

## **Application for Fence Exemption 2 Bond Avenue**

**Date:** March 8, 2019  
**To:** North York Community Council  
**From:** Elena Sangiuliano, District Manager Municipal Licensing and Standards  
**Wards:** Ward 16 -Don Valley East

### **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 homeowners of 2 Bond Avenue to erect a 2.5 meter high wooden fence with stucco finish in the front yard. The wood fence does not meet the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

The following chart indicates the violations and relevant sections of Toronto Municipal Code, Chapter 447, Fences:

The subject property 2 Bond Avenue is located in Ward 16, in a residential zone.

| LOCATION   | ORIENTATION           | DEFICIENCY                                                                            | BY-LAW SECTION*<br>& REQUIREMENT                                                           |
|------------|-----------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| Front Yard | West side of property | Proposed fence will exceed the permitted height of 1.2 meters high in the front yard. | Section 447-2B.(1)<br>Table 1<br><br>Maximum height of fence- 1.2 meters in the front yard |

## **RECOMMENDATIONS**

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

1. Refuse the application for an exemption submitted by the property owners of 2 Bond Avenue to erect a proposed wooden fence with stucco finish in the front 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 homeowners of 2 Bond Avenue to erect a proposed wooden with stucco finish fence in the front yard, to be maintained in the same condition without alteration. 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**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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An application for a fence exemption was submitted by the homeowners of their own volition. The proposed fence will be erected on private property and does not pose a health and safety issue to the public. The proposed wooden fence with stucco finish in the front yard, does not comply with the restrictions set out in the TMC Chapter 447-Fences. Accordingly, all required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office of the date that the application for exemption will be considered by North York Community Council. (Attachment 2)

## COMMENTS

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It was determined that the wooden fence with stucco finish, at the subject property does not comply with the provisions of Toronto Municipal Code Chapter 447- Fences. The Fence Exemption application was submitted by the property owners of 2 Bond Avenue on the grounds that the fence will provide the privacy, security and is aesthetically pleasing.

However, should North York Community Council decide to grant the owner the exemption, the owner will be subject to the conditions for compliance as set out in recommendation 2.

## CONTACT

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## SIGNATURE

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## ATTACHMENTS:

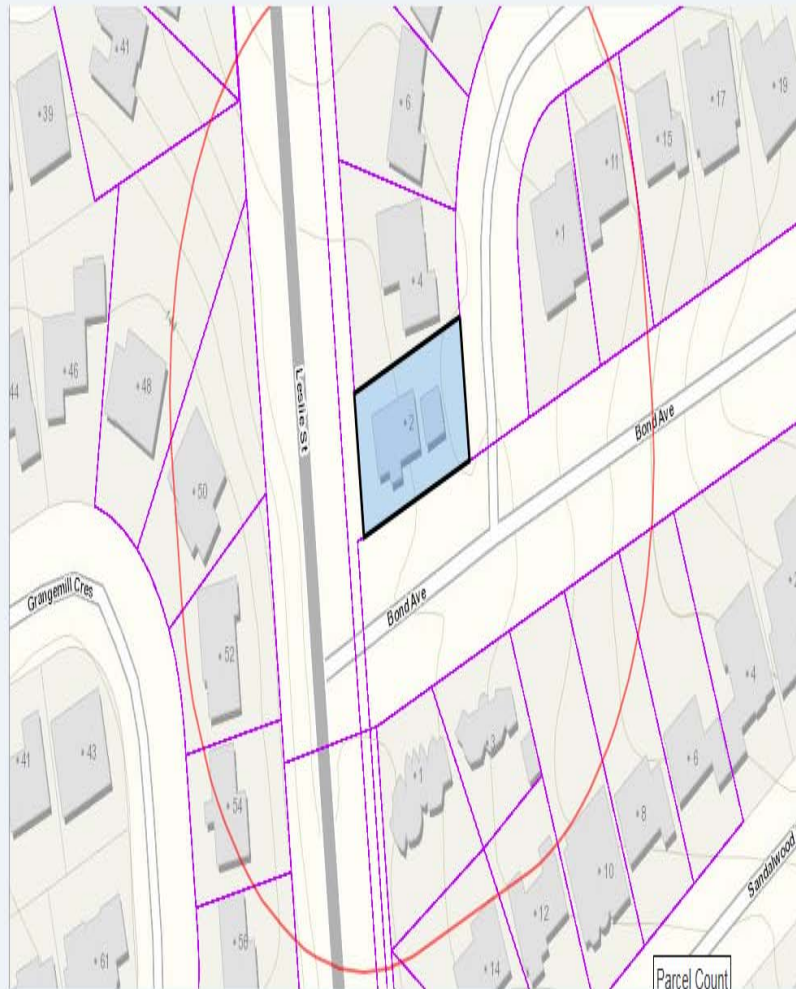
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1. Main entrance of 2 Bond Avenue.
2. View of notification area in relation to 2 Bond Avenue
3. Ariel view of 2 Bond Avenue.
4. Proposed fence design at 2 Bond Avenue wood with stucco cladding.
5. View of fence that is currently in place.
6. View of existing fence. Proposed fence will comply with By-law.

Attachment 1: Main entrance of 2 Bond Avenue.



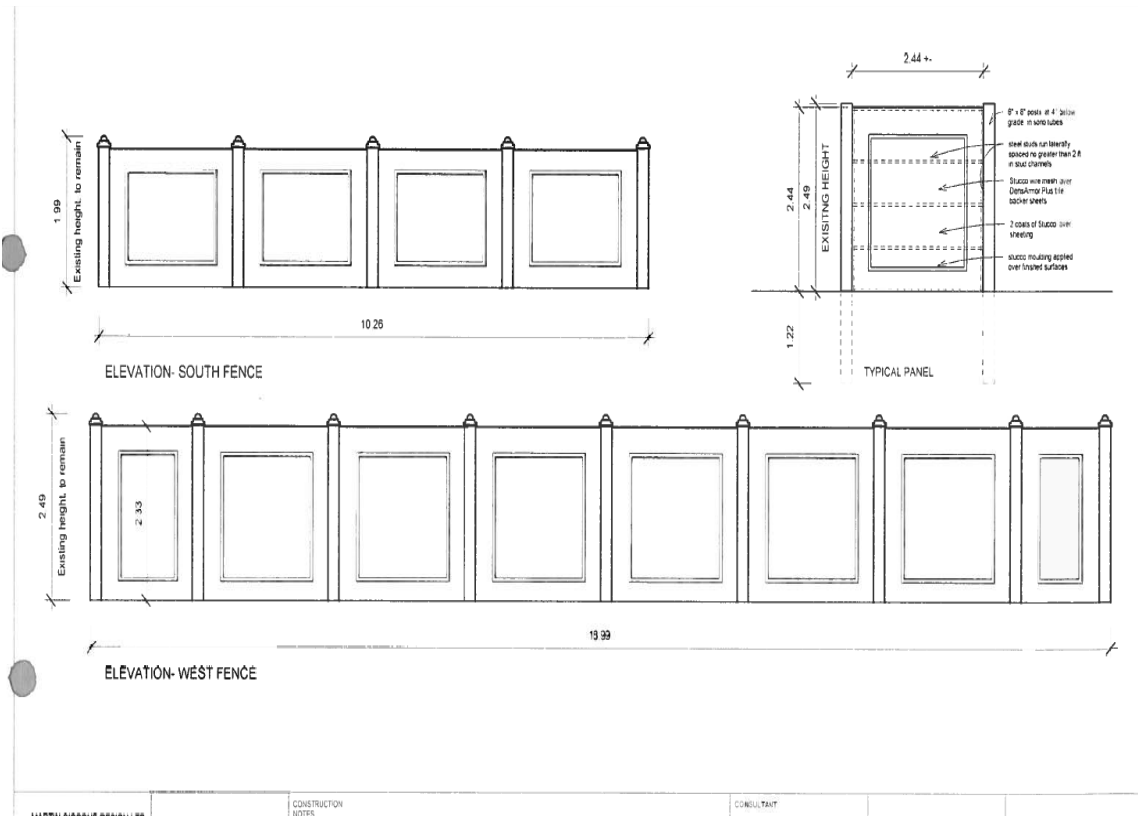
Attachment 2: View of notification area in relation to 2 Bond Avenue.



Attachment 3: Ariel view of 2 Bond Avenue.



Attachment 4: Proposed fence design at 2 Bond Avenue wood with stucco cladding.



Attachment 5: View of fence that is currently in place.



Attachment 6: View of existing fence. Proposed fence will comply with By-law.

