

Application for Fence Exemption- 190 Royal York Rd

Date: August 23, 2019
To: Etobicoke York Community Council
From: Janet Stoeckl, District Manager Municipal Licensing and Standards
Wards: Ward 03 – 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 190 Royal York Road to maintain a rear yard fence constructed of metal panels, 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 190 Royal York Road, to maintain a rear yard fence constructed of metal panels contrary to the regulations found in the City of Toronto Municipal Code Chapter 447 – Fences, Section 1.2A.(3).

or

2. Grant the application for a fence exemption by the property owner of 190 Royal York Road, without conditions, thereby allowing to maintain a rear yard fence constructed of metal panels 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 semi-detached dwelling situated along the west side of Royal York Road in Ward 3 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to maintain a rear yard fence constructed of metal panels which is a non-permitted material 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 February 2nd, 2018. Charges were brought forward to the Provincial Courts on March 26th, 2019.

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 to maintain a rear yard fence constructed of metal panels which is a non-permitted material 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
Rear Yard	South West, Rear lot line	Fence erected with a non-permitted material; namely, metal panels.	447-1.2A.(3)

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

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: Aerial map of 190 Royal York Road
Attachment 2: Rear Yard Fence of 190 Royal York Road, South West exposure
Attachment 3: Rear Yard Fence of 190 Royal York Road, South West exposure



Attachment 1: Aerial map of 190 Royal York Road



Attachment 2: Rear Yard Fence of 190 Royal York Road, South West exposure



Attachment 3: Rear Yard Fence of 190 Royal York Road, South West Exposure