Request for a Fence Exemption – 91 Botany Hill Road

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<th>Date:</th>
<th>October 19, 2012</th>
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<td>To:</td>
<td>Scarborough Community Council</td>
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<td>From:</td>
<td>Bill Blakes, Manager Municipal Licensing and Standards</td>
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<td>Wards:</td>
<td>Ward 43 Scarborough East</td>
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<td>Reference Number:</td>
<td>IBMS No. 12 207740</td>
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**SUMMARY**

This staff report is about a matter for which the Scarborough 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 91 Botany Hill Road to be exempted from Chapter 447– Fences, Section 447-2, Table 1. This section states that the maximum height of a front yard fence not within 2.4 metres of lot line on a residential property is 1.2 metres.

**RECOMMENDATIONS**

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

1. Refuse the application for exemption from Chapter 447- Fences, of the Toronto Municipal Code, to allow the existing 2.36 metre fence in the front yard of 91 Botany Hill Road.

2. Confirm the notice and direct that a second notice be given under this article.

**Financial Impact**

There is no financial impact anticipated in this report.
DECISION HISTORY

The City of Toronto Council enacted the amalgamated By-Law 472-2000 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 safety fences and gates around private swimming pools. This By-Law and the amendments are now found in the Toronto Municipal Code.

ISSUE BACKGROUND

The Municipal Licensing & Standards Division received a complaint regarding the height of a fence. An subsequent inspection was conducted and a Notice of Violation was issued. The property owner of the subject property submitted an application and a letter of support to be exempt from the bylaw that requires the fence in the front yard to be at a maximum height of 1.2 metres and allow the existing fence to remain stating that it is to provide privacy and safety for their property. The existing fence beyond the front perimeter of the house is measured to be approximately 4.9 metres in length and 2.36 metres in height.

CONTACT

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SIGNATURE

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Bill Blakes, Manager
Scarborough District

ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Photo of Fence