Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 76 Hiltz Avenue

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<th>Date:</th>
<th>December 01, 2015</th>
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<td>To:</td>
<td>Toronto and 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 30 – Toronto-Danforth</td>
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<td>Reference Number:</td>
<td>IBMS No. 15 237653 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 76 Hiltz Avenue to be exempted from Chapter 447 – Fences, Section 447-2(B), to permit the existing rear side yard fence to remain above the height provisions of the By-Law. The Fence By-Law provides that this fence be constructed to a height of 2.0 metres in a rear yard.

The existing fence on the north side of the property at 76 Hiltz Avenue is measured at approximately 2.33 metres (7' 7"). See attachment 1, 2 & 3. All other fences on the property are in compliance.

**RECOMMENDATIONS**

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

1. Not grant the fence exemption for 76 Hiltz Avenue, confirm the Notice and direct that a second Notice be given in this Article.
   
   Or

2. Grant the fence exemption to 76 Hiltz 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 an application for exemption from the Fence By-law to allow the existing wood constructed fence to exceed the provisions of the height requirements. The applicant has cited privacy and security 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

Scott Sullivan, District Manager,
Municipal Licensing and Standards
Toronto and East and York District

ATTACHMENTS
Attachments 1-3: Photos
Attachment 4: IView