

Request for a Fence Exemption - 348 Glen Park Avenue

Date: November 20, 2016

To: North York Community Council

From: Pat Burke, North York District Manager, Municipal Licensing & Standards

Wards: Ward 15 - Eglinton - Lawrence

SUMMARY

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 of 348 Glen Park Avenue for a Fence Exemption, pursuant to Section 447-5.C of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Community Council's permission to maintain existing metal/ wrought iron fences at the west side of the property which exceeds the maximum allowable height and the fences also consists of metal or corrugated metal as stipulated in the City of Toronto Municipal Code Chapter 447.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the North York Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 348 Glen Park Avenue, for the metal fence that is presently in violation of the City of Toronto Municipal Code Chapter 447.

OR

2. Grant the application for a fence enclosure exemption, without conditions, thereby allowing the fence to remain at present state. 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.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

We received a complaint on September 7th 2016 in respect to a hazardous fence. A subsequent inspection followed on September 27th 2016 and determined that the fence was in violation in respect to the maximum height and the material used to construct and possible hazard. The owner submitted a fence exemption application on Oct 5th 2016.

COMMENTS

The subject property is a registered as PLAN 1911 LOT 389 and is zoned as RD and is building located at the north east corner of Capitol Ave and Glen Park Avenue. (Attachment 1)

Municipal Licensing Standards' review of the existing fence 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*
West side of property	Flanking Capitol Ave	Fence height ranges from 2.0m to 2.1 m (Attachment 2,,4,5)	447-2 B Table 1- fence in flankage yard not within 2.4 meters of any driveway
West side of property	Flanking Capitol Ave	The fence is wholly fabricated from sheet metal (Attachment 2,3,4,5)	477-2A(3)-No sheet metal or corrugated metal panels shall be used in any fence
West side of property	Flanking Capitol Ave	Top of vertical wrought iron has poles has decorative spike like finish (Attachment 6)	447-2A(2).... sharp material shall be used in any fence unless the fence is permitted by section B to exceed 2.5 metres in height.....

A fence exemption application was submitted October 5th 2016. The exemption is in regards to an existing fence at the south and west portions of the property. The fence(s) exceed the maximum allotted height, the metal material that was fabricated to form the fence and the decorative tops are sharp material.

CONTACT

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SIGNATURE

Pat Burke, North District Manager
Municipal Licensing & Standards Division

ATTACHMENTS

Attachment 1 – Overhead view of property survey. Highlighted area depicts section of existing fence
Attachment 2 – Section of fence at west side of property
Attachment 3 – Section of fence at west side of property
Attachment 4 – Section of fence at west side of property
Attachment 5- Section of fence, interior rear yard
Attachment 6- Close up of wrought iron decorative tops

REG'D

PLAN

3761

97

98

66 00 (NOT TO SCALE)

CAPITOL AVENUE
PLAN BA-592

N73°55'50"E N72°43'50"E

389

390

REGISTERED

PLAN 1911

32' 50" (R.P. 1911)
(32' 82" I.B.A. 592 R. Meas.)

CONC.
BLOCK
FOUNDATION

HIGH
(CONC. CELLAR BELOW)

ONE
LEVEL
BRICK
HOUSE

No
344

PORCH



N16° 27' 40" W

N16° 27' 40" W

50' 00" N73° 30' 00" E

66' 00" N73° 30' 00" E

GLENPARK AVENUE

PLAN OF SURVEY

LOT 389, REGISTERED PLAN 1911

BOROUGH OF NORTH YORK

MUNICIPALITY OF METROPOLITAN TORONTO

1975

SCALE 1 INCH = 20 FEET

E. W. PETZOLD O.L.S.

BEARING NOTE

BEARINGS HEREON ARE ASTRONOMIC, DERIVED FROM THE N16° 27' 40" W OF THE EASTERLY LIMIT OF CAPITOL AVENUE IN ACCORDANCE WITH PLAN BA-592

1" x 1/4" STANDARD IRON BAR SHOWN THUS S.I.B.

5/8" x 5/8" x 2" IRON BAR SHOWN THUS S.I.B.

SURVEYOR'S CERTIFICATE

- 1. I HEREBY CERTIFY
- 2. THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE REGISTRY ACT AND THE REGULATIONS THEREUNDER.
- 3. THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN.
- 4. THAT THE SURVEY WAS COMPLETED ON THE 10th DAY OF OCTOBER 1975.
- 5. THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF THIS SURVEY.

Oct 15, 1975

DATE

E. W. Petzold

E. W. PETZOLD
ONTARIO LAND SURVEYOR

AREA = 6641 SQ FT

e.w. petzold limited

PROFESSIONAL SURVEYORS

242A SHEPPARD AVENUE WEST
WILLOWDALE, ONTARIO

M2N 1N3

416-225-5631

BRANCH OFFICES

104 MAIN STREET NORTH
BRAMPTON, ONTARIO

L6V 1N7

416-451-1842

248 LYNN STREET SOUTH
REDFREW, ONTARIO

R7V 1A3

913-432-5046

PROJECT 75-3960

DRAWN

TRACED Y.M.L.

Attachment #1 - overview of property survey



2.10m

1.99m

3.41m

Section of fence @ well side of property - Attachment #2



Attachment #3 - Section of Fence at West side of property



Attachment #4 - Section of fence @ west side of property



Attachment #5 - Section of fence, interior rear yard



Attachment #6 - close up of wrought iron decorative tops