



**STAFF REPORT
ACTION REQUIRED**

**Application for Fence Exemption
1672 St. Clair Avenue West**

Date:	October 13, 2011
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 17, Davenport
Reference Number:	Municipal Licensing and Standards, Folder No. 11 289336 FEN

SUMMARY

This staff report is in response to an application for a Fence Exemption request submitted by the owner of 1672 St. Clair Avenue West, to maintain an existing closed board fence, with a raised closed boarded section attached at the top, which measures 2.74 metres (9' - 0") located within the rear yard of a commercial property. This is a matter for which the Etobicoke York Community Council has been given delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Etobicoke York Community Council:

1. Refuse the application of the owner at 1672 St. Clair Avenue West, as the constructed fence does not comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

Financial Impact

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

ISSUE BACKGROUND

As the result of a complaint received regarding the height of the fence located within the rear yard to the property, a Notice of Violation was issued to the owner of the property on May 19, 2011 in connection with the violation to the height requirements. An exemption

request was filed with Municipal Licensing and Standards on October 6, 2011, requesting an exemption to the regulations and permission to maintain the installed fencing which measures 2.82 metres in height, for a distance of 3.35 metres, (Attachments 1, 2 and 3).

COMMENTS

Municipal Code, Chapter 447, Section 447-2B, Table 1, Fences, limits the height of fences for commercial properties within the rear yard to 2.5 metres.

CONTACT

Curtis Sealock, District Manager
Municipal Licensing and Standards
Etobicoke York District
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E-mail: csealock@toronto.ca

SIGNATURE

District Manager

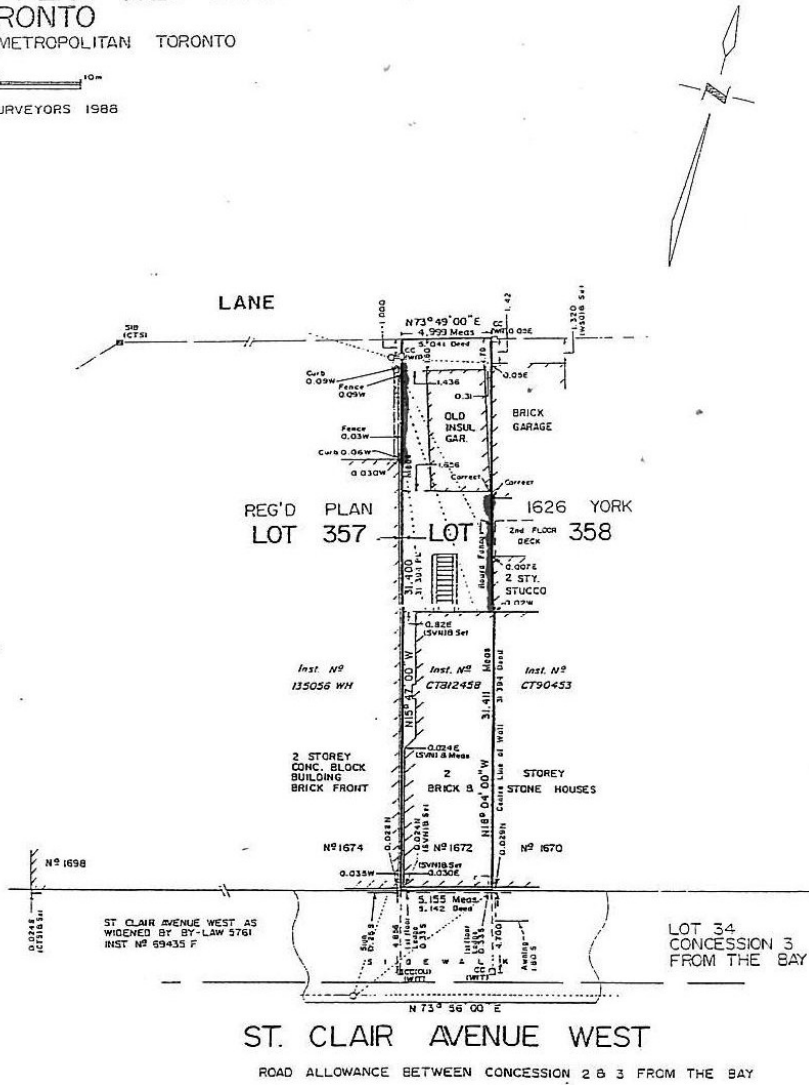
ATTACHMENTS

Attachment 1: Property Survey
Attachment 2: Fence Detail
Attachment 3: Photos of Fence

Property Survey

PLAN OF SURVEY OF
PART OF LOT 358
REGISTERED PLAN 1626 YORK
CITY OF TORONTO
MUNICIPALITY OF METROPOLITAN TORONTO
SCALE 1:200
C. E. DOTTERILL LTD SURVEYORS 1988

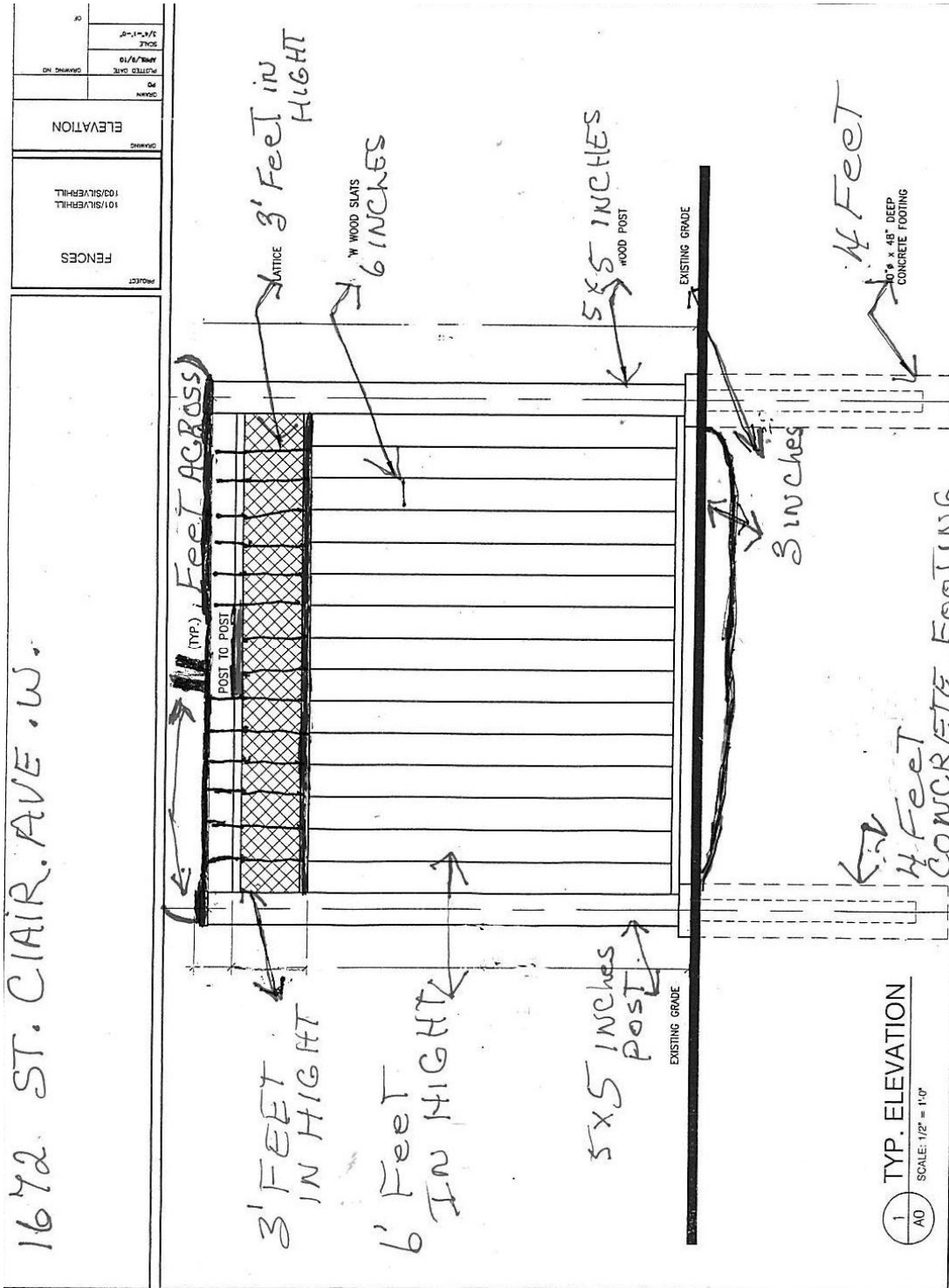
PLANS OF BARRISTERS
Barristers
Suite 1007
111 Richmond St. West
Toronto, M5H 2T4



<p>Deed denotes Inst. N^o CT812458 S.I.B. denotes standard iron bar S.S.I.B. denotes short standard iron bar I.B. denotes iron bar I.T. denotes iron tube C.C. denotes cut cross. -C- denotes set. + denotes found W.S. denotes W. S. Gibson & Sons O.L.S. SVN denotes Speight & von Nestrand O.L.S. CTS denotes City of Toronto Survey</p>	<p>SURVEYOR'S CERTIFICATE</p> <p>I CERTIFY THAT The field survey represented on this plan was completed on the 28th day of November, 1988</p> <p style="text-align: center;"><i>C. E. Dotterill</i> C. E. Dotterill Ontario Land Surveyor</p>	<p>BEARING NOTE</p> <p>Bearings are astronomic and are referred to the Northern limit of St. Clair Avenue West as shown on Plan 1626 York having a bearing of N73°56'E.</p> <p style="text-align: center;">METRIC</p> <p>Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048</p>	<p>C. E. DOTTERILL LTD</p> <p>ONTARIO LAND SURVEYOR 122 CAMBRIDGE AVENUE TORONTO 4 E1-0381</p> <p style="font-size: 1.2em;">88-863</p>
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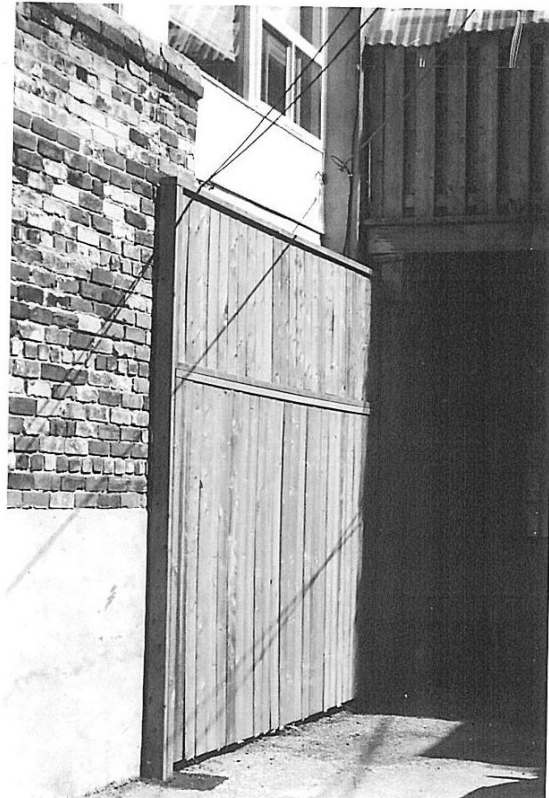
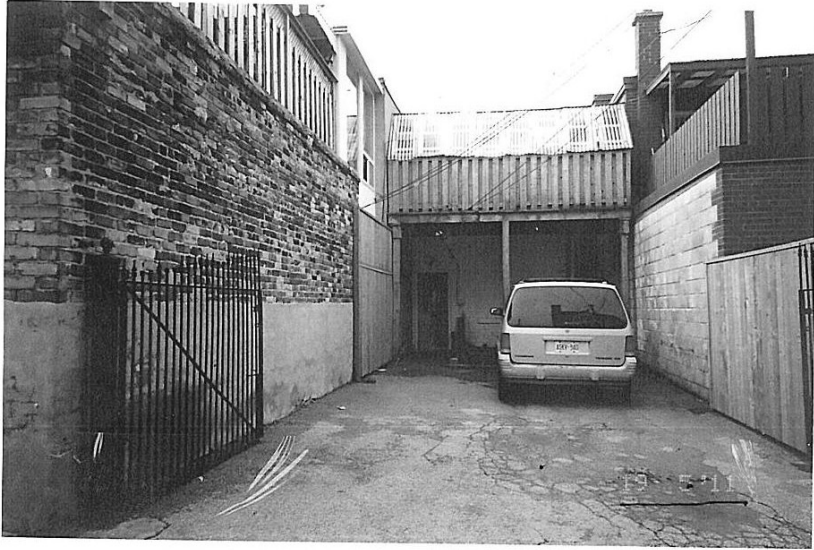
Attachment 1

Fence Detail



Attachment 2

Fence Photos



Attachment 3