



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 130 Dundas Street East

Date:	May 7, 2010
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards, Toronto and East York District
Wards:	Ward 27 –Toronto Centre-Rosedale
Reference Number:	IBMS No. 09-150583

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 purpose of this report is to consider a request by the owner of 130 Dundas Street East 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 front yard cannot exceed 1.4 metres and cannot exceed 2.0 metres in the rear yard.

The existing wrought iron fence in the front yard stands approximately 2.54 metres in height and approximately 6.045 metres in length, along the south property line. The existing wrought iron fence in the rear yard stands approximately 2.6 metres in height and is approximately 6.096 metres in length along the north property line.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Toronto and East York Community Council not grant the fence exemption for 130 Dundas St East.

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 front yard should not exceed 1.4 metres in height in a front yard and 2.0 metres in a rear yard.

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 2 metre high fence in the front yard of 130 Dundas Street East. 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 an application regarding front and rear yard fences that exceeded the height requirement. The inspection determined that both front and rear fences exceed their prospective height requirements. The property owner is requesting an exemption in support of the fence that exceeds the recommended height for a front 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

Elizabeth Glibbery, Manager
Toronto and East York District

ATTACHMENTS

Attachment 1: Photograph of front fence
Attachment 2: Photograph of rear fence