

Application for Fence Exemption 79 Martin Ross Avenue

Date: August 2, 2017

To: North York Community Council

From: Elena Sangiuliano, North York District Manager, Municipal Licensing and Standards

Wards: 8- York West

SUMMARY

This staff report concerns a matter for which the North York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to advise Community Council concerning an application by the property owner for a site-specific Fence Exemption, pursuant to Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Community Council's permission to erect a sheet metal fence which exceeds the permitted height.

RECOMMENDATIONS

The North York District Manager recommends that the North York Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 79 Martin Ross Ave for the proposed corrugated metal fence in lieu of complying with the requirements for height and material stipulated in City of Toronto Municipal Code Chapter 447.

OR

2. Grant the application for a fence height/ material exemption, without conditions, thereby allowing the fence to be maintained, as constructed and permit the metal sheet fence at the flankage yard, as proposed. Direct and require that the installation be maintained in good repair without alteration. Direct and require that at such time as replacement of the fence enclosure is required that such installation will comply with Municipal Code Chapter 447, or its successor by-law.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

ML&S received a complaint in regards to a fence that was in disrepair and using chicken wire to extend height. A subsequent inspection on May 10th 2017 showed that the fence was in violation and therefore a notice of violation was issued. On July 17th 2017, the owner applied for a fence exemption requesting an exemption regarding height and material to be used.

COMMENTS

The subject property, 79 Martin Ross Ave. is located in Ward 08. It is composed of a large industrial building zoned as a Employment Heavy Industrial Zone EH zone. (Attachment 1 and 2)

Municipal Licensing Standards' review of the proposed fence has determined that it does not comply with Toronto Municipal Code, Chapter 447- Fences, as detailed in the following chart:

GENERAL LOCATION	SPECIFIC LOCATION	DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
East side of property adjacent to 77 Martin Ross Ave	Adjacent to East lot lines; flankage yard (Attachment3)	Proposed fence height above permitted height namely owner is requesting 2.4 metres in height	Section 447-2 B(1) Fence in flankage yard within 2.4 meters of side lot line and within 2.4 metres of any driveway. Maximum height 2.0 metres Fence in flankage yard within 2.4 meters of side lot line and within 2.4 metres of any driveway Maximum height 2.0 metres

<p>East side of property adjacent to 77 Martin Ross Ave</p>	<p>Adjacent to East lot lines; flankage/ gate and rear yard (Attachment 4&5)</p>	<p>Fence material namely sheet metal</p>	<p>Section 447-2 B(3) No sheet metal or corrugated metal panels shall be used in any fence</p>
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CONTACT

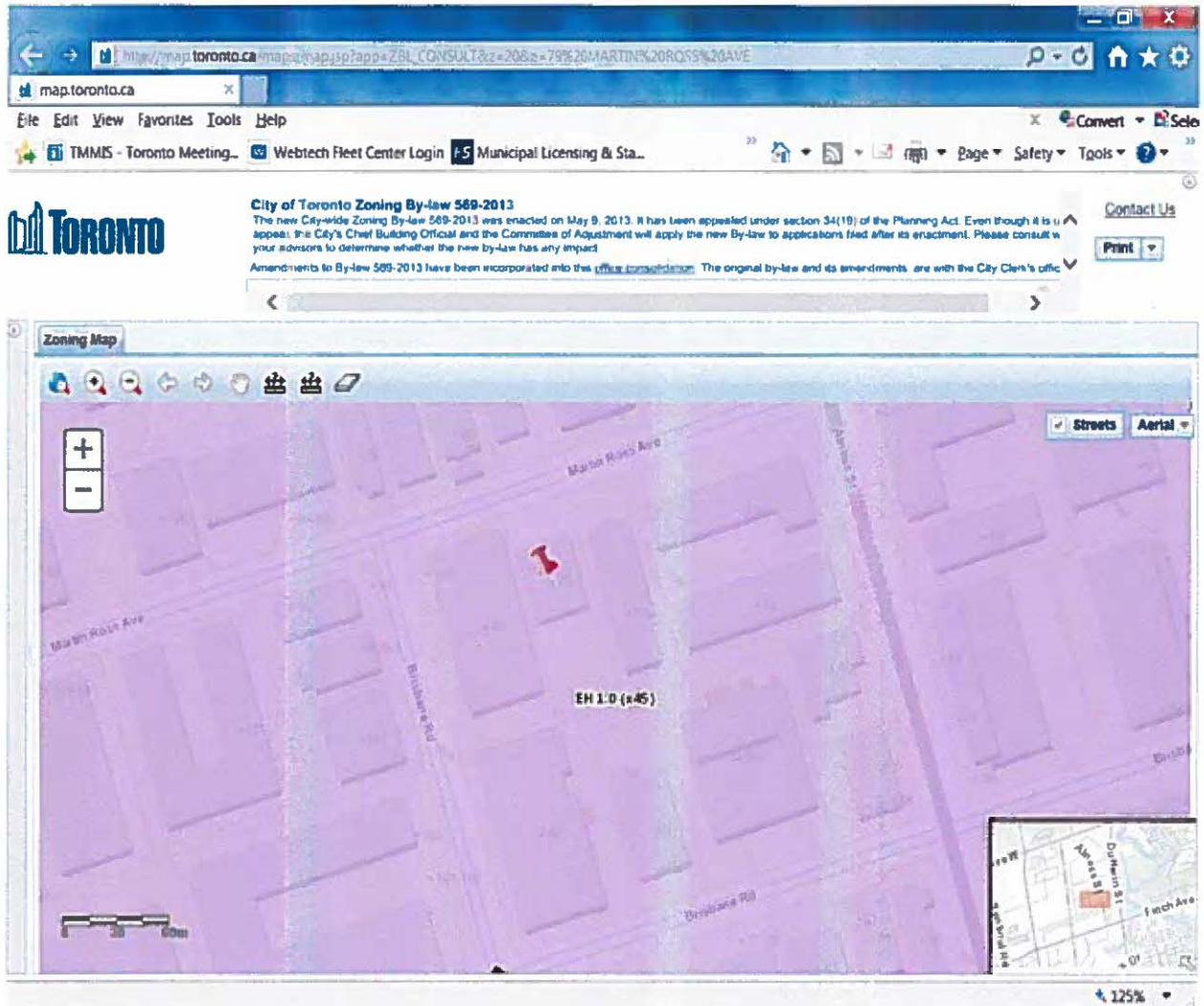
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SIGNATURE

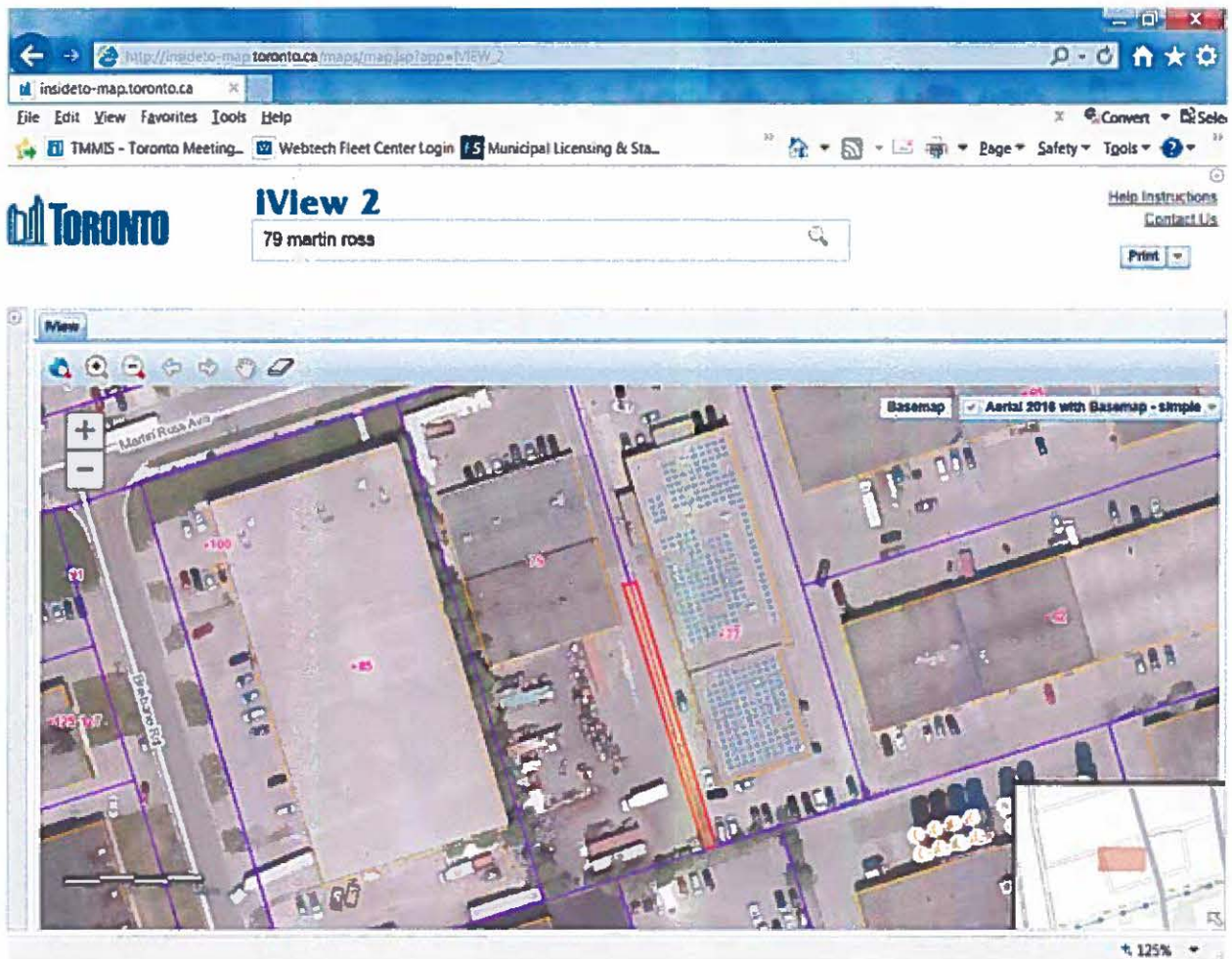
Elena Sangiuliano, North District Manager
Municipal Licensing & Standards Division

ATTACHMENTS

- Attachment #1- Over head view of property and zoning
- Attachment #2- Over head view of property depicting approximate location of proposed fence
- Attachment #3- View of gate at premise
- Attachment #4- View of existing fence depicting length and height
- Attachment #5- View from adjacent property



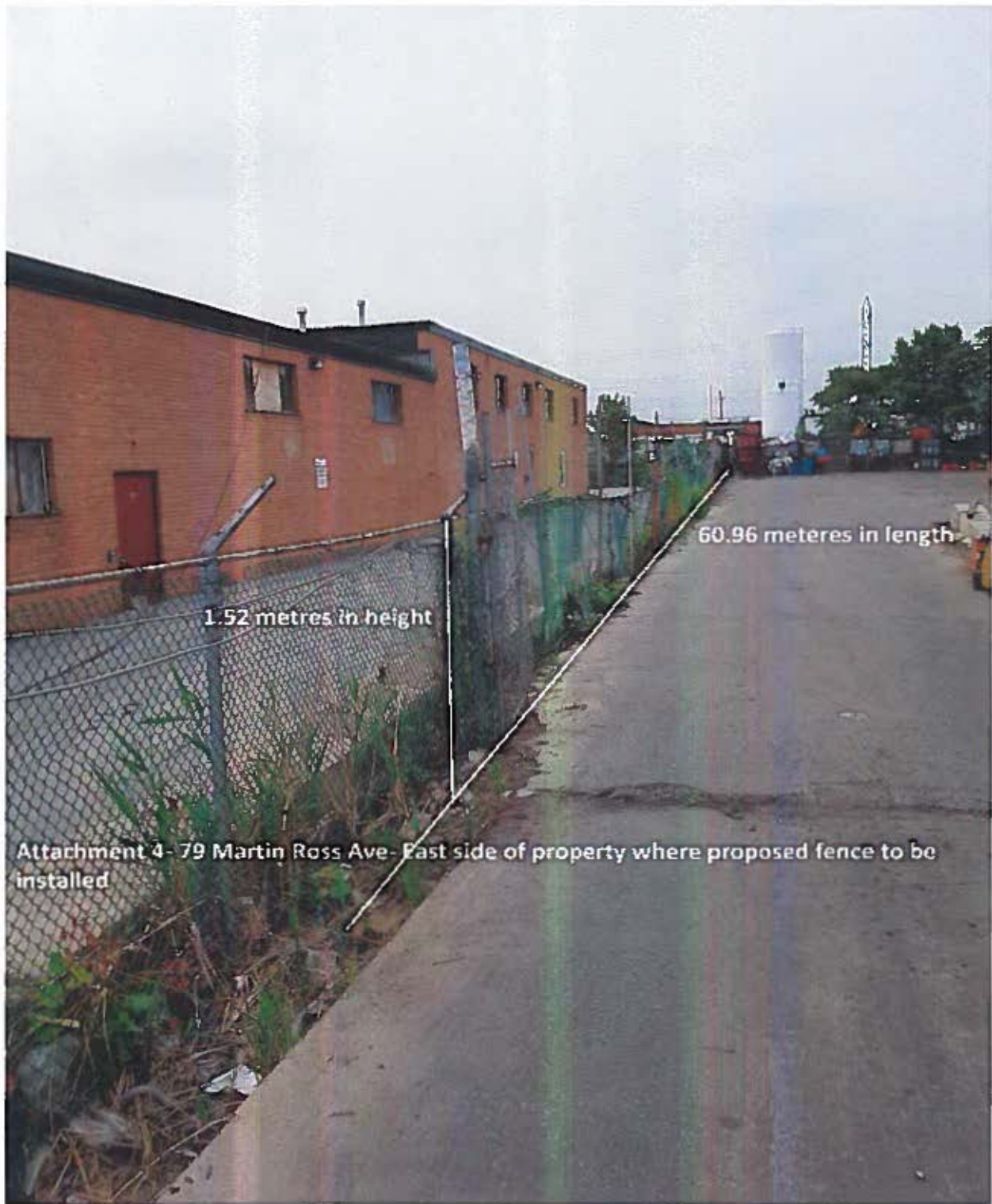
Attachment 1- 79 Martin Ross Ave- Overhead view of zoning map



Attachment 2- 79 Martin Ross Ave- Overhead views of property and surrounding area

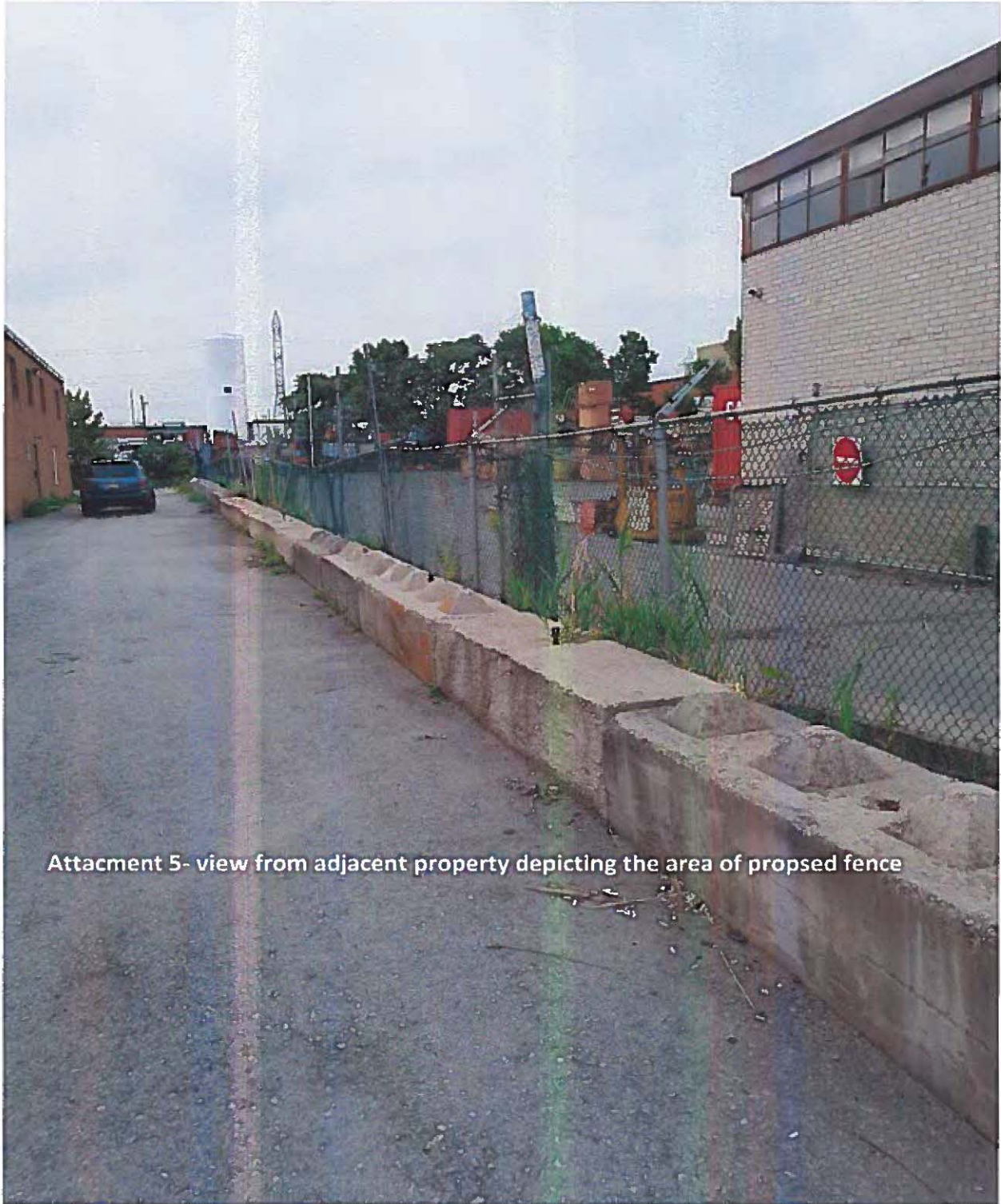


Attachment 3- 79 Martin Ross Ave- View of gate at East side of property



Attachment 4 - 79 Martin Ross Ave - East side of property where proposed fence to be installed

Attachment #4- 79 Martin Ross Ave - East side of property where proposed fence to be installed



Attacment 5- view from adjacent property depicting the area of prosed fence

Attachment #5- View from adjacent property depicting the area of proposed fence