

Application for Fence Exemption- 3 Azrock Road

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 3 Azrock Road to maintain a 2.51 metre erected wood fence in the rear 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 3 Azrock Road, to maintain a 2.51 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 2.51 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 along the East side of Azrock Road in Ward 5 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to maintain a 2.51 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 September 10, 2018. Notice of Violation was issued on September 13, 2018. An application for a fence exemption was submitted on November 9, 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*
Rear Yard	East side of property	The existing fence in the rear yard exceeds the permitted height of 2.0 metres	2. B(1)

The property owner(s) seek this exemption for privacy (2ft elevation of lot from 28 Veerland Dr), security and safety.

CONTACT

Cameron Culver
Acting Supervisor
Municipal Licensing and Standards
Etobicoke York District
Tel: 416-395-7035
Email: cameron.culver@toronto.ca

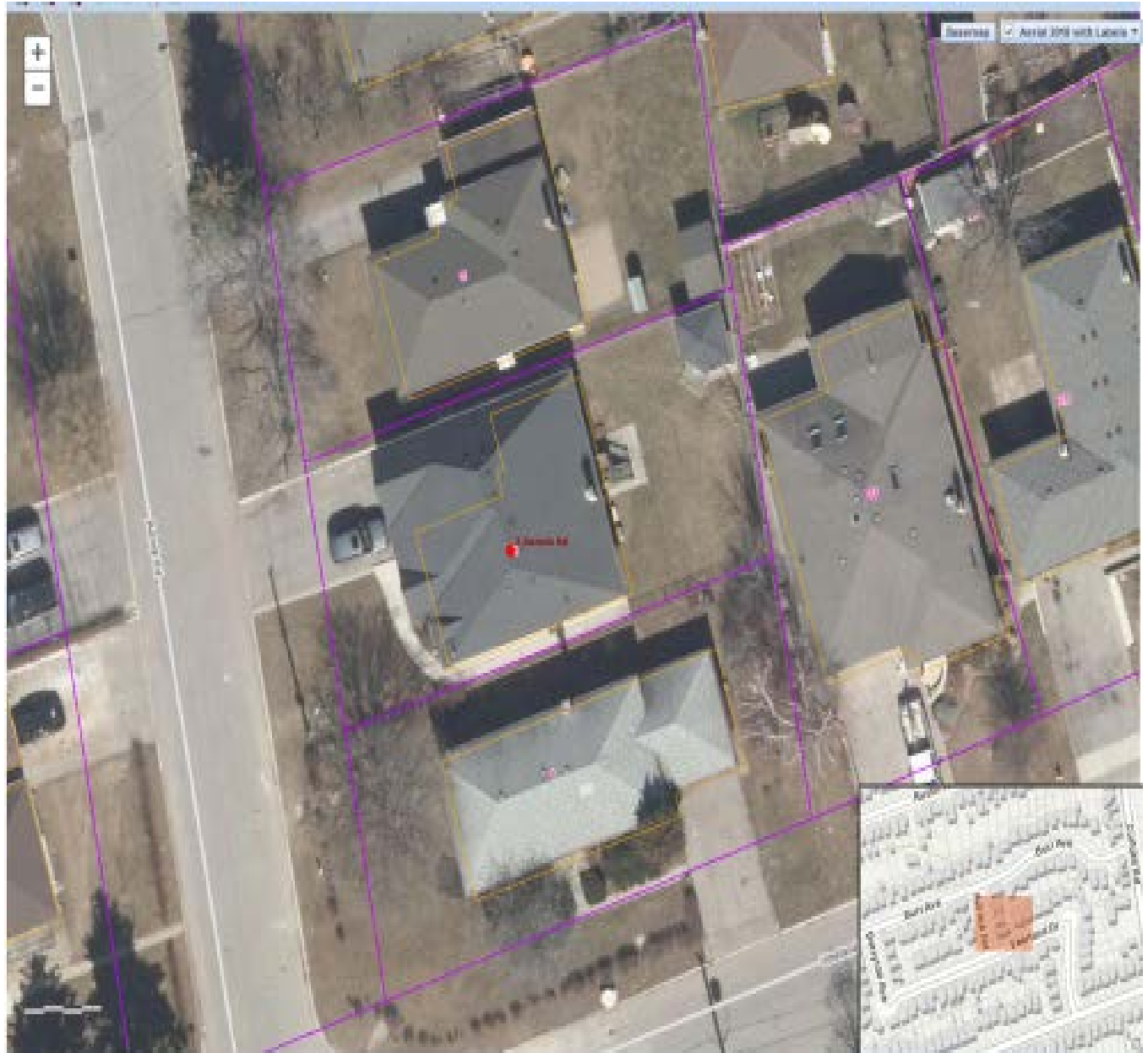
SIGNATURE

Janet Stoeckl, District Manager
Municipal Licensing and Standards
Etobicoke York District
Tel: 416-392-4352 Fax: 416-394-2904
Email: Janet.Stoeckl@toronto.ca

ATTACHMENTS

Attachment 1:	View of the subject property; 3 Azrock Road
Attachment 2:	East facing view of 3 Azrock Road
Attachment 3:	East facing view from side of property towards rear yard
Attachment 4:	North facing view of rear yard 3 Azrock Road
Attachment 5:	East facing view of rear yard towards 28 Veerland Dr
Attachment 6:	South facing view of rear yard 3 Azrock Road

Attachment 1: View of the subject property; 3 Azrock Road



Attachment 2: East facing view of 3 Azrock Road



Attachment 3: East facing view from side of property towards rear yard



Attachment 4: North facing view of rear yard 3 Azrock Road



Attachment 5: East facing view of rear yard towards 28 Veerland Dr



Attachment 6: South facing view of rear yard 3 Azrock Road

