TORONTO

REPORT FOR ACTION

Application for Fence Exemption- 58 A Jasper Ave

Date: January 15, 2019
To: Etobicoke York Community Council
From: Janet Stoeckl, District Manager Municipal Licensing and Standards
Wards: Ward 5, York 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 58 A Jasper Ave to maintain a 2.28 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 58 A Jasper Ave, to maintain a 2.28 metre erected wood fence in the rear 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 2.28 metre erected wood fence in the rear yard. 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 at the intersection of Jasper Ave and Langden Ave in Ward 5 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to maintain a 2.28 metre erected wood fence, which exceeds the permitted height of 2.0 metres, contrary to 447-1.2B.(1) of Chapter 447 of the Toronto Municipal Code.

The Municipal Licensing and Standards Division received a formal complaint on June 11, 2018. Notice of Violation was issued on June 12, 2018. An application for a fence exemption was submitted on July 27, 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	East side of property	The existing fence in the side yard exceeds the permitted height of 2.0 metres	1.2. B(1)

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

CONTACT

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SIGNATURE

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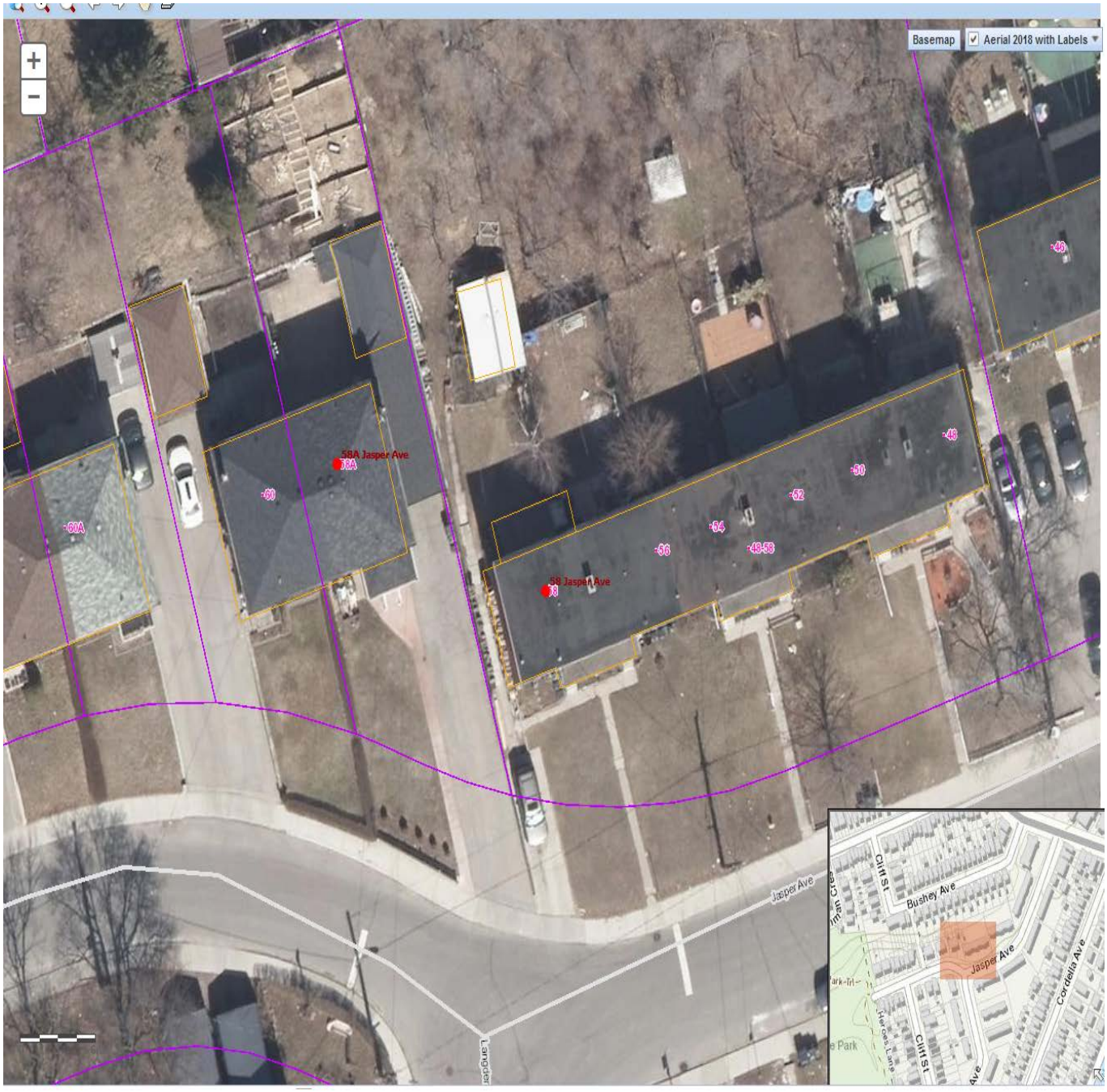
ATTACHMENTS

Attachment 1:	View of the subject property; 58 A Jasper Ave
Attachment 2:	North facing view of 58 A Jasper Ave
Attachment 3:	East facing view from 58 A Jasper Ave towards 58 Jasper Ave
Attachment 4:	North facing view between 58 Jasper Ave and 58 A Jasper Ave

Attachment 1: View of the subject property; 58 A Jasper Ave



Attachment 2: North facing view of 58 A Jasper Ave

Attachment 3: East facing view from 58 A Jasper Ave towards 58 Jasper Ave

Attachment 4: North facing view between 58 Jasper Ave and 58 A Jasper Ave