STAFF REPORT
ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – Fences at 216 Poplar Plains Road

<table>
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<tr>
<th>Date:</th>
<th>March 19, 2013</th>
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<tr>
<td>To:</td>
<td>Toronto East York Community Council</td>
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<tr>
<td>From:</td>
<td>Municipal Licensing and Standards Division, Toronto and East York District</td>
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<td>Wards:</td>
<td>Ward 22 – St. Paul’s</td>
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<tr>
<td>Reference Number:</td>
<td>12 246386 FEN 00 IR</td>
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**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 216 Poplar Plains Road to be exempted from Chapter 447 – Fences, Section 447-2B, to permit the installation of a wood fence which exceeds the maximum allowable height. The proposed portion of fence is 13.72 metres in length and varies in height from 2.66 metres to 2.81 metres high. The City of Toronto Municipal Code Chapter 447, Fences, provides that a fence including posts in a rear yard can be constructed to a maximum height of 2.0 metres.

**RECOMMENDATIONS**

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

1. Grant the exemption, with the condition that there is no climable feature or design element of the fence as there is a pool on the adjacent property and at any time in the future when the fence is required to be substantially repaired or is removed for repair or replacement it is to be rebuilt in compliance City of Toronto Municipal Code Chapter 447 Fences as amended or its successor for the property municipally known as 216 Poplar Plains Road.

or
2. Refuse the request for the exemption and require that any fence installation is built in accordance with Toronto Municipal Code Chapter 447, Fences, Section 447-2B for the property municipally known as 216 Poplar Plains Road.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The City of Toronto Municipal Code, Chapter 447 – Fences, Section 447- 2B, provides for the maximum permitted height of a fence in a rear yard should not exceed 2.0 metres in height. The proposed portion of fence is 13.72 metres in length and varies in height from 2.66 metres to 2.81 metres high. The City of Toronto Municipal Code Chapter 447, Fences, provides that a fence including posts in a rear yard can be constructed to a maximum height of 2.0 metres.

The stated purpose for maintaining the fence is for the purpose of privacy and to compliment landscaping.

ISSUE BACKGROUND

The Municipal Licensing and Standards Division received an application for an exemption from Toronto Municipal Code Chapter 447- Fences, in regards to the installation of a wood fence which exceeds the maximum allowable height.

COMMENTS

The Council of the City of Toronto enacted the amalgamated by-law No. 472-2000 on July 6, 2000, to prescribe the height and description of fences on private property. This By-law and the amendments are now found in the Toronto Municipal Code, Chapter 447 – Fences. There should be no climable features or aspects of the fence due to the pool at the adjacent property.
CONTACT

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SIGNATURE

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Kimberley Kilburn, Acting District Manager,
Municipal Licensing and Standards
Toronto and East York District

ATTACHMENTS
Attachment 1: Photograph of Design of Fence Section