

Request for Fence Exemption- 12 Sheridan Ave.

Date: February 24, 2020

To: Toronto and East York Community Council

From: Joe Magalhaes, Manager Municipal Licensing & Standards, Toronto & East York District

Wards: Ward 9 - Davenport

SUMMARY

This staff report concerns a matter for which the Toronto and East 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 12 Sheridan Ave. for a site-specific Fence Exemption, pursuant to Section 1.3E.(2)(b) [1] (d) b of Toronto Municipal Code, Chapter 447- Fences. Following the issuance of a Notice of Violation (appendix 1) the property owner(s) is seeking Council's permission to be exempt concerning a Board on Board Fence located on the south side of the property which does not comply with restrictions contrary to Section 1.3E.(2).(b).[1].(d).b of the bylaw as detailed below in the following chart:

The subject property 12 Sheridan Ave. is located in Ward 9, on a residential zone property. The space between the fence posts range from 3.02 metres (9'11") to 3.2 metres (10'6").

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
South Side of Property	South side of property (pool enclosure)	15.51 metre long board on board fence with vertical post spacing that exceeds 2.4 meters.	1.3E.(2).(b).[1].(d).b Supported on substantial posts that are at least 89 millimetres by 89 millimetres, spaced not more than 2.4 metres apart, securely fastened to the ground and structurally sound.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Toronto and East York Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 12 Sheridan Avenue for the installed board on board fence measuring 15.51 metres in length with vertical posts that are in excess of 2.4 metres apart and are in non compliance with the provisions of Toronto Municipal Code, Chapter 447, Fences, thereby requiring further enforcement action.

OR

2. Grant the application for the for the installed board on board fence measuring 15.51 metres in length with vertical posts that are in excess of 2.4 metres apart contrary to the provisions of Toronto Municipal Code, Chapter 447 - Fences.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

In May of 2019, ML&S received a pool enclosure file from Toronto Buildings for the property located at 12 Sheridan Ave. Upon inspection it was noted that the spacing between the wood posts along the south side of the property exceed 2.4 metres. A Notice of Violation was issued to the property owner(s) on July 17, 2019, stating the board on board fence located on the south side of the property has fence posts which are spaced more than 2.4 metres apart contrary to Toronto Municipal Code, Chapter 447 - Fences. On July 29, 2019, the owner(s) submitted a fence exemption application, in writing, requesting a fence exemption for the spacing of the posts along the south side of the property in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences as reasons for the application.

As required by Section 447-1.5(B), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for Toronto and East York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Toronto and East York Community Council will consider the application.

COMMENTS

The fence violates Toronto Municipal Code, Chapter 447- Fences, with respect to the maximum distance between posts. It does not contravene any other provisions of the by- law.

CONTACT

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SIGNATURE

Joe Magalhaes
Manager, Municipal Licensing and Standards
Toronto and East York District

ATTACHMENTS

Attachment 1 – IView Aerial Photograph
Attachment 2 - Photo showing space between posts
Attachment 3 – Photo showing wood fence on south side of property
Attachment 4 - Photo showing wood fence on south side of property

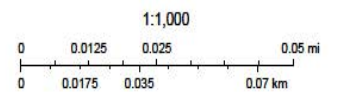
Attachment 1



T.O. INview



August 27, 2019 9:55:44 AM



MCIC
City of Toronto

12 Sheridan Ave.

Attachment 2 - Photo showing spacing between fence posts (9ft - 11inches)



Attachment 3 - Photo showing spacing between fence posts (First section - 10 ft. 6 inches)

