



STAFF REPORT ACTION REQUIRED

Request for a Fence exemption to the Toronto Municipal Code, Chapter 447-Fences at 278 Symington Avenue

Date:	December 16, 2009
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards Division, Toronto and East York District
Wards:	Ward 19 – Trinity Spadina
Reference Number:	IBMS Nos.09-159055

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 applicant is seeking exemption to the provisions of the City of Toronto Municipal Code, Chapter 447 Fences, Section 447-2(B), to extend the height of the existing fence, at the rear of the property, to exceed the maximum allowable height. The Fence By-law provides that a fence can be constructed to a height of 2.0 metres.

The section of wood fence on the north side of the property is constructed to a height of approximately 2.0 metres and 12.2 metres in length. The applicant is proposing to extend the height of this fence by 0.6 metres. This proposed extension on the height of the fence is not in compliance with the By-law.

RECOMMENDATIONS

Municipal Licensing and Standards Division recommends that the Toronto and East York Community Council not grant the fence exemption for 278 Symington Avenue.

Financial Impact

There is no financial impact anticipated in this report.

DECISION HISTORY

The City of Toronto Municipal Code, Chapter 447-Fences, Section 447-2(B), provides that the maximum permitted height of a fence in the rear yard for a residential property should not exceed 2.0 metres in height.

ISSUE BACKGROUND

The Municipal Licensing and Standards Division received an application for exemption from the Fence By-law. A letter of support has been filed by the applicant along with the exemption request. The stated purpose for extending the height of the current fence was for privacy, security and safety.

COMMENTS

The Council of the City of Toronto enacted the amalgamated By-law No. 472-2000 on July 06, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned swimming pools to erect and maintain safety fences and gates around private swimming pools. This By-law and the amendments are now found in the Toronto Municipal Code, Chapter 447-Fences.

CONTACT

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SIGNATURE

Elizabeth Glibbery, Manager
Toronto and East York District

ATTACHMENTS

Attachment 1– photograph of wood fence on north side of property