Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 80 Dixon Avenue

Date: November 6, 2015

To: Toronto and East York Community Council

From: Municipal Licensing and Standards Division, Toronto and East York District

Wards: Ward 32 Beaches-East York

Reference Number: IBMS No. 15 184175 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 to be exempted from Chapter 447 – Fences, Section 447-2(B), to permit the existing fence to on the west and north side of the rear yard to remain above the height provisions of the By-Law. The Fence By-Law provides that this fence be constructed to a maximum height of 2.0 metres.

The existing wood and lattice fence measures in Sections, Section 1 (attachment 1) on north side measures approximately (10' 11"), 3.08 metres in height. Section 2 (attachment 2) on the west side is approximately (7'.5"), 2.28 metres in height. These sections of fence heights exceed the provisions of the By-Law.

RECOMMENDATIONS

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

1. Not grant the fence exemption for 80 Dixon Avenue, confirm the Notice and direct that a second Notice be given in this Article.

Or

2. Grant the fence exemption to 80 Dixon Avenue 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.

**ISSUE BACKGROUND**

The Municipal Licensing and Standards Division received a complaint regarding the height of a rear yard fence and a Notice of Violation was issued. Subsequently an application for exemption from the Fence By-law, to allow the existing wood and lattice fence to exceed the provisions of the height requirements citing privacy and safety for the reason.

**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