

Request for Fence Exemption 639 Conacher Drive

Date: October 30, 2019

To: North York Community Council

From: Scott Sullivan, District Manager, Municipal Licensing & Standards

Wards: Ward - 18 Willowdale

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 owners of 639 Conacher Drive to erect a proposed 2.7 metre high chain link barbed material fence in the front and side yards which do not meet the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

The subject property 639 Conacher Drive is located in Ward 18, in a residential zone.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Front and side yard	North and West side of the property	Height of the proposed fence in the front yard 2.7 metres exceeds permitted height of 1.2 metres	Section 447-2B (2) Maximum height of fence 2 metres in rear yard.
Front and side Yard	North and West side of the property	Non-permitted material Namely, Barbed wire.	Section 447-1.2(2) No barbed wire or other barbed or sharp material shall be used in fence.

RECOMMENDATIONS

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 owners of 639 Conacher Drive, to erect a proposed 2.7 metre high chain link barbed material fence in the front and side 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 the owners of 639 Conacher Drive to erect a proposed 2.7 metre high chain link barbed material fence in the front and side 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

The recommendations in this report have no financial impact.

DECISION HISTORY

An application for a fence exemption was submitted by the property owners of 639 Conacher Drive. The proposed 2.7 metre high chain link fence with restricted barbed wire material on the North and West sides of the property does not comply with the height and material restrictions set out in TMC Chapter 447- Fences. 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

The Property Owners of 639 Conacher Drive submitted the Fence Exemption Application of their own volition. This property is owned by Toronto Hydro, it is currently being used as a Transformer station. The Property Owners, Toronto Hydro realized that the property's proposed 2.7 metre high chain linked fence with barbed material on the North and West sides of the property does not comply with the height and restricted material provisions set out in Toronto Municipal Code Chapter 447- Fences

The Fence Exemption application was submitted by the owner of 639 Conacher Drive on the grounds that the fence will provide the safety and security for area residents and the general public.

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.

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SIGNATURE

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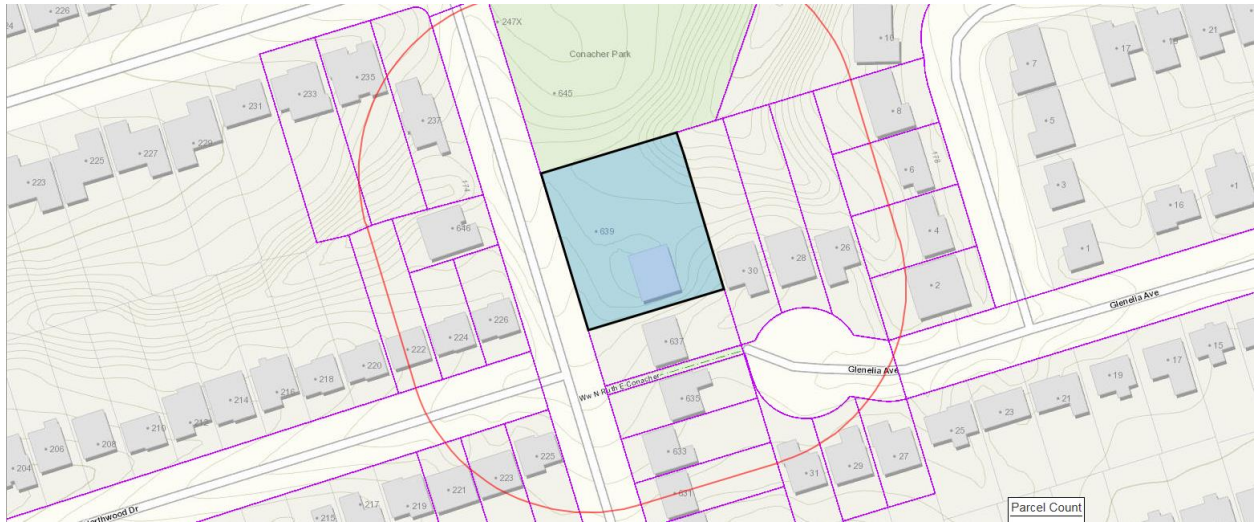
ATTACHMENTS:

1. Front view of 639 Conacher Drive.
2. View of notification area of 639 Conacher Drive.
3. Ariel view of 639 Conacher Drive.
4. East view of Building on 639 Conacher Drive Property.
5. Survey of Toronto Hydro Property 639 Conacher Drive.
6. South view of 639 Conacher Drive

Attachment 1: Front view of 639 Conacher Drive.



Attachment 2: View of notification area of 639 Conacher Drive.



Attachment 3: Ariel view of 639 Conacher Drive.



Attachment 4: East view of Building on 639 Conacher Drive Property.



Attachment 6: South view of 639 Conacher Drive

