
Wards:	Ward 27 – Toronto Centre- Rosedale
Reference Number:	IBMS No. 08-173183

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 2 Castle Frank Road to be exempted from Chapter 447 – Fences, Section 447-2(B). This section states that the maximum height of a fence in the front yard cannot exceed 1.2 metres. There are two sections of front yard fence that exceed the height requirement. Both sections are constructed of solid wood and lattice and stand approximately 2.04 metres in height. Section 1 is measured at 13.7 metres in length, along the west property line. The second section of front yard fence is 6.27 metres in length along the east property line. Attachments 1-5 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 front yard fence at 2 Castle Frank Road exceeded the Fence Bylaw height requirements. The inspection determined that the existing fence exceeded the maximum 1.2 metres height for a front yard fence measuring approximately 2.04 metres. The owner applied for a fence exemption in response to the complaint.

ISSUE BACKGROUND

The existing fence was constructed approximately six years ago for the purpose of privacy and to stitch the property together aesthetically. Constructed on the private property of 2 Castle Frank Road, the fence on the east property line is approximately 7.5 centimetres higher than the neighbouring solid brick wall.

COMMENTS

The owner is requesting an exemption in support of the sections of fence that exceeds the recommended height for a front 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

1-5. Photographs of fence