Request for Fence Exemption- 119 Eastville Ave

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<th>Date:</th>
<th>September 17, 2012</th>
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<td>To:</td>
<td>Scarborough Community Council</td>
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<tr>
<td>From:</td>
<td>Bill Blakes, Manager, Municipal Licensing and Standards</td>
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<td>Wards:</td>
<td>Ward 36 Scarborough Southwest</td>
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<td>Reference Number:</td>
<td>IBMS 11 225651</td>
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**SUMMARY**

This Staff report is about a matter for which Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to consider a request by the owner(s) of 119 Eastville Ave to be exempted from Chapter 447-Fences Article 1 and also section(2) of the Toronto Municipal Code. Article 1 of Chapter 447 Section 2 Table 1 states that the maximum height of a fence (Residential Zone) in the rear yard is 2 metres.

**RECOMMENDATIONS**

Municipal Licensing and Standards, Scarborough District, recommends that Scarborough Community Council:

1. Refuse the application for exemption from Chapter 447-Fences, of the Toronto Municipal Code, for the existing and proposed 2.54 metre fence in the rear yard of 119 Eastville Avenue.

**Financial Impact**

There are no financial implications
DECISION HISTORY
The City of Toronto Council enacted the amalgamated Fence By-law 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 fences and gates around swimming pools. This by-law and the amendments are now found in Chapter 447 of the Toronto Municipal Code.

ISSUE BACKGROUND
The owner(s) of 119 Eastville Ave have submitted an application for a fence exemption under Chapter 447 and was received by Municipal Licensing and Standards on August 2, 2011 for and existing and proposed 2.54 metre high wood fence located in the rear yard of a single residential property. A complaint was filed to Municipal Licensing and Standards and upon an inspection a Notice of Violation was issued to the owner.

A meeting on November 3, 2011 between the owners of 119 and 117 Eastville Ave with assistance from the Councillors Office and Municipal Licensing and Standards have reached a verbal mutual agreement that the issues between them have been worked out and updates will be given at the end of summer of 2012. As of August 3, 2012 an email sent to Municipal Licensing and Standards revealed 119 Eastville Ave is still having noise and disturbance issues.

CONTACT
Glenn Shimoda
Supervisor
Municipal Licensing and Standards,
Scarborough District
416-396-7371

SIGNATURE

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Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District

ATTACHMENTS
1. Photographs
2. Site Plan