

## **Request for Fence Exemption – Rear Yard – 21 Armour Blvd**

**Date:** June 6, 2018

**To:** North York Community Council

**From:** Manager Municipal Licensing & Standards, North York District

**Wards:** 16 North York

### **SUMMARY**

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This staff report is in regards to a matter for which the North 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 21 Armour Blvd for a site-specific Fence Exemption to maintain an existing rear yard fence which does not comply with restrictions specified in the City of Toronto Municipal Code, Chapter 447, Fences.

The subject property 21 Armour Blvd is located in Ward 16, on a residential zone property.

### **RECOMMENDATIONS**

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Municipal Licensing & Standards recommends that the North York Community Council give consideration to the exemption application and decide to:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 21 Armour Blvd, for a 2.22m average high fence in the rear yard, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for the existing wood board on board fence, rear yard, between numbers 21 and 23 Armour Blvd, measuring an average of 2.22m, without conditions. Direct and require that the installation be maintained in good repair without alteration. Direct and require that at such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, or its successor by-law.

## FINANCIAL IMPACT

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There is no financial impact anticipated in this report.

## DECISION HISTORY

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The owner(s) submitted a fence exemption application, in writing, on 6<sup>th</sup> November 2017 for an existing rear yard fence Section 447-5(C) of Toronto Municipal Code, Chapter 447- Fences as reasons for the application.

As required by Section 447-5(C), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for North York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that North York Community Council will consider the application.

## COMMENTS

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The proposed wood fence violates Toronto Municipal Code, Chapter 447- Fences requirements with respect to maximum height in the rear yard based on the average grade height, it does not contravene any other provisions of the bylaw.

| GENERAL LOCATION | SPECIFIC LOCATION                                                                              | EXISTING CONSTRUCTION & DEFICIENCY                                                                                                                                                                                                                                                    | BY-LAW SECTION & REQUIREMENT*                                 |
|------------------|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| Rear Yard        | Fence to the west side of number 21 Armour Blvd, between the rear lot of 21 and 23 Armour Blvd | Solid wood fence which is an average of 2.22m high. (2.43m from grade to top of fence on the side of number 23, 2.10m from the surface of the deck to the top of the fence at number 21). The portion of the fence that is in excess of the height bylaw measures 6 metres in length. | Section 447-2(B)(1), Table 1<br>'Any other fence'<br>2 metres |

As a result of these findings of non-compliance, a Notice of Violation was issued to the property owner. In response to the Notice of Violation, the property owners submitted an application for a Fence Exemption.

## **CONTACT**

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## **SIGNATURE**

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Elena Sangiuliano  
Manager, Municipal Licensing and Standards, North York District

## **ATTACHMENTS**

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Appendix 1 – 21 Armour Blvd from view

Appendix 2 – Site Plan

Appendix 3 – Site Plan

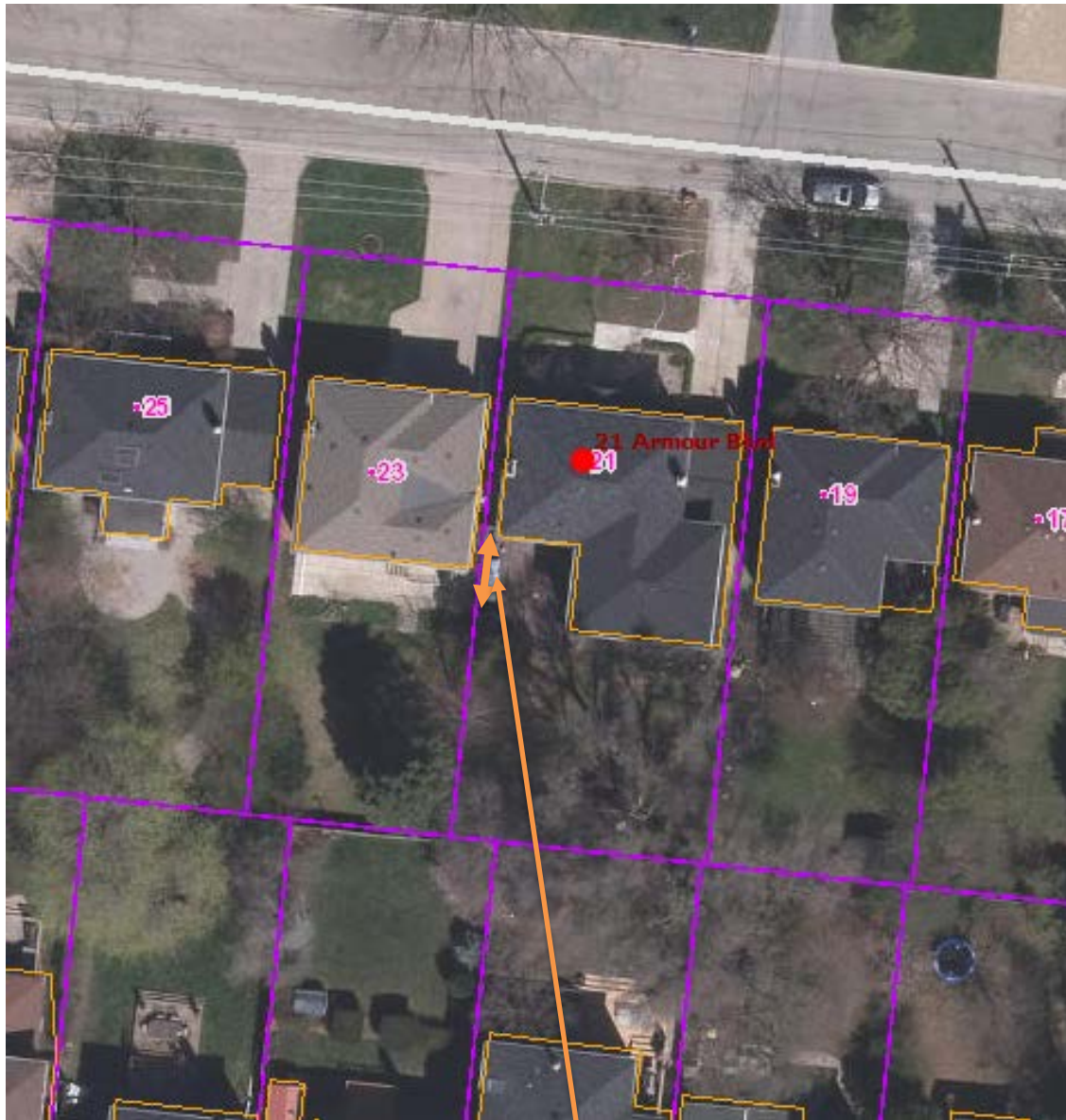
Appendix 4 - Elevation photo taken on applicant's property of fence in question. Taken from rear deck, to the west.

Appendix 5 - Elevation photo taken on applicant's property. Taken from rear deck, view to the west.

Appendix 6 - Elevation photo taken from neighbour's property (Number 23 Armour Blvd.) View to the east.

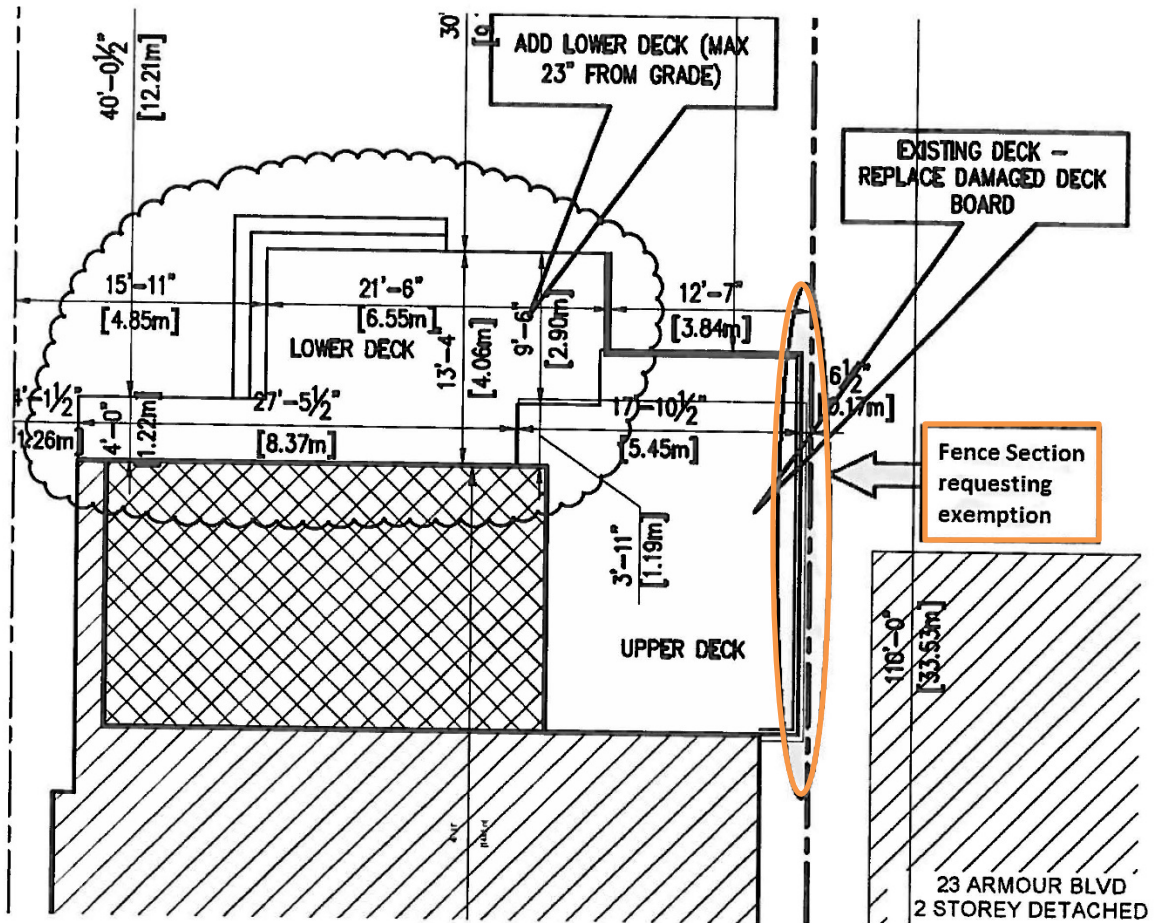
Appendix 7 - Elevation photo taken from neighbour's property (Number 23 Armour Blvd.) View to the north-east.

Appendix 1 – 21 Armour Blvd from iview

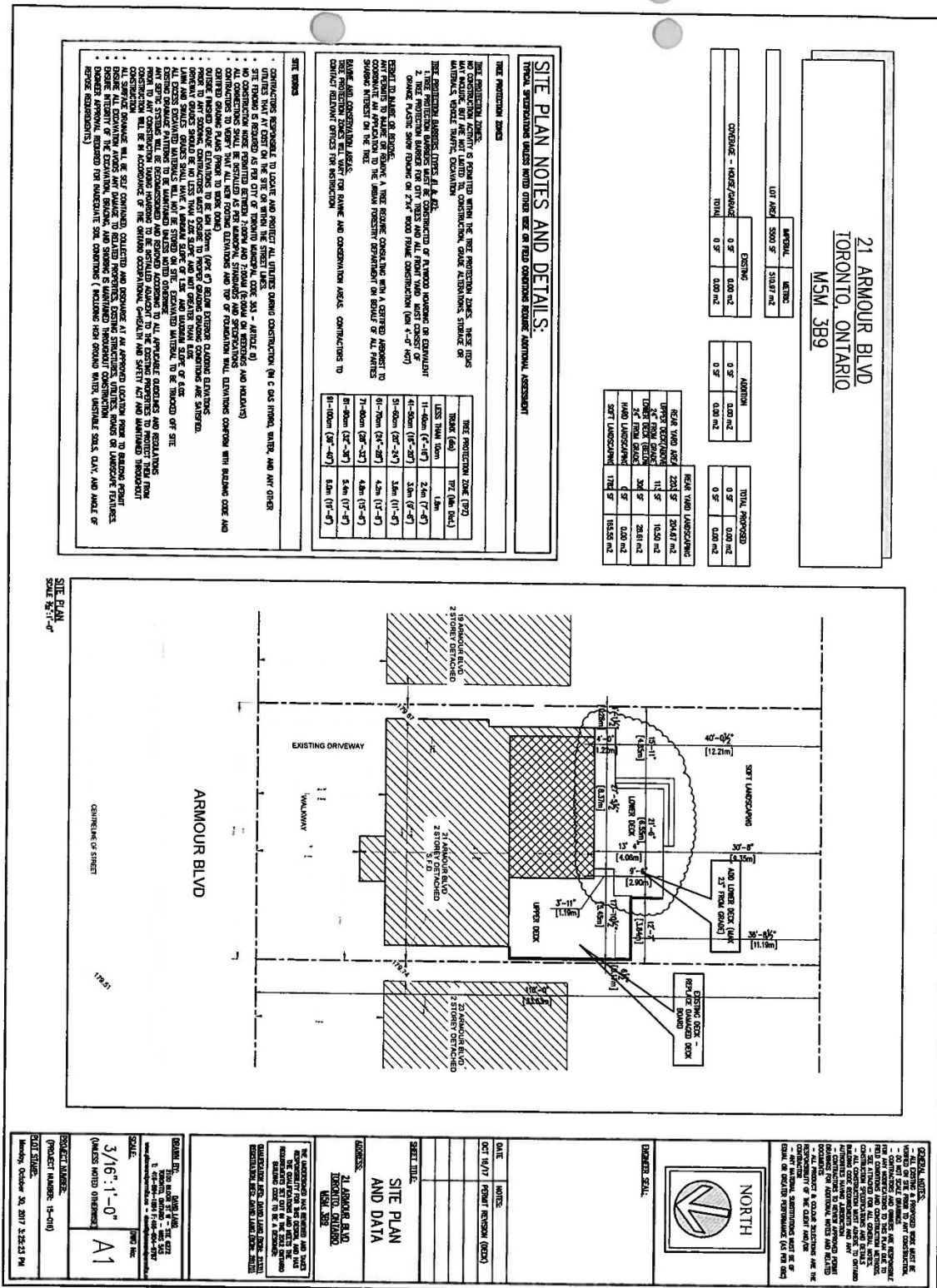


Fence subject to exemption request

## Appendix 2 – Site Plan



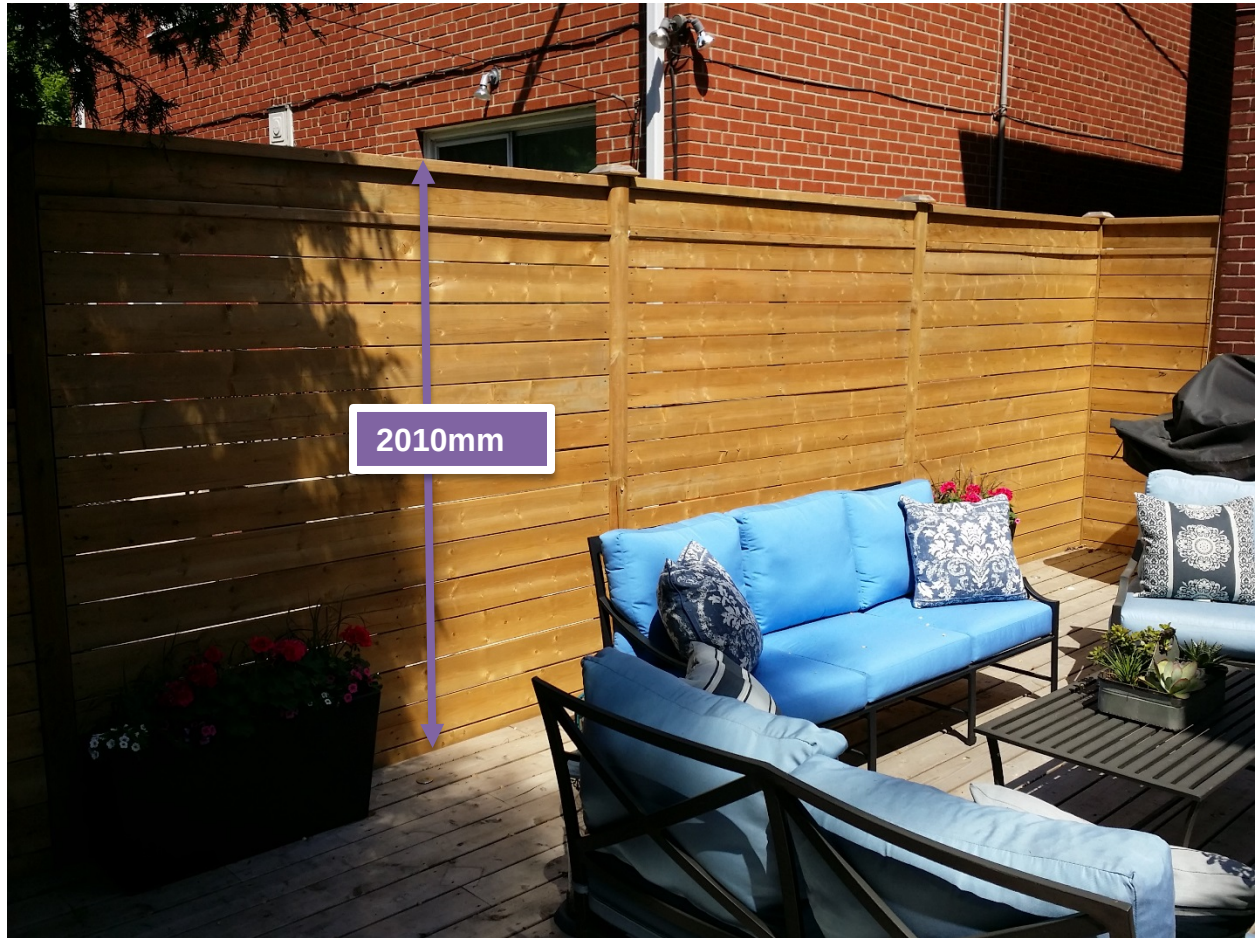
## **Appendix 3 – Site Plan**



**Appendix 4 - Elevation photo taken on applicant's property of fence in question.**  
**Taken from rear deck, view to the west.**



**Appendix 5 - Elevation photo taken on applicant's property. Taken from rear deck, view to the west.**



**Appendix 6- Elevation photo taken from neighbour's property (Number 23 Armour Blvd.) View to the east.**



**Appendix 7 - Elevation photo taken from neighbour's property (Number 23  
Armour Blvd.) View to the north-east.**

