



**STAFF REPORT
ACTION REQUIRED**

Request for a Fence exemption to the Toronto Municipal Code, Chapter 447-Fences at 1485 Dundas Street West

Date:	October 14, 2011
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards Division, Toronto and East York District
Ward:	Ward 18 – Davenport
Reference Number:	IBMS Folder No.11-124336

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 applicant being the property owner is seeking exemption to the provisions of the City of Toronto Municipal Code, Chapter 447 Fences, Section 447-2.A(3), to permit the existing corrugated metal fence at the rear of the property. The Fence By-law prohibits any fence constructed of sheet metal or corrugated metal panels.

The sections of corrugated metal fence are at the rear of the property on the east and south sides. The Fence By-law prohibits any fence constructed of sheet metal or corrugated metal panels.

RECOMMENDATIONS

Municipal Licensing & Standards Division recommends that the Toronto and East York Community Council not grant the fence exemption for 1485 Dundas Street West, 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 Municipal Code, Chapter 447-Fences, Section 447-2.A(3), prohibits any fence constructed of sheet metal or corrugated metal panels.

ISSUE BACKGROUND

The Municipal Licensing and Standards Division received an application for exemption from the Fence By-law, in response to a Notice of Violation issued on a complaint received about the height of the fence. The stated purpose for erecting the current fence was to improve security and to improve the ability to contain dust and debris.

COMMENTS

The Council of the City of Toronto enacted the amalgamated By-law No. 472-2000 on July 06, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned 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, Chapter 447-Fences.

Should the request for an exemption be approved, a condition of approval should include that when the fence is replaced it should be constructed in compliance with Toronto Municipal Code, Chapter 447-Fences or its successor bylaw.

CONTACT

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SIGNATURE

Gus Michaels, Manager, Municipal Licensing and Standards Division
Toronto and East York District

ATTACHMENTS

Attachment 1– 1485 Dundas Street West – photograph of fence on east and south sides of property