

**Fence Exemption Request
106 Gaydon Avenue**

Date:	October 14, 2011
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 7 – York West
Reference Number:	ML&S Folder Number 11 117918 FEN

SUMMARY

This report is in regard to an application for a fence exemption to the Toronto Municipal Code, Chapter 447 - Fences at 106 Gaydon Avenue whereby the property owner is applying to maintain existing fencing in the side and rear yards that are in violation of the Fence By-law, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that:

1. Etobicoke York Community Council refuse the request from the owners at 106 Gaydon Avenue for the fence exemption based on non-compliance with Chapter 447, Toronto Municipal Code, Fences.

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

This is a single family semi-detached residential property located in the Weston Road and Wilson Avenue area of the subject Ward (Attachment #1). The Municipal Licensing and Standards Division has received an application from the property owner seeking relief for

the side and rear yard fences on the subject property that exceed the permitted height found in the Fence By-law, Chapter 447.

The property owner is seeking relief for the existing west and east and elevation fences at the two side yards and rear yard, respectively, which exceeds the 2.0 metre height restriction. The existing west elevation fence height ranges from a low of 1.80 metres in height to approximately 2.64 metres in height at the highest point. The existing east elevation fence height ranges from a low of 1.80 metres in height to approximately 2.15 metres in height at the highest point. The subject property fencing is a privacy screen from the seven other properties that border with 106 Gaydon Avenue.

COMMENTS

The Municipal Licensing and Standards Division received a formal complaint on December 31, 2010 about the height of the fences on the subject property. The investigations by staff confirmed that the side and rear yard fences exceed the permitted height and a Notice of Violation dated January 5, 2011 was issued and remains outstanding pending the outcome of this exemption application request.

Fences, in the rear yards are limited to 2.0 metres in height, pursuant to Section 447-2.B, Toronto Municipal Code, Chapter 447. The owner requests to maintain the existing fences on the subject property, which are board on board (some complete with lattice-work on top) on the grounds they provide privacy, a barrier from all the neighbouring properties and their various site conditions, and the fact that the existing fences provide a homogeneous appearance on their property (Attachments 2, 3 and 4).

CONTACT

Italo Joe Luzi, Etobicoke York District Supervisor
Municipal Licensing and Standards
Tel: 416-394-8575 Fax: 416-394-2904
E-mail: jluzi@toronto.ca

SIGNATURE

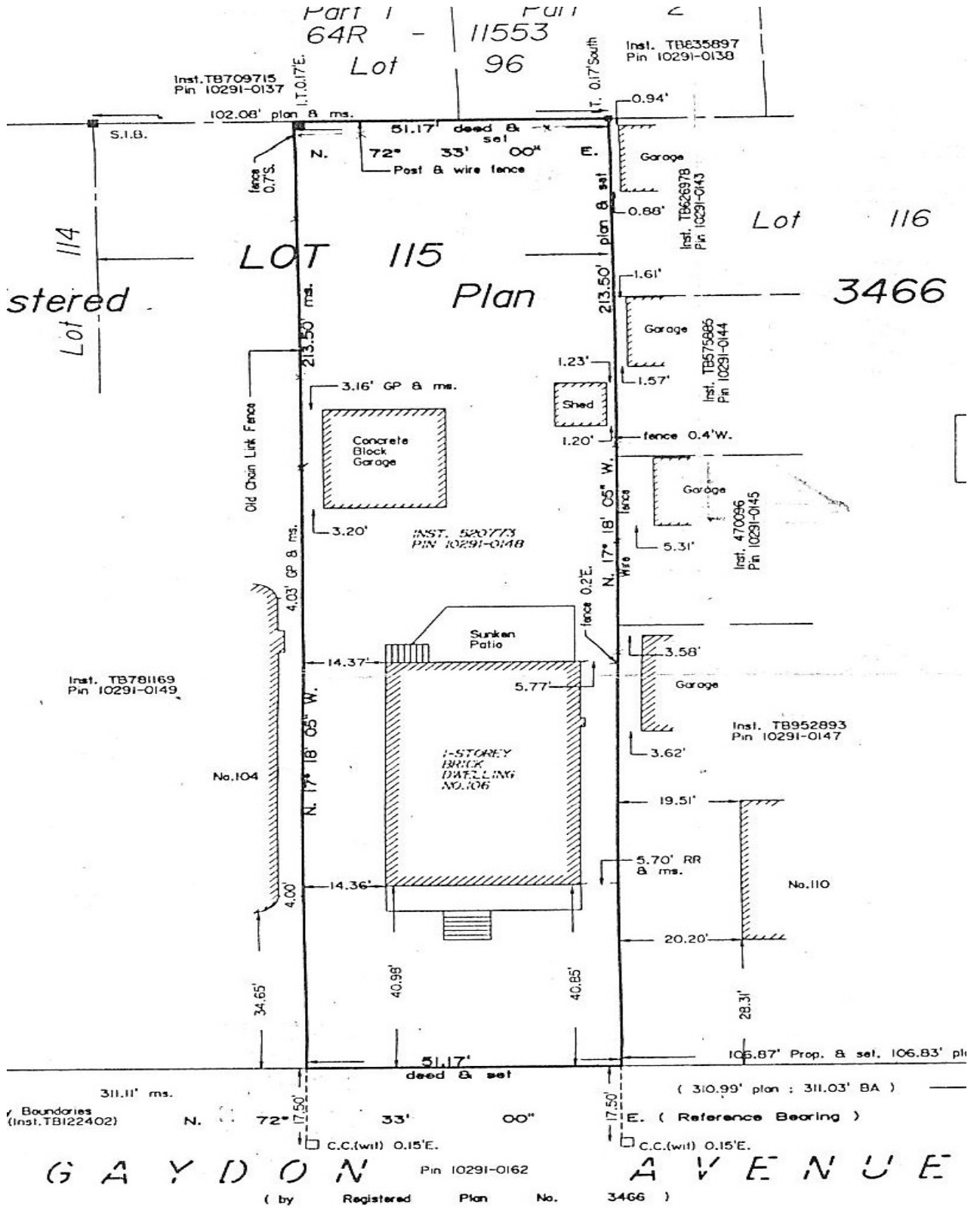
Curtis Sealock, District Manager
Municipal Licensing and Standards

ATTACHMENTS

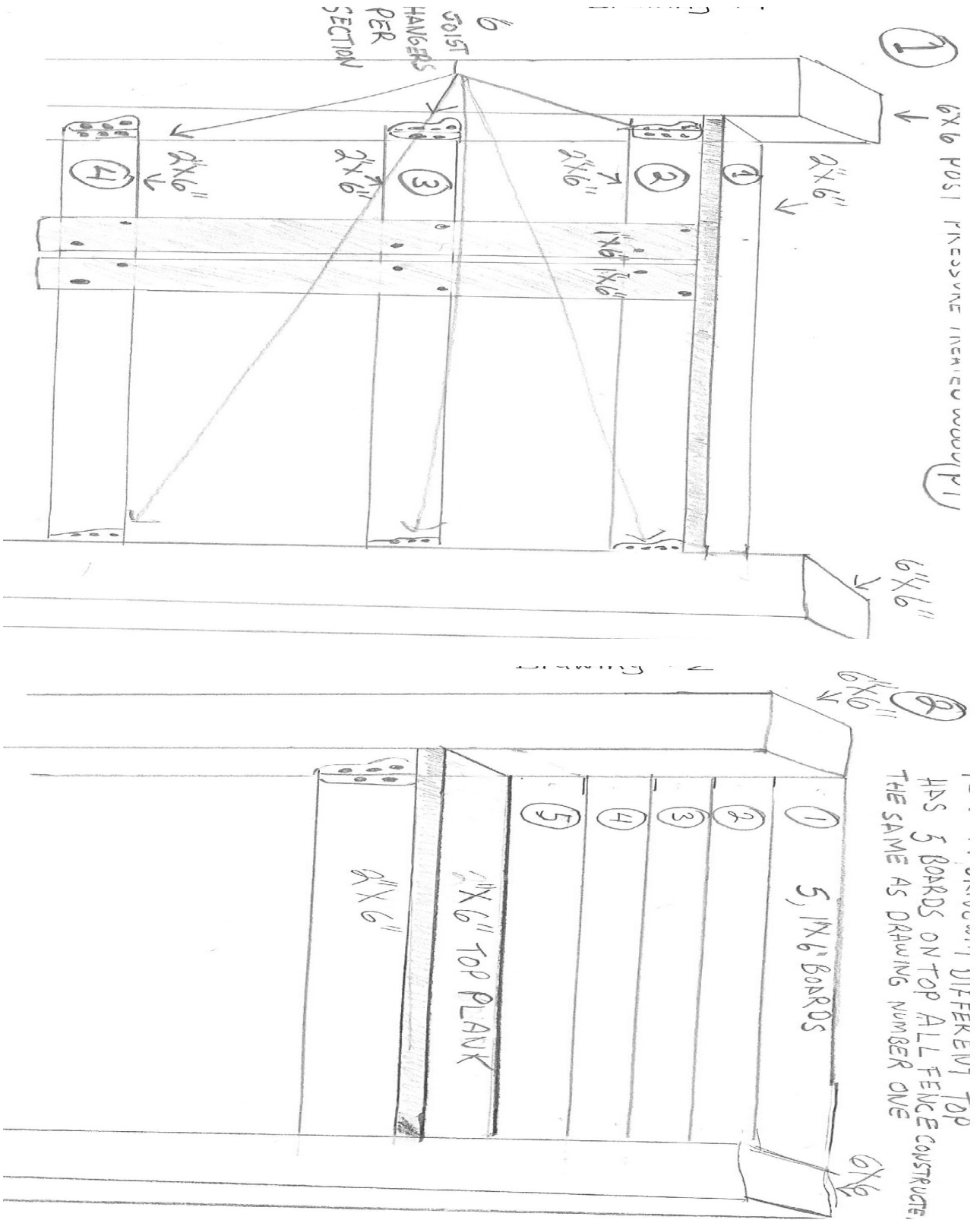
Attachment 1 – Ward 7 Site/Aerial Map
Attachment 2 – Survey of 106 Gaydon Avenue
Attachment 3 – Fence Construction Details
Attachment 4 – Photos of 106 Gaydon Avenue Fencing



Attachment # 1 – Ward 7 Site/Aerial Map



Attachment # 2 – Survey of 106 Gaydon Avenue



Attachment # 3 – Fence Construction Details

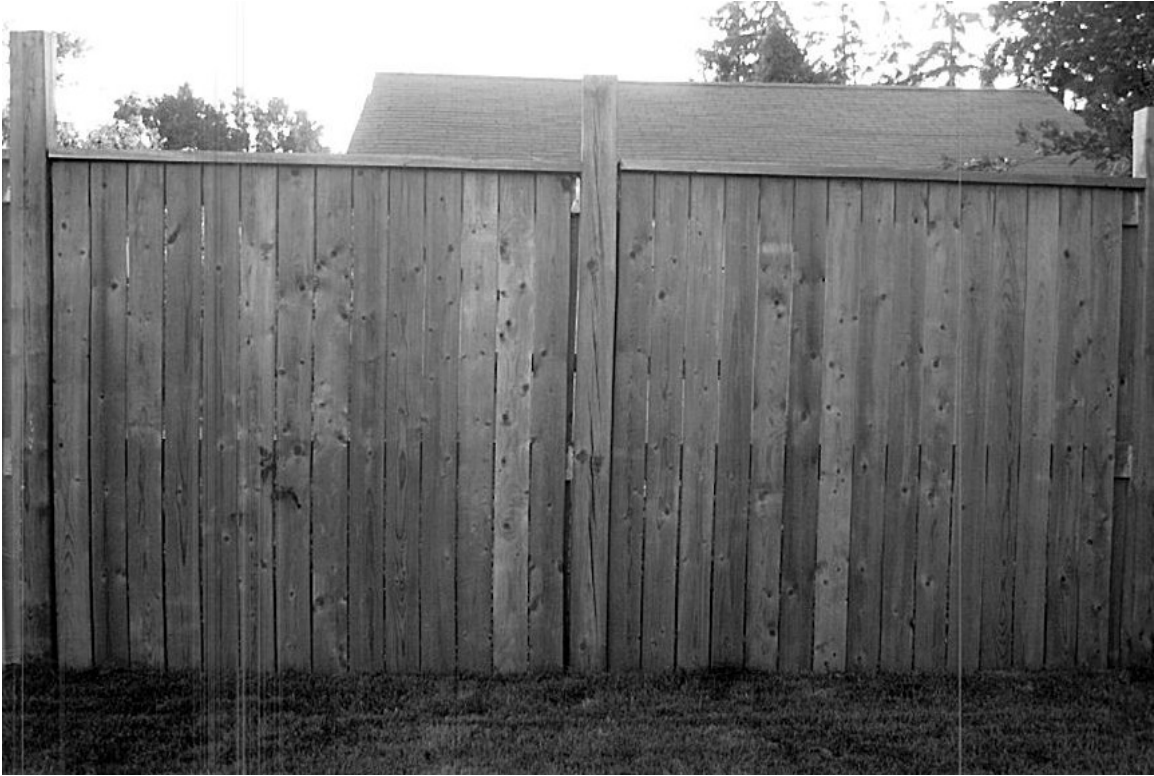


Photo # 1 – 106 Gaydon Avenue – Rear Yard Fence



Photo # 2 – 106 Gaydon Avenue – Side Yard Fence

Attachment # 4 – Photos of 106 Gaydon Avenue Fences