



REPORT FOR ACTION - AMENDMENT

Application for Fence Exemption – 902 Royal York Road

Date: March 28, 2018
To: Etobicoke York Community Council
From: Joy Correia, Acting District Manager - Municipal Licensing & Standards
Wards: Ward 5 – Etobicoke - Lakeshore

SUMMARY

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 902 Royal York Road to construct a side yard wooden fence on the north side of the property which will not exceed 3.2m. The fence will exceed the permitted height of 2.0m for a side yard fence. The fence does not meet all of the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

RECOMMENDATIONS

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 owner of 902 Royal York Road to construct a 2.0m - 3.2m wooden board on board fence in the side yard, as needed, contrary to the regulations found in the City of Toronto Municipal Code Chapter 447 - Fences.

or
2. Grant the application for a fence exemption by the owner of 902 Royal York Road, without conditions, thereby allowing the side yard fence to be constructed, as requested. Direct and require that the side yard fencing be maintained in good repair without alteration. Direct and require that at such time as replacement of the side yard fence is required, that such installations will comply fully with Municipal Code Chapter 447, or its successor by-law.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

No previous decision history.

COMMENTS

The subject property is a single family residential dwelling situated in the Bloor Street West and Royal York Road neighbourhood of Ward 5. (Attachment 1)

The property owner is seeking relief from the by-law regulations to construct a wooden side yard fence at the north elevation that will exceed the permitted height of a side yard fence of 2.0m, contrary to Section 447-2B of Chapter 447 of the Toronto Municipal Code.

Municipal Licensing & Standards received an application for a fence exemption on December 4th/2017. The applicant is requesting the fence height as a result of a security camera on a neighbouring property which the applicant alleges is pointed directly at his bedroom window. The applicant also advises that he frequently finds strange people in his yard and looking into his windows. As a result of these occurrences, the property owner has spoken with Toronto Police Service who suggested the fence construction.

As required by Section 447-5(C), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for Etobicoke York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that the Etobicoke York Community Council will consider the application.

Municipal Licensing Standards' review of the proposed rear yard fence installation has determined that it will not comply with Toronto Municipal Code, Chapter 447- Fences.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Side Yard/North Elevation	North Elevation, abutting 904 Royal York Road respectively.	The proposed rear yard fence exceeds the permitted height for a rear yard fence of 2.0m	Section 447-2B

CONTACT

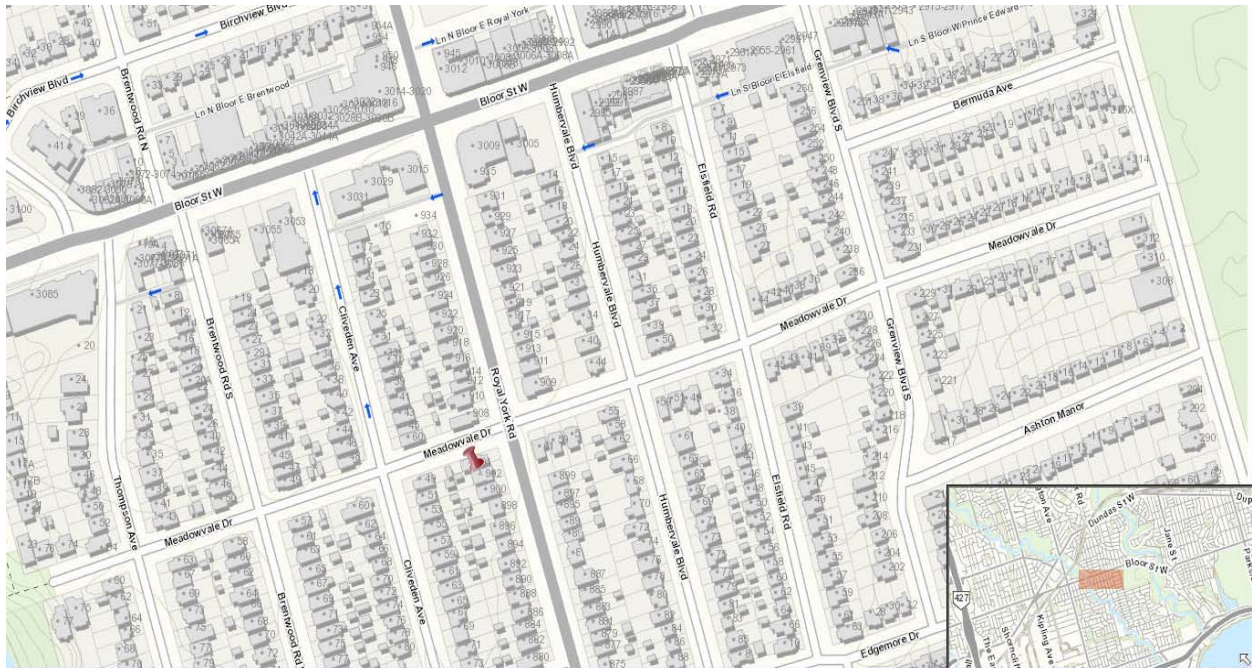
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SIGNATURE

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ATTACHMENTS

Attachment 1: Neighbourhood Map identifying 902 Royal York Road
Attachment 2: 902 Royal York Road – as seen from the street.
Attachment 3: Rear Yard of 902 Royal York Road looking north towards 904 Royal York Road.
Attachment 4: Side Yard between 902 & 904 Royal York Road respectively.
Attachment 5: Existing side yard fences between 902 & 904 Royal York respectively.
Attachment 6: Rear South-West Corner of 904 Royal York Road where a camera has allegedly been installed.



Attachment 1: Neighbourhood Map identifying 902 Royal York Road



Attachment 2: 902 Royal York Road – as seen from the street.

Staff Report for action on Fence Exemption – 902 Royal York Road



Attachment 3: Rear Yard of 902 Royal York Road looking north towards 904 Royal York Road.



Attachment 4: Side Yard between 902 & 904 Royal York Road respectively.



Attachment 5: Existing side yard fences between 902 & 904 Royal York respectively.



Attachment 6: Rear South-West Corner of 904 Royal York Road where a camera has allegedly been installed.