

## **Request for a Fence Exemption - 29 Dane Avenue**

**Date:** December 1, 2016

**To:** North York Community Council

**From:** Patrick Burke, North York District Manager, Municipal Licensing and Standards

**Wards:** 15 - Eglinton - Lawrence

### **SUMMARY**

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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 wooden which exceeds the permitted height.

### **RECOMMENDATIONS**

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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 29 Dane Ave for the proposed wooden fences in lieu of complying with the requirements for height stipulated in City of Toronto Municipal Code Chapter 447.

OR

2. Grant the application for a fence height exemption, without conditions, thereby allowing the fence to be maintained, as constructed and permit the wooden fence at the rear 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.

OR

3. Grant the application for a fence exemption permit, subject to any conditions as imposed by the North York Community Council.

## **FINANCIAL IMPACT**

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There is no financial impact anticipated in this report.

## **DECISION HISTORY**

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There is no history for this location.

## **COMMENTS**

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On May 19, 2016, the owner of the said property applied for a fence exemption in respect to height. Chapter 447 2 (B) Table 1 allows the fence to be built at a height of 2.5 m. The owner is proposing to build a fence with a height of 3.04 m

The subject property is a single family dwelling situated just east of Dufferin St and one blocks north of Lawrence Avenue West, in Ward 15 (Attachment # 1/ #2).

Municipal Licensing Standards' review of the fence exemption application 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*
South side of property	Rear Yard on the Property	Proposed wood fence board on board for rear yard distance of 18.74m (Attachment #3)	Section 447-(2)B Table 1 Fence abutting multiple residential property and not in front or flankage yard....2.5 metres....Proposed fence height 3.04 metres ( Attachment#4)

## **CONTACT**

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## **SIGNATURE**

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Pat Burke, North District Manager  
Municipal Licensing & Standards Division

## **ATTACHMENTS**

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Attachment #1- Over head view of property and surrounding area  
Attachment #2- Photo of front of 29 Dane Ave  
Attachment #3- Photo of entire area where fence is proposed  
Attachment #4- Photo of tape measure depicting approximate height of proposed fence

Browser window showing the URL: [http://insideto-map.toronto.ca/maps/map.jsp?app=IVIEW\\_2](http://insideto-map.toronto.ca/maps/map.jsp?app=IVIEW_2)

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Search bar:

Map style selector:  Basemap  Aerial 2015 with Basemap - simple

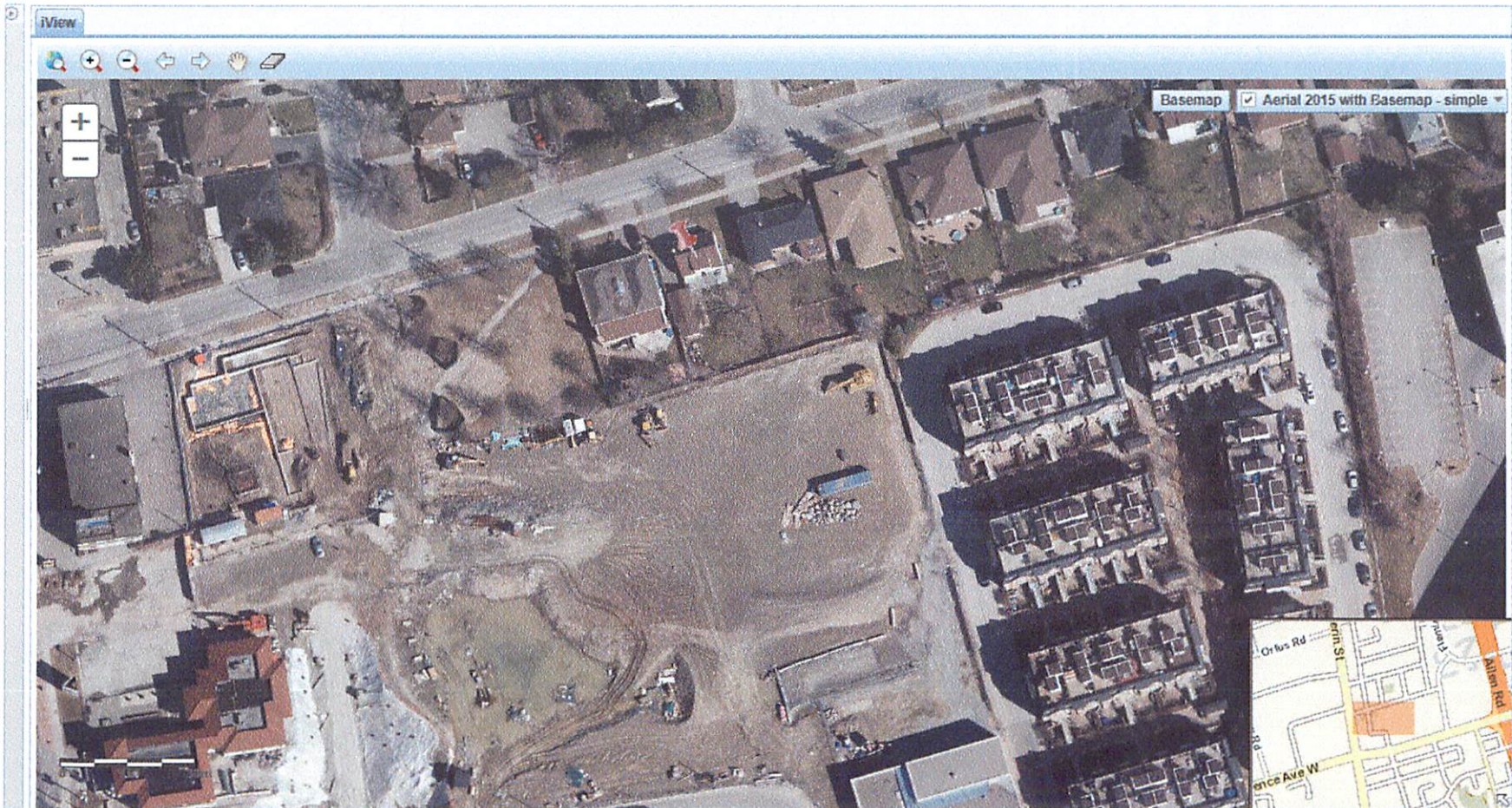


## iView 2

29 dane

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Attachment #1 - over head view of property & surrounding area



Attachment #2 - photo of front of 29 Dane Ave .



Attachment # 3 - Photo of entire area where fence is proposed

Attachment #4 - Photo of tape measure depicting approximate height of proposed fence.

