



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 28 Playter Crescent

Date:	October 5, 2015
To:	Toronto and East York Community Council
From:	Municipal Licensing and Standards Division, Toronto and East York District
Wards:	Ward 29 – Toronto Danforth
Reference Number:	IBMS No. 15 164453 FEN 00 IR

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 28 Playter Crescent to be exempted from Chapter 447 – Fences, Section 447-2(B), to permit the existing fence to on the west side of the rear yard to remain above the height provisions of the By-Law. The purpose of the existing fence is to allow for privacy and light buffering. The Fence By-Law provides that this fence be constructed to a maximum height of 2.0 metres.

The existing fence on the west side of the property at 28 Playter Crescent was installed in sections. Two sections exceeded the height requirement. Section 1: 2.4 metres in height and Section 2: 2.74 metres in height. All other section meet the 2.0 metre height requirement.

RECOMMENDATIONS

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

1. Not grant the fence exemption for 28 Playter Crescent, direct that a Notice be given in this Article.
2. Grant the fence exemption for 28 Playter Crescent with the provision that if it is to be replaced it must be rebuilt to conform to the current Bylaw requirements.

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 2(B), provides for the maximum of 2.0 metres under the provisions of the By-Law.

ISSUE BACKGROUND

The Municipal Licensing and Standards Division received a complaint regarding a fence being constructed that exceeded the height for a rear and side yard fence. An investigation was conducted and subsequently the property owner submitted an application for exemption from the Fence By-law to allow the existing brick and stone constructed fence to exceed the provisions of the height requirements. The applicant has cited privacy and light buffering reasons as this is a corner lot.

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.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1-3: Photos
Attachment 4: IView Layout

