



## STAFF REPORT ACTION REQUIRED

### Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 445 Logan Avenue

<b>Date:</b>	May 17, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Municipal Licensing and Standards Division, Toronto and East York District
<b>Wards:</b>	Ward 30 – Toronto – Danforth
<b>Reference Number:</b>	IBMS No. 10-173105

#### 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 applicant, being the property owner is seeking exemption to the provisions of the City of Toronto Municipal Code, Chapter 447 Fences, Section 447-2(B), to permit a proposed wooden fence in the front yard, to exceed the maximum allowable height. The Fence By-law provides that a fence in the front yard area can be constructed to a height of 1.2 metres.

The proposed fences to be located in the front yard will both consist of a 2 metre high wooden fence. The first section of fence running parallel to the front lot line in line with the concrete block planter at the front of the house will be 15.24 metres in length. The second section to be located on the south side of the front yard abutting the first section of fence will be 2.03 metres in length. The two sections of proposed fence do not comply with the maximum permitted height of 1.2 metres for a front yard fence. (attachments 1 & 2 )

#### RECOMMENDATIONS

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Municipal Licensing & Standards recommends that the Toronto and East York Community Council not grant the fence exemption for 445 Logan Avenue.

## **Financial Impact**

There is no financial impact anticipated in this report.

## **DECISION HISTORY**

The Fence By-law provides that a fence in the front yard can be constructed to a height of 1.2 metres. The proposed front yard fences will be a height of 2 metres which exceeds the maximum height permitted in the Fence By-law.

## **ISSUE BACKGROUND**

The Municipal Licensing and Standards Division received an application for exemption from the Fence By-law for a proposed fence installation in the front yard. The stated purpose for maintaining the fence at the current height is to provide privacy and security.

## **COMMENTS**

The City of Toronto Council enacted the amalgamated By-Law 472-2000 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 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. The City of Toronto Municipal Code, Chapter 447 Fences, Section 447-2(B), provides that the maximum permitted height of a fence in the front yard should not exceed 1.2 metres in height.

Should the request for an exemption be 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**

1. Site photos
2. Site Plan