

## **Application for Fence Exemption- 15 Stockbridge Avenue**

**Date:** May 8, 2017  
**To:** Etobicoke York Community Council  
**From:** Kim Kilburn, District Manager Municipal Licensing and Standards  
**Wards:** Ward 5 – Etobicoke-Lakeshore

### **SUMMARY**

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This staff report is in regards to a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to consider an application submitted by the owner of 15 Stockbridge Avenue to maintain the front yard fencing, which does not meet all of the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

### **RECOMMENDATIONS**

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Municipal Licensing and Standards recommends that the Etobicoke York Community Council give consideration to the exemption application and decide to:

1. Refuse to grant the application for an exemption, by the applicant of 15 Stockbridge Avenue, to maintain the existing front yard fence, which does not comply with the provisions of City of Toronto Municipal Code, Chapter 447, Fences, and direct that a second unappealable Notice of Violation be issued under City of Toronto Municipal Code, Chapter 447, Fences.  
  
or
2. Grant the application for a fence exemption by the applicant of 15 Stockbridge Avenue, without conditions, thereby allowing the front yard fencing, to be maintained, as built. Direct and require that the front yard fencing be maintained in good repair without alteration. Direct and require that at such time as replacement of the front yard fencing is required that such installations will comply with Municipal Code Chapter 447, or its successor by-law.

## **FINANCIAL IMPACT**

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There is no financial impact anticipated in this report.

## **DECISION HISTORY**

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No previous decision history.

## **COMMENTS**

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As a result of the complaint, an inspection was conducted, and it was found that 15 Stockbridge Avenue is a Residential Property which has a single detached all brick dwelling on the property. On the North side of the property located in the front yard is a wooden horizontal board on board fence. The fence in its existing condition does not comply with the provisions of Municipal Code Chapter 447- Fences.

As a result of the Inspection being conducted, Municipal Licensing and Standards Division, Investigation Services received an application for an exemption for 15 Stockbridge Avenue for relief from the Toronto Municipal Code Chapter 447 – Fences, and to allow for the fence to remain in its current state.

The subject fence is in violation of City of Toronto Municipal Code Chapter 447- Fences. The fence is a horizontal wood board fence measuring 1.42m in height, there are no safety concerns relevant to the fence.

LOCATION	ORIENTATION	DEFECT	SECTION
Front Yard	North Side	The existing height of this section of fence is 1.42m in height which exceeds the permitted height of 1.2m for a fence in a front yard not within 2.4m of front lot line.	2B.(1)

However, should Etobicoke York Community Council decide to grant the owner the exemption, the owner will be subject to the conditions for compliance as set out in Recommendation 2.

## **CONTACT**

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## **SIGNATURE**

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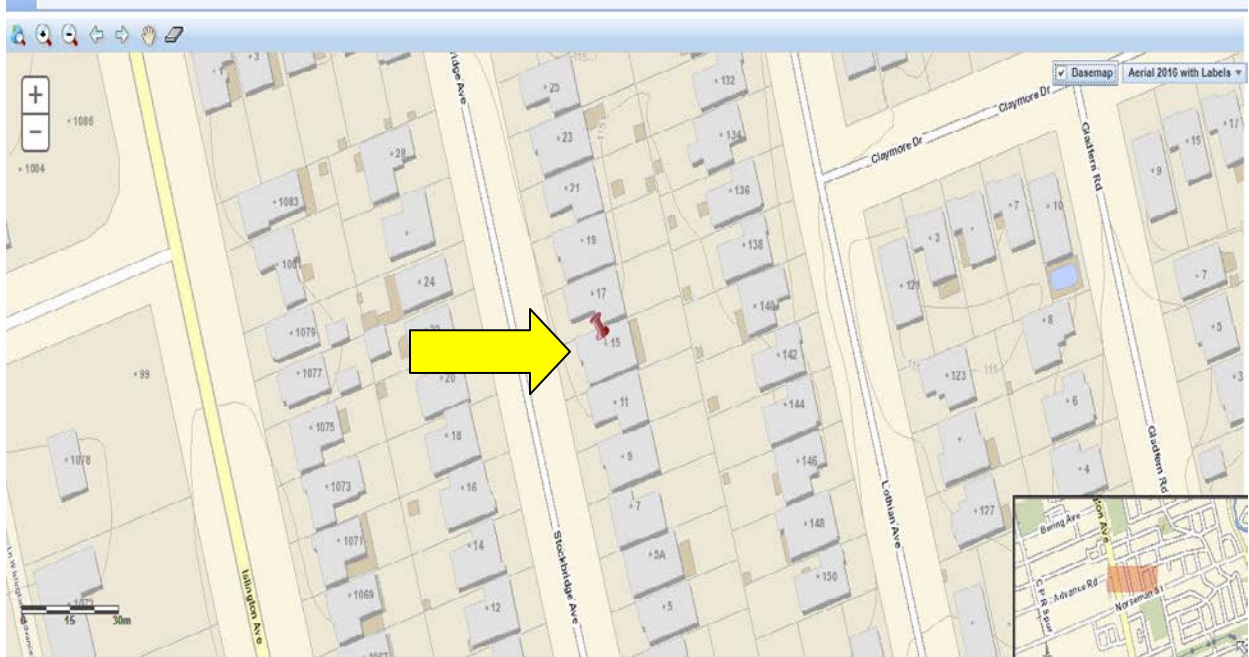
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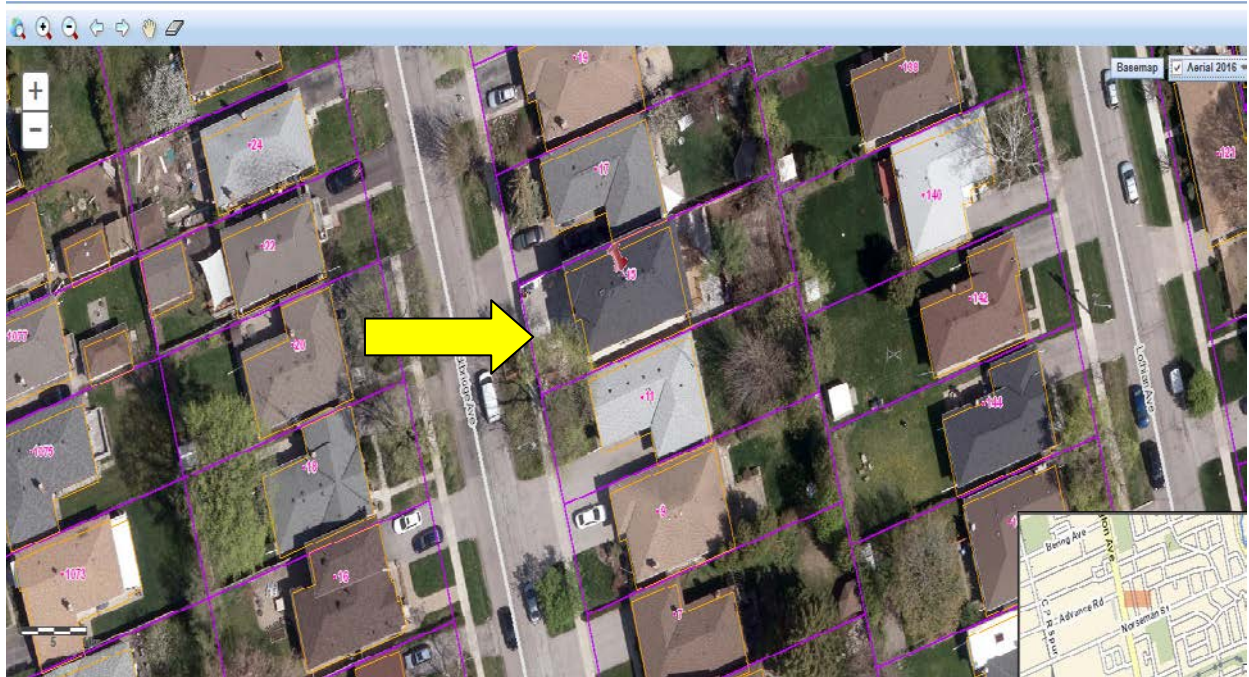
## **ATTACHMENTS**

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- Attachment 1: Aerial Map of 15 Stockbridge Avenue
- Attachment 2: Ariel Photo of 15 Stockbridge Avenue
- Attachment 3: Fence as seen facing North from 15 Stockbridge Avenue.
- Attachment 4: Fence as seen from Stockbridge Avenue with neighbouring property.



Attachment 1: Aerial Map of 15 Stockbridge Avenue



Attachment 2: Ariel Photo of 15 Stockbridge Avenue

Staff Report for action on Fence Exemption –15 Stockbridge Avenue



Attachment 3: Fence as seen facing North from 15 Stockbridge Avenue.



Attachment 4: Fence as seen from Stockbridge Avenue with neighbouring property.