

## **Request for Fence Exemption-7 Fallingbrook Drive**

<b>Date:</b>	April 29, 2010
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
<b>Wards:</b>	Ward 36- Scarborough Southwest
<b>Reference Number:</b>	IBMS No. 06 192337

### **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.

The purpose of this report is to consider a request by the owner(s) of 7 Fallingbrook Drive to be exempted from Chapter 447-Fences section (3) of the Toronto Municipal Code. This section states that “vertical pickets shall be spaced not more than 38 millimetres apart where the horizontal rails are spaced less than 1.2 metres and are not more than 100 millimetres apart where the horizontal rails are spaced at least 1.2 metres apart.”

### **RECOMMENDATIONS**

**Municipal Licensing and Standards, Scarborough District, recommends that Scarborough Community Council:**

1. Refuse the existing metal picket fence located in the rear of 7 Fallingbrook Drive.

### **Financial Impact**

There is no financial implication.

## **DECISION HISTORY**

The City of Toronto Council enacted the amalgamated Fence By-law on July 6, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pools to erect and maintain fences and gates around swimming pools. This by-law and the amendments are now found in Chapter 447 of the Toronto Municipal Code.

## **ISSUE BACKGROUND**

The owner of 7 Fallingbrook Drive has submitted an application for a Fence Exemption under Chapter 447 and received by Municipal Licensing and Standards on March 25, 2010, for a existing metal picket fence located in the rear yard property line. The height of the metal picket fence is 1.2 metres but is in violation by not having a horizontal top rail within the required distance. A Notice of Violation was issued to the owners on January 26, 2010.

## **CONTACT**

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## **SIGNATURE**

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Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District

## **ATTACHMENTS**

1. Photographs