

Request for Fence Exemption – Front, rear and side yard – 21 Park Lane Circle.

Date: August 19th, 2019

To: North York Community Council

From: Elena Sangiuliano, District Manager, Municipal Licensing & Standards, North York District

Wards: Ward 15 (Don Valley West).

SUMMARY

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(s) of 21 Park Lane Circle for a site-specific Fence Exemption, pursuant to the Toronto Municipal Code, Chapter 447- Fences. The property owner(s) is seeking Council's permission to be exempt from Chapter 447–1.2.B(1) – Fence height.

The subject property 21 Park Lane Circle is located in Ward 15, on a residentially zoned property.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT
Front yard	Entire width of south-west side of property facing Park Lane Circle.	Fencing, columns, security walls and gates exceed the height permitted by the bylaw, between 3.0 and 4.42 metres.	Chapter 447–1.2.B(1) – Fence height.
Rear Yard & Side Yard	North-west and south-east side yards.	Metal picket fence in rear and side yards exceed the height permitted by the bylaw, currently between 3.05m and 3.3m.	Chapter 447–1.2.B(1) – Fence height.
Rear Yard	Rear Yard – East side of property.	Barrier Wall in rear yard exceeds maximum permitted height of 2 metres. Namely 4.4 metres for a length of 11.2 metres.	Chapter 447–1.2.B(1) – Fence height.

RECOMMENDATIONS

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 Park Lane Circle, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences, namely:- Fence in excess of permitted height.

OR

2. Grant the application for the front, side and rear yard fence to be constructed contrary to the bylaw, namely:- Front walls / fences / gates higher than 1.2 metres, side and rear yard fences / walls higher than 2 metres, 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

There is no financial impact anticipated in this report.

DECISION HISTORY

The owner(s) submitted a fence exemption application, in writing, on 19th July 2019 for proposed and existing fence in excess of the permitted height, with Section 1.2.B(1) of Toronto Municipal Code, Chapter 447- Fences as reasons for the application.

As required by Section 447-1.5.(B)(5), 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

The proposed fence / walls and gates would violate Toronto Municipal Code, Chapter 447- Fences requirements with respect to being in excess of 2 metres in height. The rear barrier wall and fence also forms part of a swimming pool enclosure. It would not contravene any other provisions of the bylaw.

CONTACT

Mark Edser, Supervisor,
Municipal Licensing & Standards Division
North York District
Tel. # 416 395 1013
Fax (416) 395-7056
E-mail: mark.edser@toronto.ca

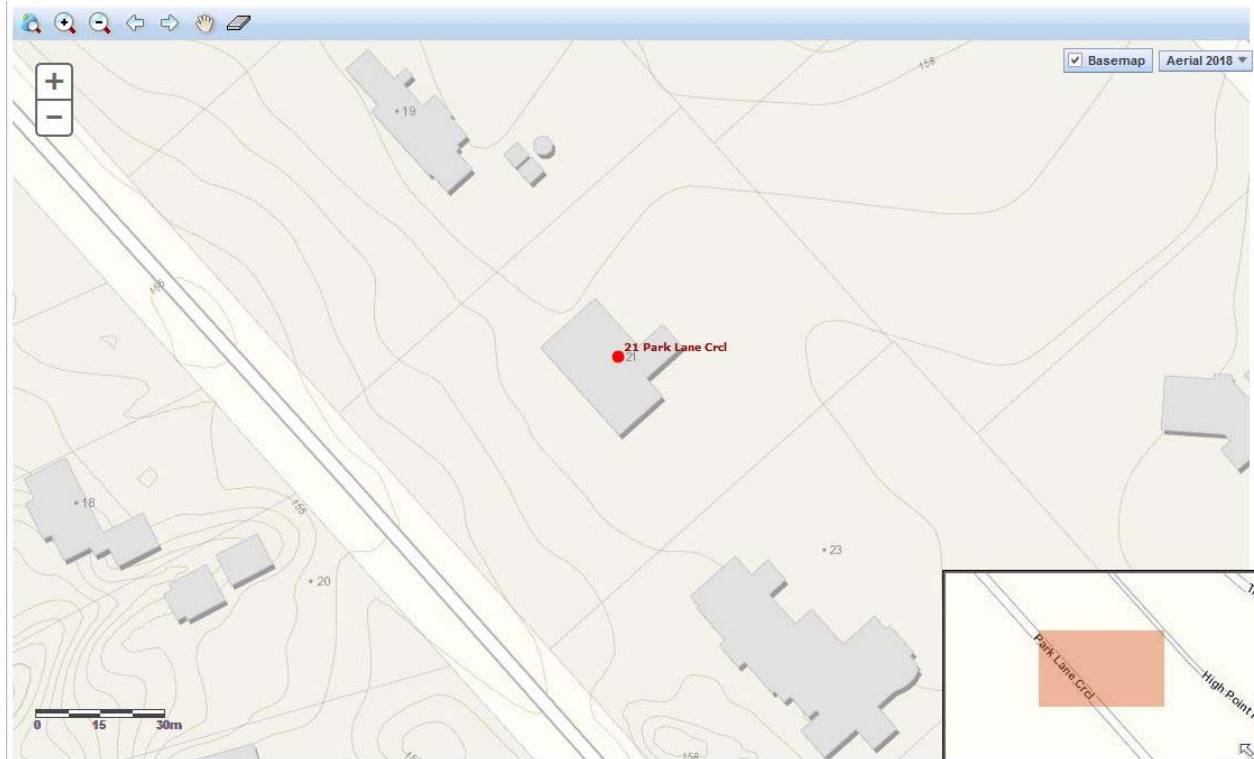
SIGNATURE

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

ATTACHMENTS

- Appendix 1 – Location of Subject Property from iView.
- Appendix 2 – Site Plan
- Appendix 3 - Elevation photo taken from front yard of 21 Park Lane Circle looking towards the street, showing the front yard security walls and columns.
- Appendix 4 – Elevation photo taken from street, looking towards front walls and gates.
- Appendix 5 – Elevation photo showing metal gate 3.05m high in front wall (North end) – front yard.
- Appendix 6 - Elevation photo showing barrier wall in rear yard, taken from rear yard looking north-east.
- Appendix 7 – Elevation photo showing metal picket fence 3.05m high in side yard.
- Appendix 8 – Elevation photo showing metal picket fence 3.05m high in rear yard.

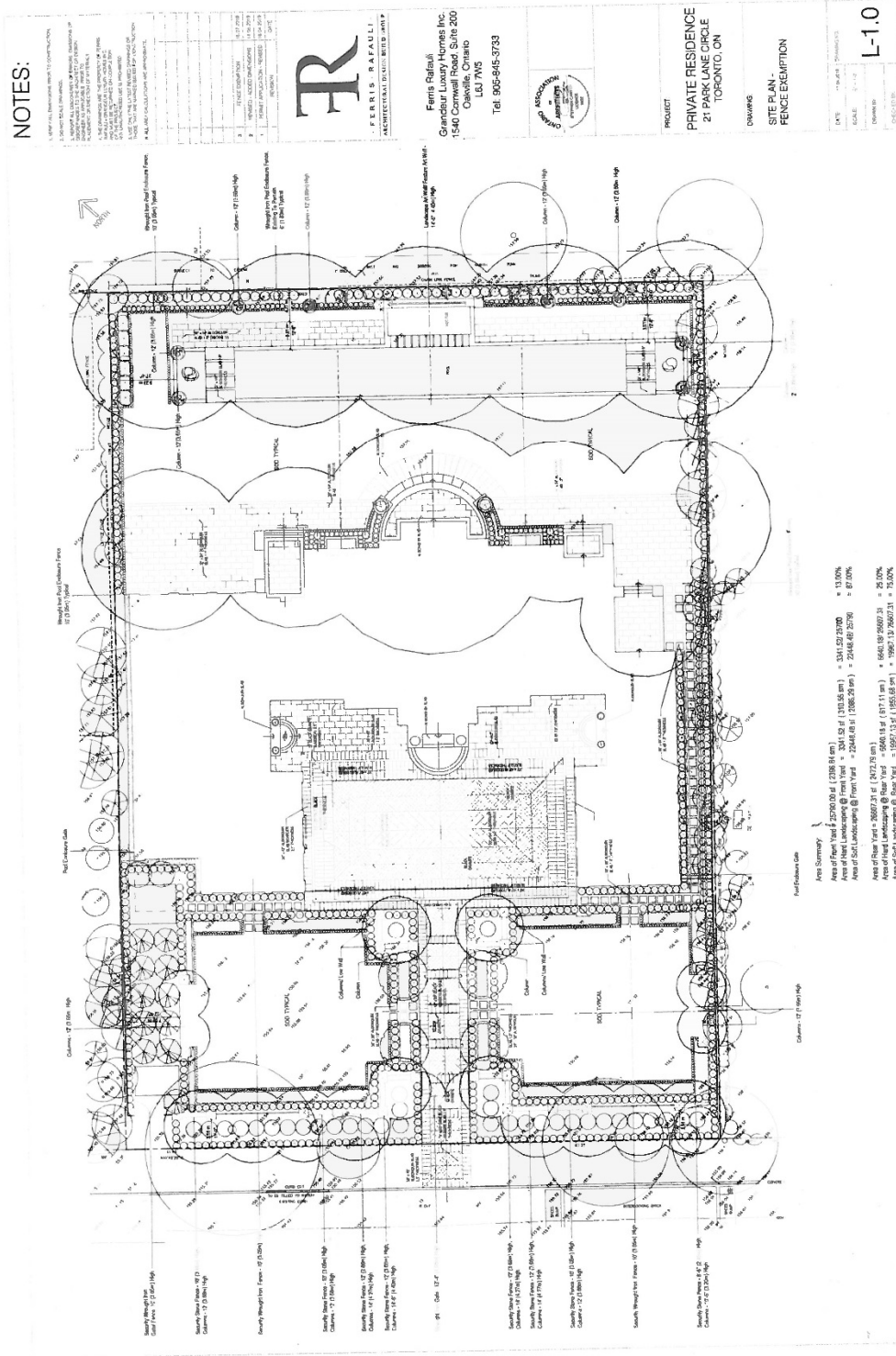
Appendix 1 – Location of Subject Property from iView.
Fence exemption application Folder 19 191948
21 Park Lane Circle



Appendix 2 – Site Plan

Fence exemption application Folder 19 191948

21 Park Lane Circle



Appendix 3 - Elevation photo taken from front yard of 21 Park Lane Circle looking towards the street, showing the front yard security walls and columns.
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**Appendix 4 – Elevation photo taken from street, looking
towards front walls and gates.
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21 Park Lane Circle**



**Appendix 5 – Elevation photo showing metal gate 3.05m
high in front wall (North end) – front yard.
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Appendix 6 - Elevation photo showing barrier wall in rear yard, taken from rear yard looking north-east.
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Appendix 7 – Elevation photo showing metal picket fence
3.05m high in side yard.
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Appendix 8 – Elevation photo showing metal picket fence
3.05m high in rear yard.
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