

Application for Fence Exemption- 84 Waniska Ave

Date: June 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 84 Waniska Ave to maintain a front yard horizontal board on board fence with a height of 1.2 to 1.5 metres that fails to provide open construction, 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 84 Waniska Ave, to maintain a front yard horizontal board on board fence with a height of 1.2 to 1.5 metres that fails to provide open construction contrary to the regulations found in the City of Toronto Municipal Code Chapter 447 – Fences, Section 2B.(1).

or
2. Grant the application for a fence exemption by the property owner of 84 Waniska Ave, without conditions, thereby allowing to maintain a front yard horizontal board on board fence with a height of 1.2 to 1.5 metres 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 single family dwelling situated along the northerly side of Waniska Ave in Ward 3 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to maintain a front yard horizontal board on board fence which exceeds the permitted height of 1.2 metres and creates a sight line obstruction 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 March 5th, 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 front yard horizontal board on board fence with a height of 1.2 to 1.5 metres that fails to provide open construction 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
Front Yard	Shared fence between 84 & 86 Waniska Ave	Fence in a front yard; and within 2.4 metres of a lot line abutting a public highway is greater than 1.2 metres	447-2.B(1)
Front Yard	Shared fence between 84 & 86 Waniska Ave	Fail to provide open construction on a fence within 2.4 metres in any direction of the point a driveway	447-2.C(1)

		intersections the lot line	
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The property owner(s) seek this exemption for privacy and safety issues.

CONTACT

Cameron Culver, Supervisor
Municipal Licensing and Standards
Etobicoke York District
Tel: 416-395-7035 Fax: 416-394-2904
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: Aerial map of 84 Waniska Ave
Attachment 2: Front Yard Fence of 84 Waniska Ave, Northern exposure
Attachment 3: Front Yard Fence of 84 Waniska Ave, Northern West Exposure
Attachment 4: Front Yard Fence of 86 Waniska Ave, Northern Exposure



Attachment 1: Aerial map of 84 Waniska Ave



Attachment 2: Front Yard Fence of 84 Waniska Ave, Northern exposure



Attachment 3: Front Yard Fence of 84 Waniska Ave, Northern West Exposure



Attachment 4: Front Yard Fence of 86 Waniska Ave, Northern Exposure