

Application for Fence Exemption- 914 Islington Ave

Date: January 15, 2019
To: Etobicoke York Community Council
From: Janet Stoeckl, District Manager Municipal Licensing and Standards
Wards: Ward 3, 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 914 Islington Ave to maintain a 2.43 metre erected wood fence in the side yard. The fence does not meet 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 the application for an exemption submitted by the owner of 914 Islington Ave, to maintain a 2.43 metre erected wood fence in the side yard, which does not comply with provisions of City of Toronto Municipal Code, Chapter 447, Fences, and direct that a second unappealable Notice of Violation be issued under City of Toronto Municipal Code, Chapter 447, Fences; or
2. Grant the exemption to permit the erected wood fence in the side yard to be 2.43 metres in height as per the site inspection measurements. At such time as replacement of the fence is required that the replacement fence will comply with Municipal Code Chapter 447, or its successor by-law.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

No previous decision history.

COMMENTS

The subject property is a single family dwelling situated along the West of Islington Ave in Ward 3 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to maintain an erected wooden side yard fence with a current height of 2.43 metres, which exceeds the permitted height of 2.0 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 September 10th, 2018; which resulted in a Notice of Violation on September 17th, 2018. An application for a fence exemption was filed on October 2nd, 2018.

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.

The following chart indicates the violations and relevant sections of Toronto Municipal Code, Chapter 447, Fences:

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Side yard	North side of property	2.43 metres fence in the side yard would exceed the permitted height of 2.0 metres.	2. B(1)

The property owner(s) seek this exemption for safety and privacy reasons; additionally the currently erected fence does not contribute to any health and safety concerns. The fence is keeping with the overall design and scale of this home.

CONTACT

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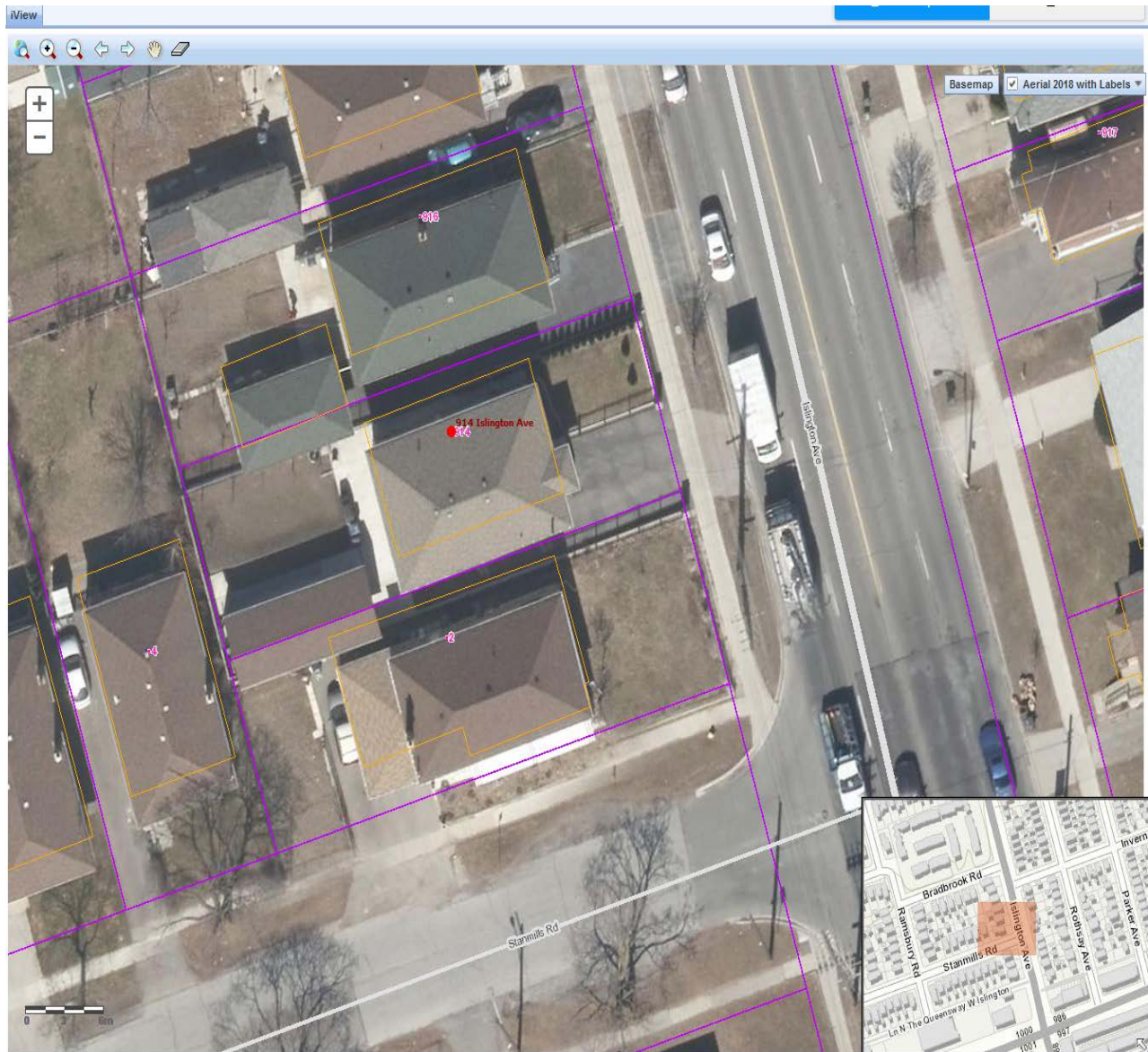
SIGNATURE

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ATTACHMENTS

Attachment 1:	Ariel map of 914 Islington Ave
Attachment 2:	West facing view from Islington Ave facing 914 Islington Ave
Attachment 3:	West facing view from Islington between 914 / 916 Islington Ave
Attachment 4:	West facing view from 916 Islington Ave towards 914 Islington Ave
Attachment 5:	North / West view from rear yard of 914 Islington Ave

Attachment 1: View of the subject property; 914 Islington Ave



Attachment 2: West facing view from Islington Ave facing 914 Islington Ave



Attachment 3: West facing view from Islington between 914 / 916 Islington Ave



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Attachment 4: West facing view from 916 Islington Ave towards 914 Islington Ave



Attachment 5: North / West view from rear yard of 914 Islington Ave

