

Application for Fence Exemption- 15 Lorne Bruce Dr

Date: June 8, 2018
To: Etobicoke York Community Council
From: Joy Correia, District Manager Municipal Licensing and Standards
Wards: Ward 12 – South Weston

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 15 Lorne Bruce Drive to maintain the existing 2.4 metre side yard plastic vinyl fence, which 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 property owner of 15 Lorne Bruce Drive, to maintain the existing 2.4 metre plastic vinyl fence 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 property owner of 15 Lorne Bruce Drive, without conditions, thereby allowing the existing side yard fence to be maintained in good repair. Direct and require that the rear yard fence be maintained in good repair without alteration. Direct and require that at such time as replacement of the fence is required that such installations 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

No previous decision history.

COMMENTS

The subject property is a single family dwelling situated along Lorne Bruce Drive in Ward 12 (Attachment #1).

The property owner is seeking relief from the by-law regulations to maintain a plastic vinyl side yard fence with a current height of 2.4 metres, which exceeds the permitted height of 2 metres, contrary to Sections 447-2B.(1) of Chapter 447 of the Toronto Municipal Code.

The Municipal Licensing and Standards Division received a formal complaint on or about November 21, 2017 regarding the height of the side yard fence. The investigating officer noted the current height is prohibited under Chapter 447 – Fences. A Notice of Violation dated May 18, 2017 was issued which remains outstanding pending the outcome of this exemption application request. An application for a fence exemption was filed on June 29, 2017.

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 plastic vinyl side yard fence has determined that it does not comply with Toronto Municipal Code, Chapter 447- Fences, as detailed in the following chart:

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
East Side Yard	Side Yard	The existing fence in the rear yard exceeds the permitted height of 2.0 metres.	Section 447-2B.(1)

The property owner(s) seek this exemption for privacy, safety, and security reasons.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: Aerial map of 15 Lorne Bruce Drive
Attachment 2: Side yard photo from driveway of 15 Lorne Bruce Drive facing the rear of the subject property
Attachment 3: Side yard photo from the abutting properties along the East of 15 Lorne Bruce Drive

Attachment 1: Aerial map of 15 Lorne Bruce Drive



Staff Report for action on Fence Exemption – 15 Lorne Bruce Drive

Attachment 2: Side yard photo from driveway of 15 Lorne Bruce Drive facing the rear of the subject property



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Attachment 3: Side yard photo from the abutting properties along the East of 15 Lorne Bruce Drive



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