

## **Application for Fence Exemption 27 Lantos Court**

**Date:** May 04, 2017  
**To:** North York Community Council  
**From:** Peter Hardisty, District Manager Municipal Licensing and Standards  
**Wards:** Ward 9 York Centre

### **SUMMARY**

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This staff report is in regards to 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 consider an application submitted by the property owner of 27 Lantos Court to maintain an existing corrugated metal fence in the rear yard. The corrugated metal fence does not meet the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

### **RECOMMENDATIONS**

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

1. Refuse the application for an exemption submitted by the property owner of 27 Lantos Court, to maintain an existing corrugated metal fence in the rear yard, which does not comply with 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 exemption to permit the existing corrugated metal fence in the rear yard to be maintained in the same condition without alteration. At such time as replacement of the fence, it is required that the replacement fence will comply with Municipal Code Chapter 447, or its successor by-law.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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An application for a fence exemption was submitted by the property owner. The corrugated metal fence is located in the rear yard. Accordingly, all required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office of the date that the application for exemption will be considered by North York Community Council. (Attachment 1)

## **COMMENTS**

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As a result of a complaint, an inspection was conducted, and it was determined that the subject property's corrugated metal fence in the rear yard does not comply with the provisions of Toronto Municipal Code Chapter 447- Fences.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Rear Yard	West side of Property	Sheet Metal or corrugated metal is a non- permitted material for fences.	2A.(3)

As a result of these findings of non-compliance, a Notice of Violation was issued to the property owner. In response to the Notice, the property owner submitted an application for a Fence Exemption.

The Fence Exemption application was submitted by the owner of 27 Lantos Court on the grounds that the fence will provide the privacy and security. There are no health and safety issues with the fence that would cause concern for public safety.

However, should North 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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**ATTACHMENTS:**

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1. View of properties adjacent to 27 Lantos Court
2. Fence on West Side of Property
3. Fence on the West Side of the Property.

1. View of properties adjacent to 27 Lantos Court



Attachment 2: Fence on West Side of Property



Attachment 3: Fence on the West Side of the Property.

