



## STAFF REPORT ACTION REQUIRED

### Fence Exemption Request 48 Venetian Crescent

<b>Date:</b>	May 5, 2010
<b>To:</b>	North York Community Council
<b>From:</b>	District Manager, Municipal Licensing & Standards – North York District
<b>Wards:</b>	Ward 8 - York-West
<b>Reference Number:</b>	IBMS No. 10-123882

#### SUMMARY

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This staff report is about a matter for which the Community Council has delegated authority from City Council 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 fence exemption to Chapter 447 of the Toronto Municipal Code - Fences, to allow the existing wooden fence in the front yard to remain as constructed.

#### RECOMMENDATIONS

**Municipal Licensing and Standards, North York District, recommends that:**

- 1. The North York Community Council refuse the exemption from Chapter 447 – Fences, for the property at 48 Venetian Crescent.**

#### FINANCIAL IMPACT

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

#### DECISION HISTORY

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The subject property was inspected by staff as a result of a complaint received. As a result of that inspection, a Notice of Violation regarding the height of the fence in the front yard was issued. The owner(s) subsequently filed an application for exemption from Chapter 447 – Fences in order to retain the existing fence.

## **ISSUE BACKGROUND**

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The property is a detached single family dwelling located in a RM2 zoning district. (*Attachment 1*)

Inspection by the area Municipal Standards Officer has determined that the existing 2.0m high wood fence in the front yard (*Attachments 2 & 3*) does not comply with Toronto Municipal Code Chapter 447 – Fences, because the maximum permitted height of a fence in a front yard which is not within 2.4m of a driveway is 1.2m. As noted, the fence is of wood construction and is solid board and projects from the house abutting the lot line between the semi-detached units for a distance of 3.8m. The applicant advises that the fence has been constructed to provide some privacy.

The owner(s) submitted a Fence Exemption application on February 24, 2010 and are requesting that the wood fence be allowed to remain as constructed.

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

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

1. Zoning Map
2. ML&S photo taken May 5, 2010
3. ML&S photo taken May 5, 2010