STAFF REPORT
ACTION REQUIRED

Fence Exemption Request
62 Glenforest Road

<table>
<thead>
<tr>
<th>Date:</th>
<th>December 10, 2010</th>
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<td>To:</td>
<td>North York Community Council</td>
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<tr>
<td>From:</td>
<td>District Manager, Municipal Licensing and Standards, North York District</td>
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<td>Wards:</td>
<td>Ward 25 – Don Valley West</td>
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<tr>
<td>Reference Number:</td>
<td>IBMS No. 10-258695</td>
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SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision, provided that it is not amended so that it varies with City policy or by-laws. The subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the rear yard which is in violation of the By-law.

RECOMMENDATIONS

Municipal Licensing and Standards, North York District, recommends that:

1. The North York Community Council refuse the exemption from Chapter 447 – Fences, for the property at 62 Glenforest Road.

FINANCIAL IMPACT

There is no financial impact anticipated in this report

DECISION HISTORY

The owner(s) rear yard fence and an accessory structure that is attached to part of the west section of that fence were the subject of a public complaint made in July 2010. As a result of the investigation the owner(s) was issued a notice of violation for the fence and subsequent to that a fence exemption request was received. The owner was also issued a
notice of violation for the accessory structure being located within the required setback. The zoning issue remains under active enforcement.

ISSUE BACKGROUND

This is a single family semi-detached home located in the former City of Toronto.

The maximum height for a fence in the rear yard is 2 metres. Further a fence when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence shall not exceed the height of 2 metres pursuant to Section 447-2.B. Chapter 447, Fences, of the Toronto Municipal Code.

The owner(s) existing fencing is board on board construction with a decorative horizontal board section on top of the fence (Attachment 1). On the west section of the fence next to 60 Glenforest Road an accessory structure has been built that is congruent with the fence and the property line. Below that accessory structure decking has been built raising the grade level. The accessory structure is located on, or adjacent to the property line. The height of the fence and the accessory structure together is approximately 4 metres. The fence sections around the perimeter of the rear yard and in the side yard between No. 60 and 62 range in height up to 2.55 metres. The majority of those sections exceed 2 metres (Attachments 2 through 17).

COMMENTS

The owner(s) state that they wish to maintain this fence for reasons of safety, privacy and aesthetics.

Should the recommendation not be accepted and the request approved, the conditions of approval should include that when the fence is replaced it should be constructed in compliance with Chapter 447 or its successor by-law.

CONTACT

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SIGNATURE

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Bryan Byng, District Manager
Municipal Licensing and Standards
North York District
ATTACHMENTS

1. Site Plan – Fence measurements referencing Attachments
2. Photo of the front of 60 and 62 Glenforest Road
3. Photo of walkway between 60 and 62 Glenforest Road
4. Photo of walkway between 60 and 62 Glenforest Road with gate open to No. 60
5. Photo of west side of the rear yard 62 Glenforest Road
6. Photo of west side of the rear yard 62 Glenforest Road
7. Photo under accessory structure west side of rear yard 62 Glenforest Road
8. Photo of parking area at rear of 62 Glenforest Road
9. Photo of parking area at rear of 62 Glenforest Road
10. Photo of the east side of the rear yard 62 Glenforest Road
11. Photo of the east side of the rear yard 62 Glenforest Road
12. Photo of the east side of the rear yard 62 Glenforest Road
13. Photo facing south of the rear yard of 64 Glenforest Road
14. Photo facing south of the rear yard of 64 Glenforest Road
15. Photo facing north of the rear yard of 60 Glenforest Road
16. Photo facing east of the rear yard of 60 Glenforest Road
17. Photo facing south of the rear yard of 60 Glenforest Road