

## **Fence Exemption Request for 103 Silverhill Drive**

<b>Date:</b>	May 05, 2010
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 5 – Etobicoke-Lakeshore
<b>Reference Number:</b>	ML&S Folder Number 10 165551 FEN

### **SUMMARY**

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This report is in regard to an application for a fence exemption to the Toronto Municipal Code, Chapter 447 - Fences at 103 Silverhill Drive whereby the property owner is applying to maintain existing fencing in the rear and side yards that are in violation of the Fence By-law respectively, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

### **RECOMMENDATIONS**

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

1. Etobicoke York Community Council deny the request for the fence exemption at 103 Silverhill Drive, based on non-compliance with Chapter 447, Toronto Municipal Code, Fences.

#### **Financial Impact**

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

### **ISSUE BACKGROUND**

This is a single family detached residential property located in the Dundas Street West and The East Mall area of the Subject Ward. The Municipal Licensing and Standards Division has received an application from the property owner seeking relief for fences on the subject property that exceeds the permitted heights found in the Fence By-law, Chapter 447.

The property owner is seeking relief for the existing north elevation divisional fence (with the adjoining property at number 101) and the existing east and south elevation fences at the rear of the dwelling which all exceed the 2.0 metre height restriction by approximately 0.36 of a metre (14 inches).

The fence between the properties of 101 and 103 Silverhill Drive is divisional and is the subject of separate fence exemption applications by the respective property owners. This divisional fence is located at the north elevation of the subject property.

## **COMMENTS**

The Municipal Licensing and Standards Division received a formal complaint on July 25, 2008 about the heights of the fences on the subject property. The investigations by staff confirmed that the rear yard fences exceed permitted heights and a Notice of Violation dated August 13, 2008 was issued and remains outstanding pending the outcome of this exemption application.

Fences, in the rear yards are limited to 2.0 metres in height, pursuant to Section 447-2.B, Toronto Municipal Code, Chapter 447. The existing fences on the subject property, which are board on board complete with lattice-work on top, measure approximately 2.36 metres in height at the highest point along the north elevation.

## **CONTACT**

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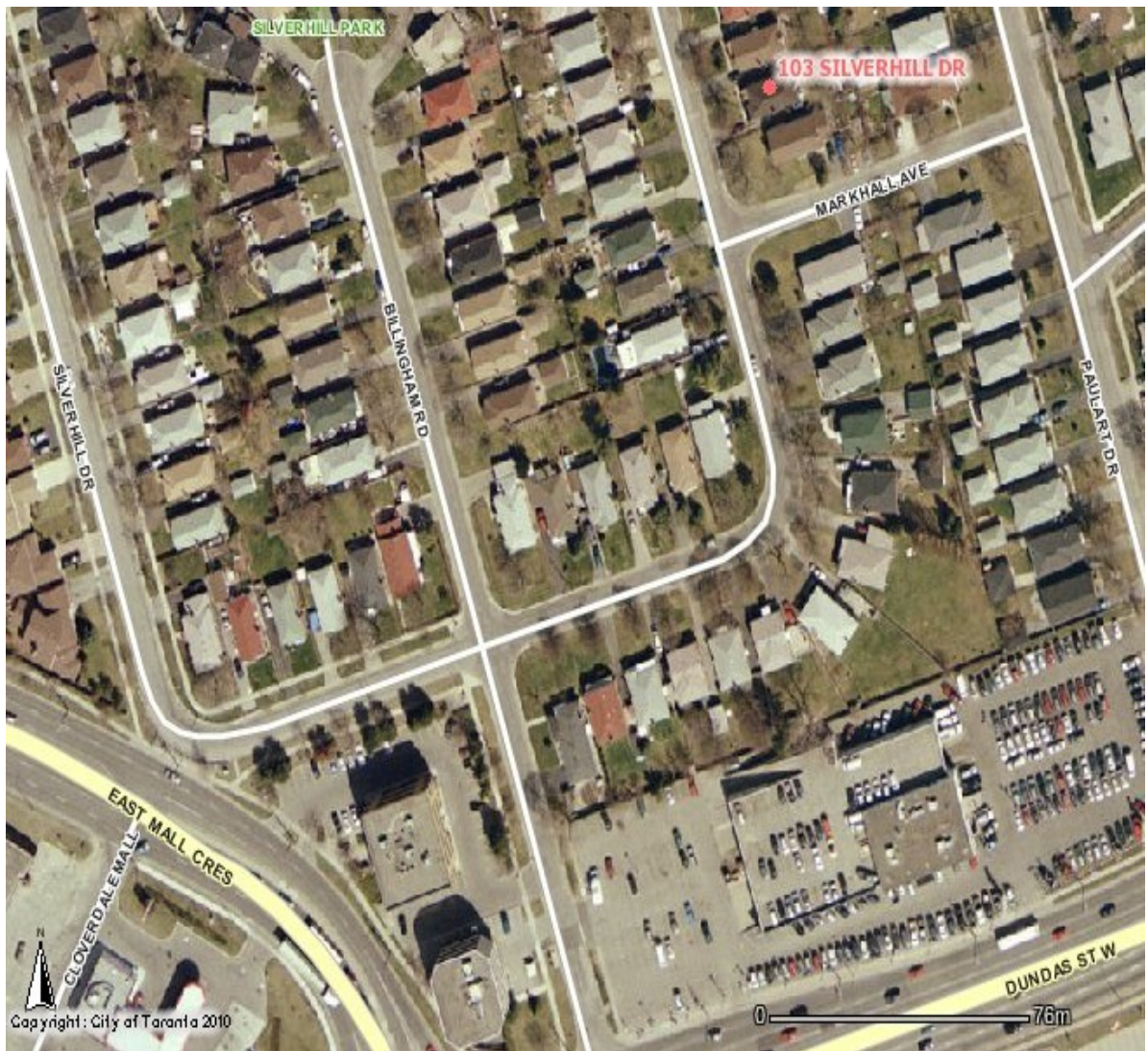
## **SIGNATURE**

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Curtis Sealock, District Manager  
Municipal Licensing and Standards

## **ATTACHMENTS**

Attachment 1 – Ward 5 Site Map  
Attachment 2 – Site Plan Showing 101 and 103 Silverhill Drive  
Attachment 3 – Typical Fence Elevation  
Attachment 4 – Fence Section @ East Elevation  
Attachment 5 – Fence Section @ North Elevation (neighbouring with # 101)  
Attachment 6 – Photos of Existing Fencing

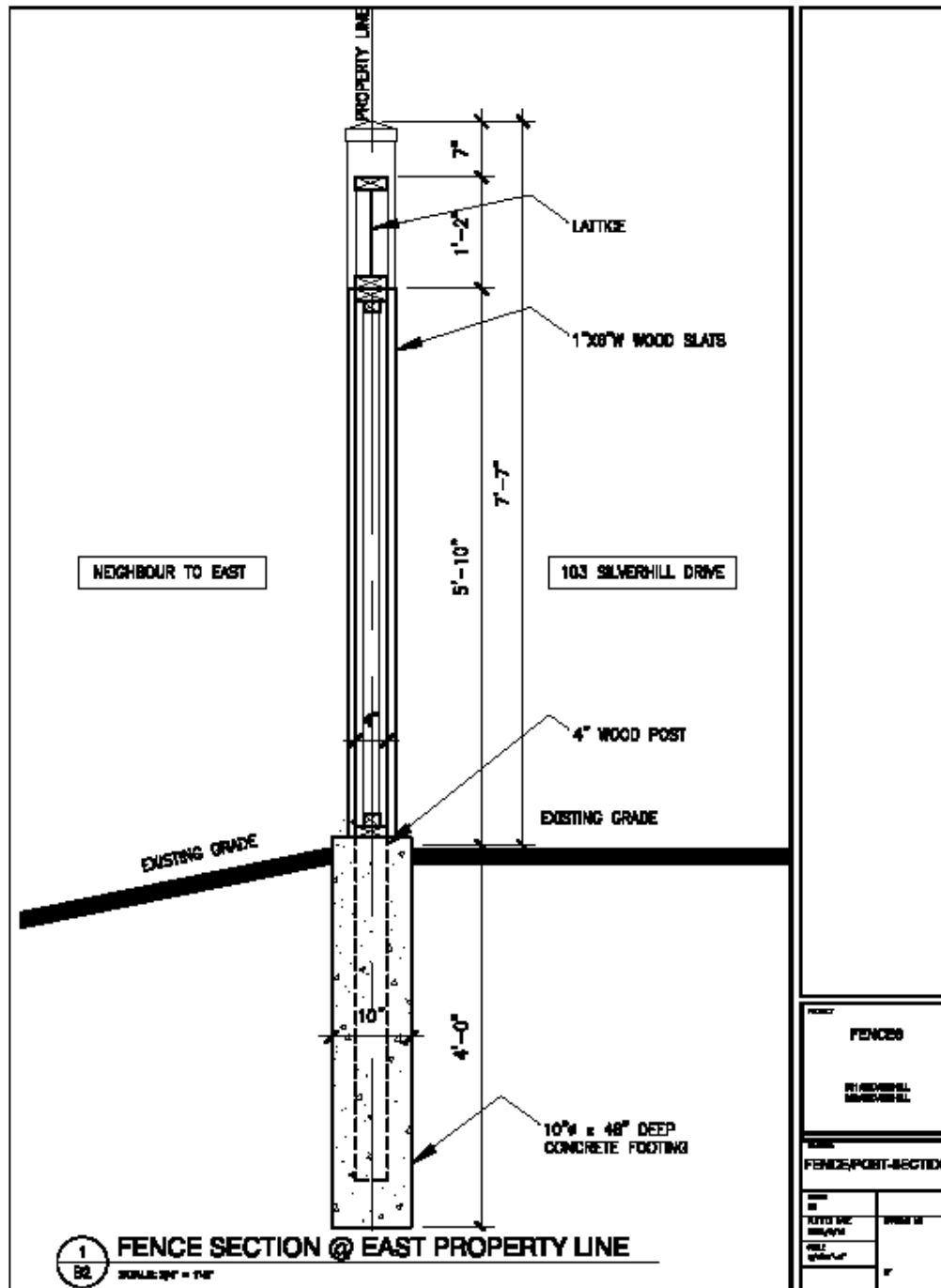


### Attachment 1 – Ward 5 Site Map

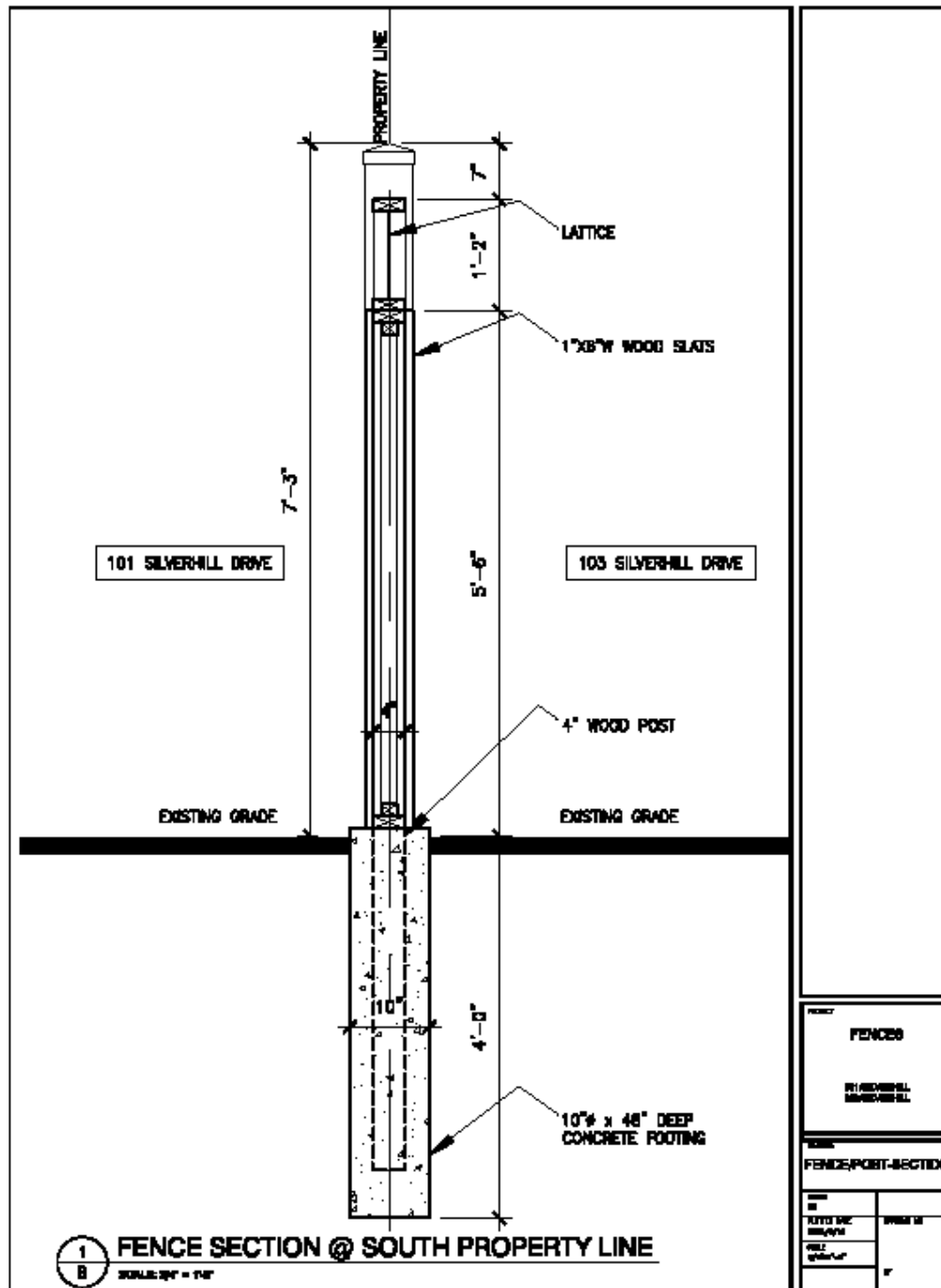


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Staff report for action on Fence Exemption Request – 103 Silverhill Drive



Attachment 4 – Fence Section @ East Property Line



Attachment 5 – Fence Section @ South Property Line



Photo of 103 Silverhill Drive – Looking East



Photo of 103 Silverhill Drive – Looking Towards 101 Silverhill Drive

## **Attachment 6 – Photos of Existing Fencing**