Fence Exemption Request
48 Venetian Crescent

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<th>Date:</th>
<th>May 5, 2010</th>
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<td>To:</td>
<td>North York Community Council</td>
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<tr>
<td>From:</td>
<td>District Manager, Municipal Licensing &amp; Standards – North York District</td>
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<td>Wards:</td>
<td>Ward 8 - York-West</td>
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<td>Reference Number:</td>
<td>IBMS No. 10-123882</td>
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**SUMMARY**

This staff report is about a matter for which the Community Council has delegated authority from City Council to make a final decision, provided that it is not amended so that it varies with City Policy or by-laws.

The subject matter is an application for fence exemption to Chapter 447 of the Toronto Municipal Code - Fences, to allow the existing wooden fence in the front yard to remain as constructed.

**RECOMMENDATIONS**

Municipal Licensing and Standards, North York District, recommends that:

1. The North York Community Council refuse the exemption from Chapter 447 – Fences, for the property at 48 Venetian Crescent.

**FINANCIAL IMPACT**

There are no financial implications resulting from the adoption of this report.

**DECISION HISTORY**

The subject property was inspected by staff as a result of a complaint received. As a result of that inspection, a Notice of Violation regarding the height of the fence in the front yard was issued. The owner(s) subsequently filed an application for exemption from Chapter 447 – Fences in order to retain the existing fence.
ISSUE BACKGROUND

The property is a detached single family dwelling located in a RM2 zoning district. (Attachment 1)

Inspection by the area Municipal Standards Officer has determined that the existing 2.0m high wood fence in the front yard (Attachments 2 & 3) does not comply with Toronto Municipal Code Chapter 447 – Fences, because the maximum permitted height of a fence in a front yard which is not within 2.4m of a driveway is 1.2m. As noted, the fence is of wood construction and is solid board and projects from the house abutting the lot line between the semi-detached units for a distance of 3.8m. The applicant advises that the fence has been constructed to provide some privacy.

The owner(s) submitted a Fence Exemption application on February 24, 2010 and are requesting that the wood fence be allowed to remain as constructed.

Should the recommendation not be accepted and the request approved, a condition of approval should include that if and portion of the fence is replaced; it should be constructed in compliance with any revised Chapter 447 or any successor by-law.

CONTACT
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SIGNATURE

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Bryan Byng, District Manager
Municipal Licensing & Standards
North York District

ATTACHMENTS
1. Zoning Map
2. ML&S photo taken May 5, 2010
3. ML&S photo taken May 5, 2010