

Application for Fence Exemption – 89 Silverhill Drive

Date: March 10, 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 89 Silverhill Drive to extend an existing 1.2m wrought iron fence in the front yard of the property to the property line abutting the city right of way. The fence will not meet the minimum setback of 2.4m from the lot line for a front yard fence. The fence will 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 89 Silverhill Drive to erect a 1.2m tall wrought iron fence in the front yard which will be less than 2.4m from the lot line, 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 89 Silverhill Drive, without conditions, thereby allowing the proposed front yard fence to be erected, as requested. Direct and require that the proposed front yard fence be maintained in good repair without alteration. Direct and require that at such time as replacement of the front 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 East Mall and Dundas Street West neighbourhood of Ward 5. (Attachment 1)

The property owner is seeking relief from the by-law regulations to erect a front yard fence at the south elevation that does not meet the required setback of 2.4m from the lot line, contrary to Section 447-2B.(1) of Chapter 447 of the Toronto Municipal Code.

Municipal Licensing & Standards received a pro-active fence exemption application on or about September 29, 2017. The applicant is requesting to extend the fence to the lot line for privacy and security purposes. The proposed fence does not meet the 2.4m lot line setback, which is prohibited.

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 existing front yard fence installation has determined that it does not comply with Toronto Municipal Code, Chapter 447- Fences.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Front Yard/South Elevation	South Elevation, abutting 91 Silverhill Drive respectively.	The proposed front yard fence does not meet the minimum setback requirements of 2.4m from a lot line.	Section 447-2B.(1)

CONTACT

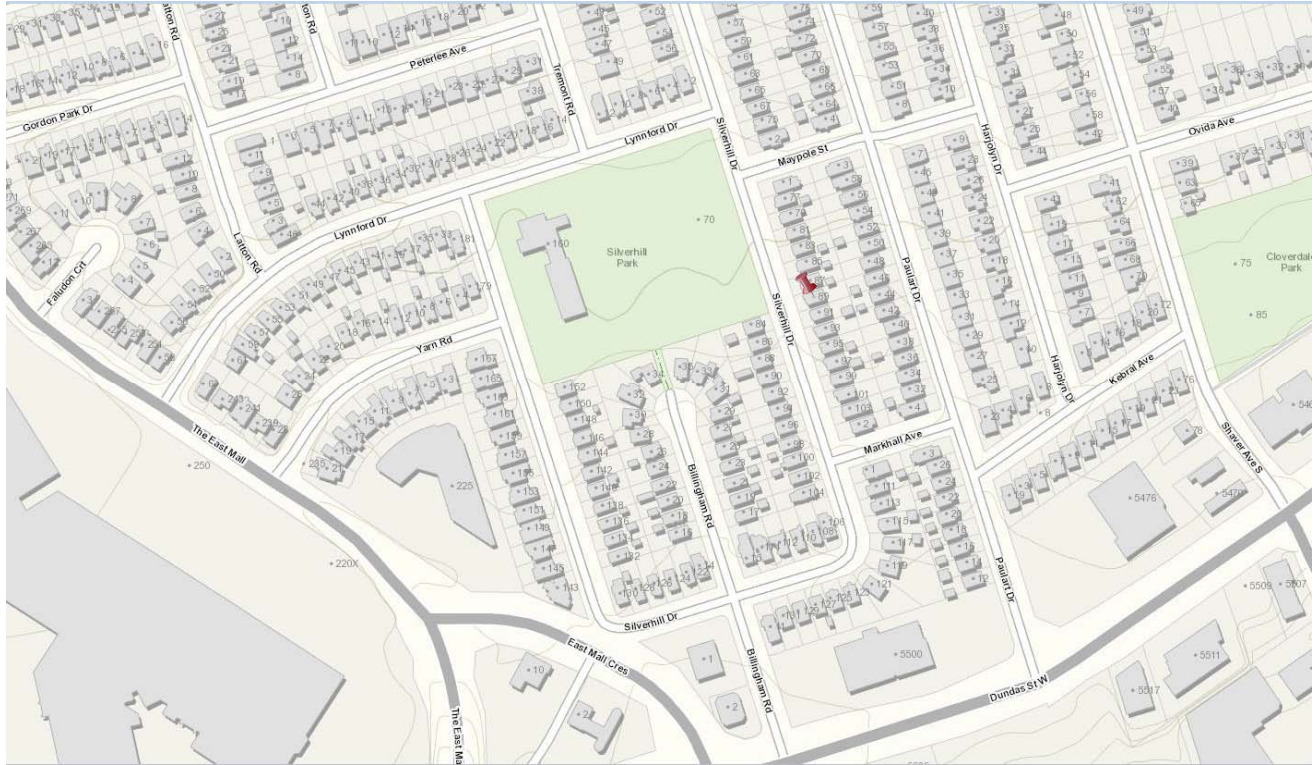
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SIGNATURE

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ATTACHMENTS

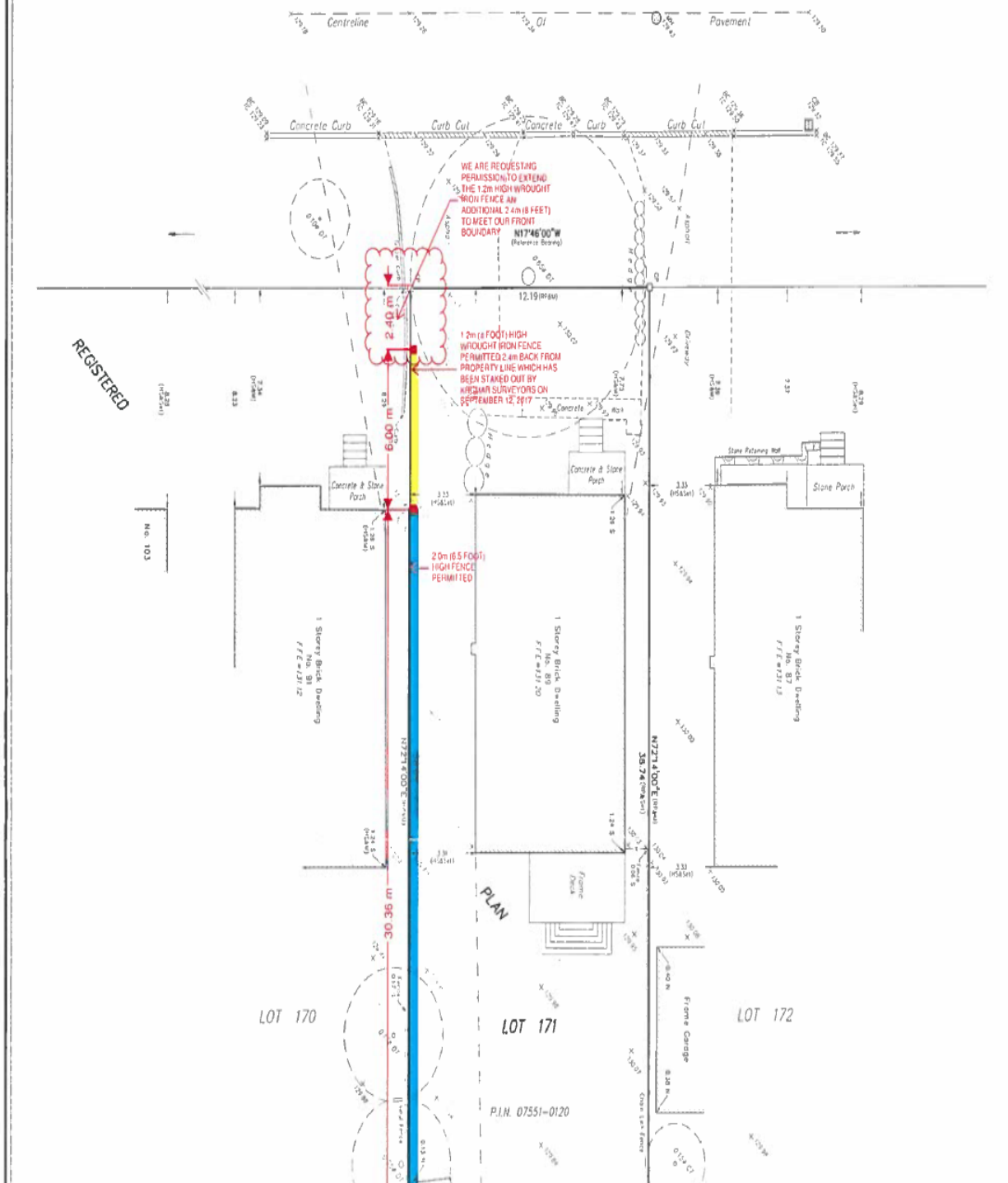
Attachment 1: Neighbourhood Map identifying 89 Silverhill Drive
Attachment 2: Front Yard measurements and proposal for 89 Silverhill Drive



Attachment 1: Neighbourhood Map identifying 89 Silverhill Drive

89 SILVERHILL DRIVE
ISSUED FOR FENCE PERMIT
SEPTEMBER 20, 2017

SILVERHILL DRIVE
(Formerly LAUREL AVENUE By Registered Plan 4315)



Attachment 2: Front Yard measurements and proposal for 89 Silverhill Drive