

## **Application for Fence Exemption 416 Cranbrooke Avenue**

**Date:** May 17, 2017  
**To:** North York Community Council  
**From:** Peter Hardisty, District Manager Municipal Licensing and Standards  
**Wards:** Ward 16 - Eglinton -Lawrence

### **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 owner of 416 Cranbrooke Avenue to maintain an existing horizontal board on board fence in the rear yard. The existing horizontal board on board 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 owner of 416 Cranbrooke Avenue, to maintain an existing horizontal board on board 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 horizontal board on board fence in the rear yard to be maintained in the same condition without alteration. At such time as replacement of the fence 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 based on the By-law violation with the existing horizontal board on board fence 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 an application for a pool enclosure permit, an inspection was conducted, and it was determined that the subject property's existing horizontal board on board 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	East side of side of property	Horizontal board on board fence is a non-permitted construction design for fences.	3.A

The Fence Exemption application was submitted by the owner of 416 Cranbrooke Avenue on the grounds that the fence will provide the privacy, security and is aesthetically pleasing. 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:

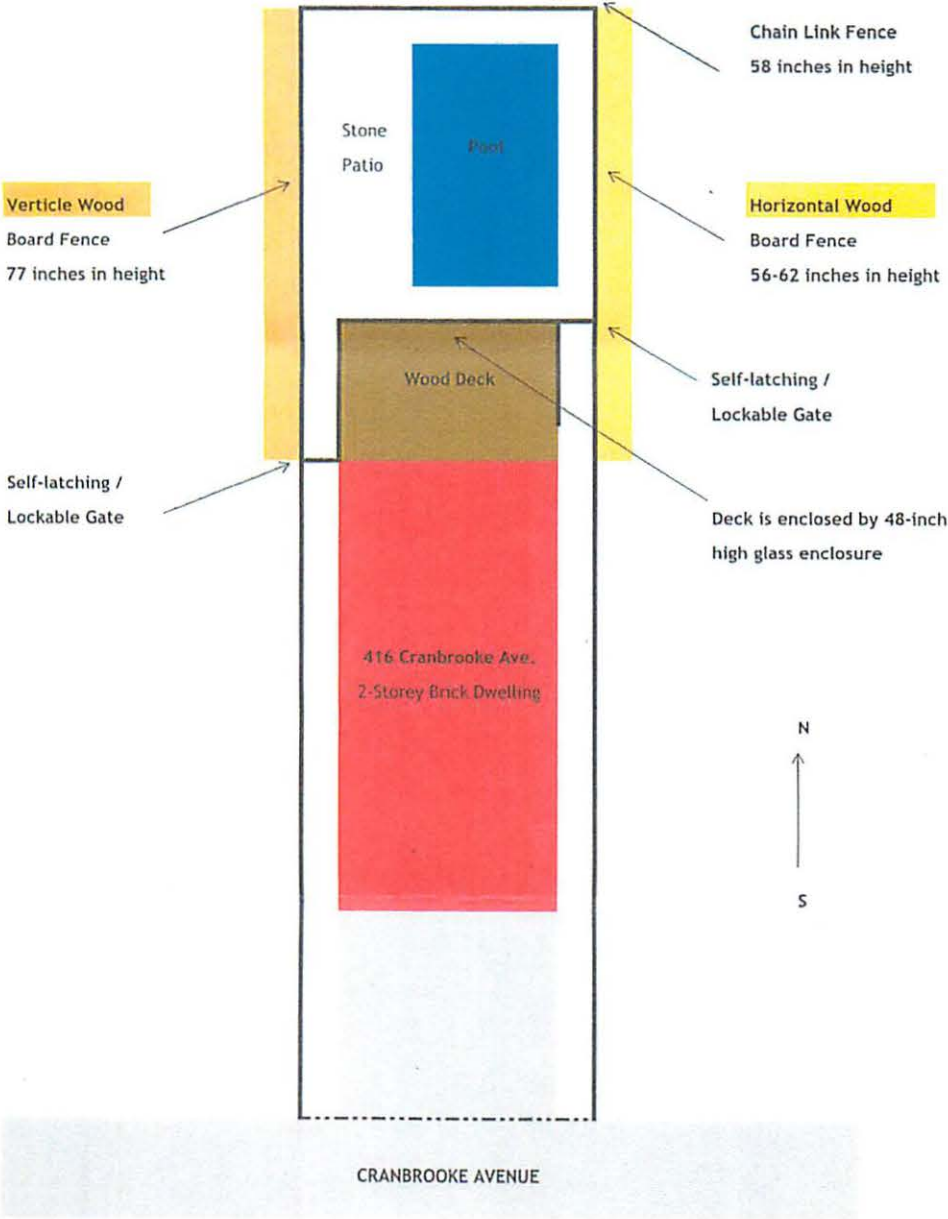
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1. View of properties adjacent to 416 Cranbrooke Avenue
2. Site plan of rear yard swimming pool enclosure.
3. View from East Side of Property.
4. View of West side of property
5. View of entry into swimming pool area.
6. View of Deck.
7. View of east side of pool enclosure
8. View West Side of pool enclosure



Attachment 2: Site plan of rear yard swimming pool enclosure

Section B - Drawing



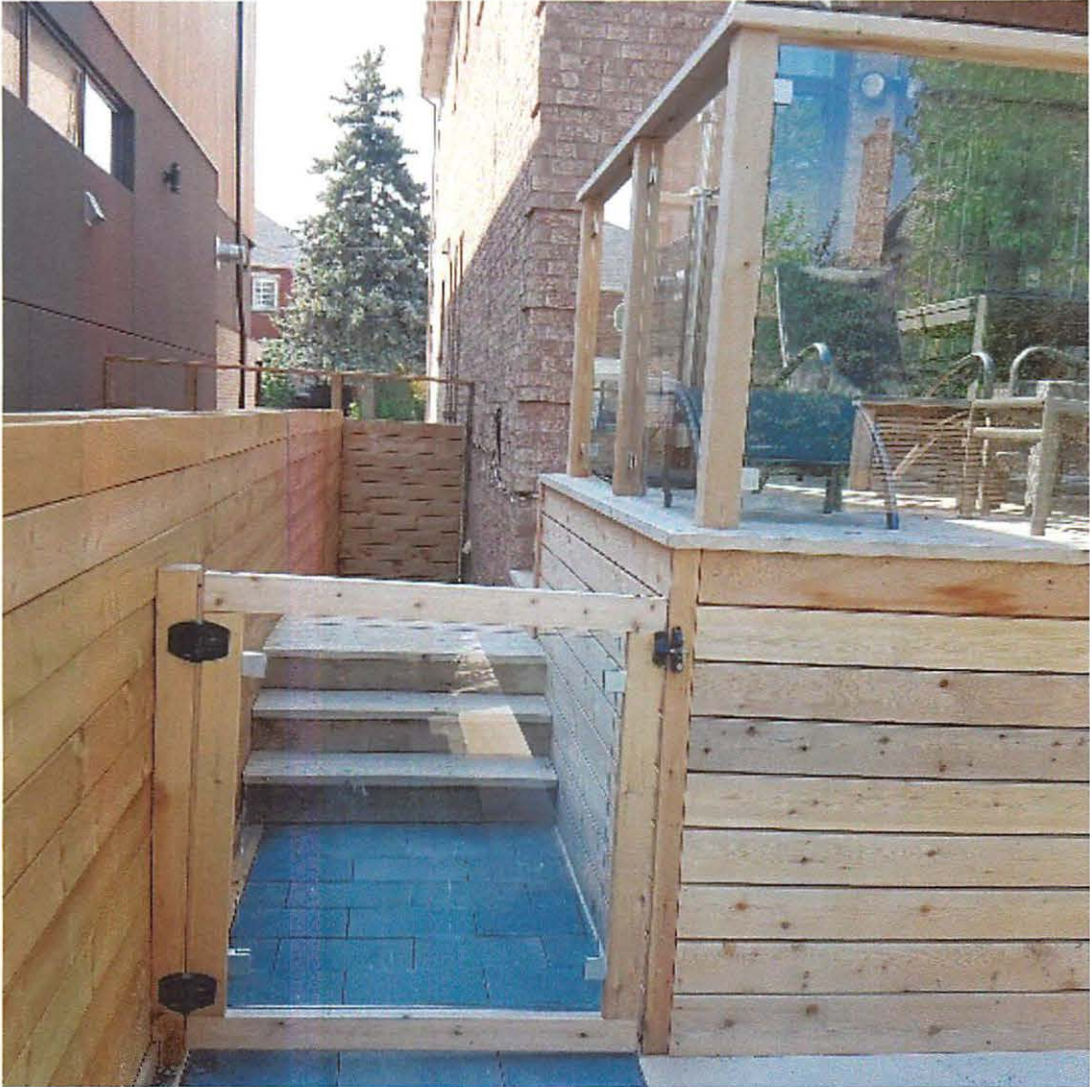
Attachment 3: View from East Side of Property.



Attachment 4: View from West side of property.



Attachment 5: View of entry into swimming pool area.



Attachment 6: View of Deck.



Attachment 7: View of east side of pool enclosure



Attachment 8: View West Side of pool enclosure.

