



STAFF REPORT ACTION REQUIRED

Fence Exemption Request 66 Fifeshire Road

Date:	July 22, 2010
To:	North York Community Council
From:	District Manager, Municipal Licensing and Standards, North York District
Wards:	Ward 25 – Don Valley West
Reference Number:	IBMS No. 10-124713

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

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 66 Fifeshire Road.**

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. The owner(s) were issued a notice of violation and subsequently applied for a fence exemption.

ISSUE BACKGROUND

This is a single family detached home with a circular driveway located in a second density (R2) zone in the former City of North York (*Attachments 1 and 2*).

Fences in the front yard are limited to 1.2 metres in height. Fences within 2.4 metres of any driveway must be open mesh chain-link 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 view of the boulevard or highway. This is pursuant to Sections 447-2(B) and (C), Chapter 447, Fences, of the Toronto Municipal Code.

The owner(s) existing fence consists of two, brick pillar with wrought iron gates that extend in height at their highest point to 2.5 metres and wrought iron fencing that ranges in height from 1.8 to 2 metres enclosing the front yard (*Attachments 3, 4, 5 and 6*).

COMMENTS

The owner(s) state that they wish to maintain the fence for reasons including but not limited to dog, pool, security, safety, aesthetics and privacy.

Should the recommendation not be accepted and the request approved, the conditions of approval should include that when the fence is replaced it should be constructed in compliance with Chapter 447 or its successor by-law and that the gates should swing inwards.

CONTACT

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SIGNATURE

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

ATTACHMENTS

1. Zoning diagram
2. Plan of survey
3. Photo of north gate
4. Photo of front yard
5. Photo of fence detail
6. Photo of south gate