



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447-Fences at 25 Whitewood Road.

Date:	September 15th, 2011
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards, Toronto and East York District
Wards:	Ward 22– St. Paul’s
Reference Number:	IBMS No. 11-193214

SUMMARY

This staff report is about a matter for which the Toronto and East York 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 of 25 Whitewood Road to be exempted from Chapter 447– Fences, Section 447-2B.(1). This section states that the maximum height for a rear fence is 2.0 meters. Section 447-2A.(5) also states that no person shall use materials not usually intended for use in permanent fencing unless specifically permitted. Namely: Corrugated sheet metal.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Toronto and East York Community Council:

1. Refuse the existing 7.2 foot wood fence at 25 Whitewood Road.
2. Not accept the use of corrugated metal as acceptable fence siding.

Financial Impact

There is no financial impact anticipated in this report.

DECISION HISTORY

The City of Toronto Council enacted the amalgamated Fence Bylaw on July 6, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned outdoor pools to erect and maintain fences and gates around swimming pools. This bylaw and the amendments are now found in Chapter 447 of the Toronto Municipal Code.

ISSUE BACKGROUND

The Municipal Licensing & Standards Division received a complaint regarding the height and materials used as fencing material. 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 a rear yard to be at a maximum height of 2.0 metres and allow the existing fence to remain stating that it is to prevent migrating BBQ fumes away from their premises for Health and Safety reasons.

CONTACT

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SIGNATURE

Gus Michaels, Manager
Toronto and East York District

ATTACHMENTS

Attachment 1: Photograph rear yard fence North face
Attachment 2: Photograph rear yard fence South face
Attachment 3: Photograph fence material used
Attachment 4: Diagram/ Layout