

## **Request for Fence Exemption – 211 Wanless Ave**

**Date:** June 15, 2020

**To:** North York Community Council

**From:** Manager Municipal Licensing & Standards, East District

**Wards:** Ward 15

### **SUMMARY**

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This staff report concerns 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 advise Council concerning an application by the owner(s) of 211 Wanless Ave for a site-specific Fence Exemption, pursuant to Section 447 of Toronto Municipal Code, Chapter 447- Fences. The property owner(s) is seeking Council's permission to be exempt concerning a proposed rear yard fence which will not comply with restrictions contrary to Toronto Municipal Code, Chapter 447 Section 447-1.2 of the bylaw as detailed below in the following chart:

The subject property 211 Wanless Ave is located in Ward 15, in a residential zone property.

| GENERAL LOCATION | SPECIFIC LOCATION      | PROPOSED CONSTRUCTION & DEFICIENCY                                                                                            | BY-LAW SECTION & REQUIREMENT*                                                                                                                                |
|------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rear Yard        | Rear Yard (South Side) | Proposed wood fence measuring 2.9 meters (9.5 Feet) in height and approx. 2.5 meters (8.2 feet) span along the property line. | Section 447-1.2.(B)(3), Table 1<br>Fence not in a front yard and not within 2.4 metres of a lot line abutting a public highway.<br>Maximum Height 2.0 metres |

## **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 211 Wanless Ave, for a proposed wooden fence 2.9 meters in height and spanning approximately 2.5 meters for failing to comply with the provisions of Toronto Municipal Code, Chapter 447-Fences.

OR

2. Grant the application for a proposed wooden fence measuring 2.9 meters in height and spanning approximately 2.5 meters in the rear yard 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-Fences, 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 January 28, 2020 for a proposed rear yard fence due to privacy concerns. 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 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 by- law.

## **CONTACT**

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## **SIGNATURE**

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Elena Sangiuliano  
Manager, Municipal Licensing and Standards, Scarborough District

## **ATTACHMENTS**

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Appendix 1 – 211 Wanless Ave Iview

Appendix 2 – Photo taken of applicant's property (south/east side) rear yard

Appendix 3 – Photo taken of applicant's property (south/east side) rear yard



Appendix 1.



Appendix 2.



Appendix 3.