

Application for Fence Exemption- 48 Swordbill Drive

Date: January 15, 2019
To: Etobicoke York Community Council
From: Janet Stoeckl, District Manager Municipal Licensing and Standards
Wards: Ward 2, Etobicoke Central

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 48 Swordbill Drive to maintain an erected wood fence in the rear yard with no open construction to prevent sightline obstruction. 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 48 Swordbill Drive, to maintain an erected wood fence in the rear yard with no open construction to prevent sightline obstruction, 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 rear yard without changes, open construction or sightline obstructions. 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 corner of Swordbill Drive and Newell Court in Ward 2 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to maintain an erected wood fence not made of open construction, which is located beside two driveways, contrary to 447-1.2.C.(1) of Chapter 447 of the Toronto Municipal Code.

The Municipal Licensing and Standards Division received a formal complaint on September 06, 2018. October 12th, 2018 a Notice of Violation was issued. October 30th, 2018 a Fence Exemption Application was submitted.

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	North/ West side of property	Fail to provide open construction ; Fence within 2.4 metres of driveway or required sightline	2. C(1)

The property owner(s) did not indicate reason for request to seek exemption.

CONTACT

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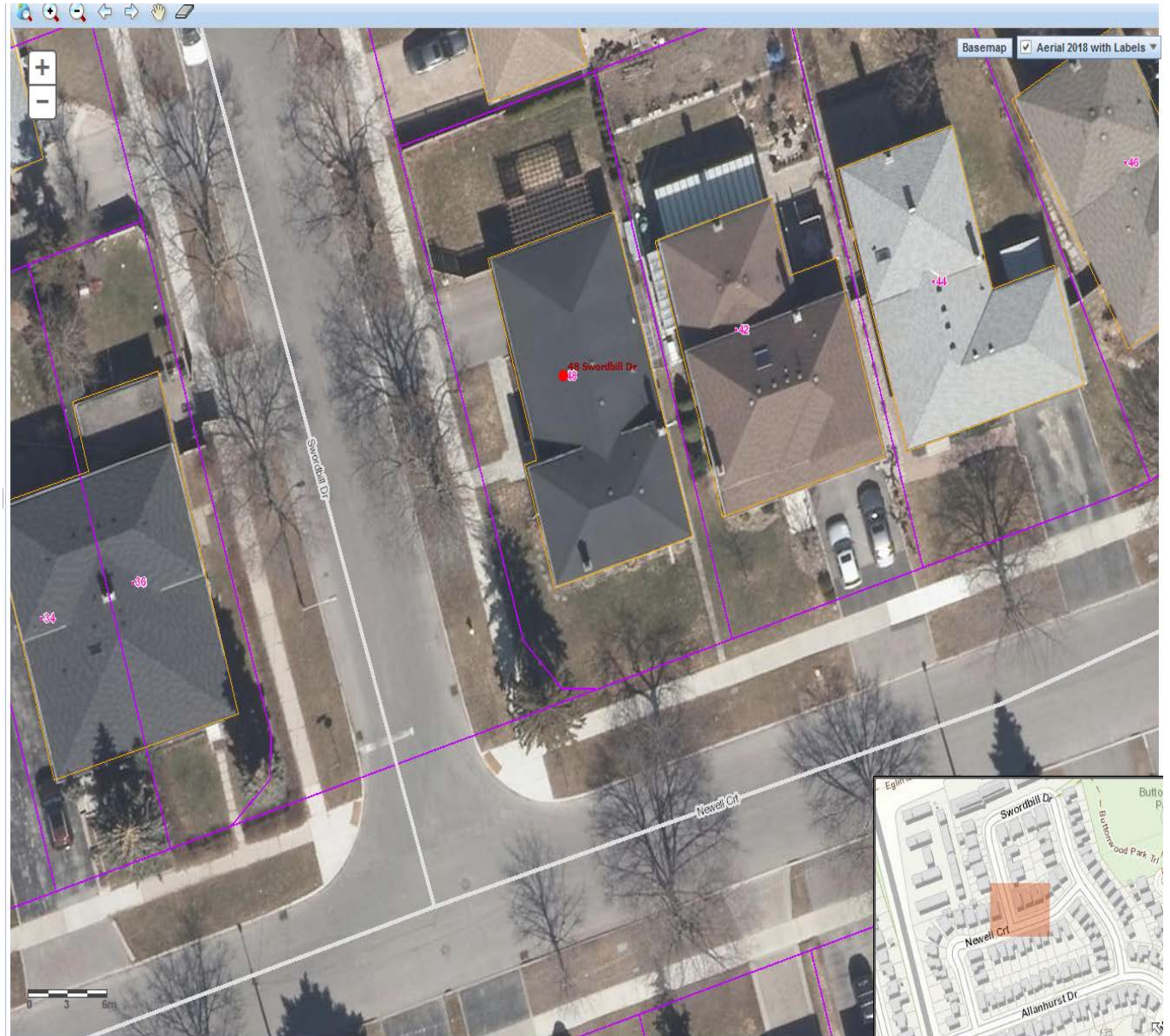
SIGNATURE

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ATTACHMENTS

Attachment 1:	View of the subject property; 48 Swordbill Drive
Attachment 2:	North facing view from Swordbill Drive towards 48 Swordbill Drive
Attachment 3:	North facing view from sidewalk of Swordbill Drive
Attachment 4:	North West facing view of Swordbill Drive from driveway of 48 Swordbill
Attachment 5:	North facing view from sidewalk towards 46 Swordbill
Attachment 6:	West facing view of Swordbill Dr from 46 Swordbill driveway
Attachment 7:	South facing view of 48 Swordbill Dr from Swordbill Dr

Attachment 1: View of the subject property; 48 Swordbill Drive



Attachment 2: North facing view from Swordbill Drive towards 48 Swordbill Drive



Attachment 3: North facing view from sidewalk of Swordbill Drive



Attachment 4: North West facing view of Swordbill Drive from driveway of 48 Swordbill



Attachment 5: North facing view from sidewalk towards 46 Swordbill



Attachment 6: West facing view of Swordbill Dr from 46 Swordbill driveway



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Attachment 7: South facing view of 48 Swordbill Dr from Swordbill Dr

