### 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

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SIGNATURE

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District Manager

ATTACHMENTS

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

Attachment 3

1672 St. Clair Avenue West – Fence Exemption 5