

Request for a Fence Exemption - 54 Freemont Avenue

Date: May 29, 2021

To: Etobicoke, Community Council

From: District Manager, Municipal Licensing and Standards

Wards: Ward 1 – Etobicoke North

SUMMARY

This staff report is in regards to a matter for which the Etobicoke 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 property owner of 54 Freemont Avenue for a site-specific Fence Exemption, pursuant to Section 447-1.2.B(1) of Toronto Municipal Code, Chapter 447, Fences. The property owner is seeking Council's permission to allow for the existing fence, which does not comply with the standards stipulated by Section 447-1.2B(1) of the bylaw, referencing Table 1 Maximum Height of Fences

The fence is located in the rear yard on the north side of the property line, abutting a neighboring property at 52 Freemont Ave. The fence material is wood, board on board material is 2.4 metres in height and 2m in width. *there is only one panel (closest to the Hot Tub) that effects the entire fence surrounding the property. See Attachments 1,2,3

The application is based on a complaint that was received and investigated by Municipal Licensing and Standards.

RECOMMENDATIONS

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

1. Refuse to grant the application for an exemption, by the property owner of 54 Freemont Avenue, for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to issue a second notice to the property owner to bring the fence into compliance.

or

2. Grant the application for a fence exemption by the property owner of 54 Freemont Avenue, thereby allowing the erected fence to be maintained as constructed. 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

No previous decision history.

COMMENTS

The subject property, 54 Freemont Ave, is a single family detached residential home situated in Ward 1.

The property owner is seeking relief from the by-law regulations to maintain the privacy and security from the neighboring property to prevent any viewing. The owner has erected wood, board on board fences in the rear yard and within 2.4 metres in height on her own property. There is only one panel effected 2m in length and 2.4m in height, contrary to Toronto Municipal Code Section 447-1.2B(1).

As required by Section 447-1.2B(1), Municipal Licensing & Standards has responded to the fence exemption application Toronto Municipal Code on by preparing this report for Etobicoke Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that the Etobicoke Community Council will consider the application.

Municipal Licensing Standards' reviewed the proposed application and determined that it does not comply with the Toronto Municipal Code, Chapter 447- Fences, as detailed in the following chart:

General Location	Specific Location	Deficiency	By-Law Section
Rear Yard	North Side of the property	Fence not in a front yard	447-1.2B(1)

The property owner(s) seek this exemption for safety and security purposes.

CONTACT

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SIGNATURE

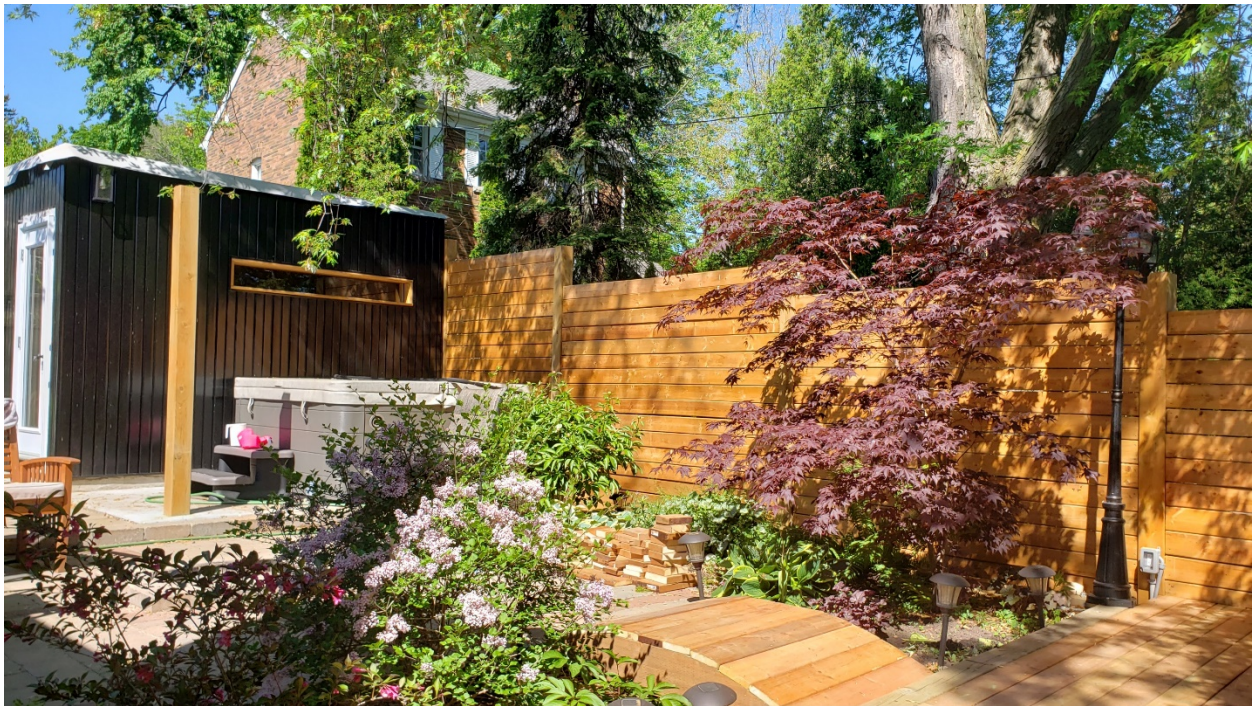
Joe Magalhaes
District Manager

ATTACHMENTS

Attachment 1 - Rear Yard - 54 Freemont Avenue

Attachment 2 - Rear Yard - 54 Freemont Avenue

Attachment 3 - Rear Yard - 54 Freemont Avenue, cross-section with 52 Freemont Ave



Attachment 1 - 54 Freemont Avenue *Fence located near Hot Tub



Attachment - 54 Freemont Avenue, Rear Yard *Fence located near Hot Tub



Attachment 3 - 54 Freemont Avenue *cross-section of neighboring property(52 Freemont Ave)