



## STAFF REPORT ACTION REQUIRED

### Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 18 Bright Street

<b>Date:</b>	January 19, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Municipal Licensing and Standards, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre - Rosedale
<b>Reference Number:</b>	IBMS No. 09-168187

#### SUMMARY

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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 purpose of this report is to consider a request by the owner of 18 Bright Street to be exempted from Chapter 447– Fences, Section 447-3 C 2(a). This section states that the maximum height of a fence in the rear yard cannot exceed 2 metres.

The existing fence, constructed of solid wood and posts stands approximately 2.28 metres, in height and approximately 14.17 metres in length, along the north property line.

#### RECOMMENDATIONS

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Municipal Licensing and Standards recommends that the Toronto and East York Community Council not grant the fence exemption for 18 Bright Street.

#### 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 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 & Standards Division received an application for an exemption from the Fence Bylaw. The property owner of the subject property submitted a letter of support to permit the solid wood constructed fence in the rear yard of 18 Bright Street. The fence was constructed for the purpose of ensuring security and privacy for the owner.

## **COMMENTS**

The Municipal Licensing and Standard Division conducted an inspection in response to a complaint regarding a rear yard fence that exceeded the height requirement. The inspection determined that the rear yard fence exceeded the maximum 2 metres height for a rear yard fence measuring approximately 2.89 metres. The property owner is requesting an exemption in support of the fence that exceeds the recommended height for a rear yard fence.

Should the recommendation be adopted, and the request approved, a condition of approval should include that when the fence is replaced it should be constructed in compliance with Toronto Municipal Code, Chapter 447-Fences or its successor bylaw.

## **CONTACT**

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## **SIGNATURE**

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Elizabeth Glibbery, Manager  
Toronto and East York District

## **ATTACHMENTS**

Attachment 1: Photograph of fence  
Attachment 2: Photograph of fence