

Authority: Licensing and Standards Committee Item 19.2,
as adopted by City of Toronto Council on April 3 and 4, 2013

CITY OF TORONTO

BY-LAW No. 457-2013

To amend City of Toronto Municipal Code Chapter 447, Fences, to provide public notice of fence exemption requests.

Whereas under sections 7 and 8 of the *City of Toronto Act, 2006* (the "Act"), the City may pass by-laws respecting structures, including fences and signs; and

Whereas City Council wishes to amend Municipal Code Chapter 447, Fences, to require that public notice be given when the City receives a request for an exemption from the requirements of Chapter 447;

The Council of the City of Toronto enacts:

1. Subsection 447-5C of Chapter 447, Fences, is amended as follows:

(1) By deleting Subsection (1) and substituting the following:

"(1) A person may request to have a fence considered by Council or community council under delegated authority for a site-specific exemption from any of the requirements of this article on or before the date indicated on the notice of violation if such a notice has been issued."

(2) By deleting Subsections (6) and (7) and substituting the following:

"(6) The City Clerk shall provide notice to the ward councillor and shall send, by prepaid mail, notice of the community council meeting to consider the fence exemption request to the owner of the property at least 14 days before the meeting and:

(a) In the case of a rear-yard fence exemption request, to the owners of all adjoining properties; and

(b) In the case of front-yard or flankage-yard fences, to the owners of all properties within a sixty metre radius of the subject property.

(7) Upon receiving notice of the date of the community council meeting, the owner of the property shall post a notice on the property in a place visible to the public at least 10 days before the meeting date, indicating the nature of the exemption being sought, the name of the property owner and the date of the meeting.

(8) The template for the notice to be posted under Subsection (7) shall be provided by the Municipal Licensing and Standards Division.

- (9) Council, or community council under delegated authority, may:
 - (a) Grant the exemption, with or without conditions, and cancel the notice of violation, if one has been issued; or
 - (b) Confirm the notice of violation and direct that a second notice of violation be given under this article."
- (10) Subsections C(1) to (9) do not apply to a second notice of violation given under Subsection C(9)(b)."

2. This by-law shall come into force on June 1, 2013.

Enacted and passed on April 4, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)