

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 35 Crane Ave

Date: May 31, 2021

To: Etobicoke York Community Council

From: District Manager, Municipal Licensing and Standards, West District

Wards: Ward 2 - Etobicoke Centre

SUMMARY

This staff report concerns a matter for which the Etobicoke-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 property owner of 35 Crane Ave for a site-specific Fence Exemption, pursuant to Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Council's permission to allow for a fence, which does not comply with the construction of a swimming pool meeting the standards stipulated by Section 447-1.3(E)(2) of the bylaw.

The fence will be located in the rear yard along the west property line and forms a barrier to the neighbouring property. The fence will be constructed out of PVC (vinyl).

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 permit, by the property owner of 35 Crane Ave, 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 permit, without conditions, thereby allowing the fence to be maintained as constructed. Direct and require that the installation be maintained in good repair without alteration. 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 anticipated Financial Impact from this report.

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on May 12 2021, in regards to a proposed fence installation, in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences, listing durability and security as the reason 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 Etobicoke-York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Etobicoke-York Community Council will consider the application.

The subject property, 35 Crane Ave, is located in Ward 2. The property is a 2 storey detached residential home.

See the table below for the dimensions of the fence in question.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear Yard	West Property line	Proposed fence will be PVC in construction and have a height of 6 feet (1.8 m)	Section 447-1.2(E)(2) Every Fence and gate used in a swimming pool enclosure shall be constructed to the following standards:

COMMENTS

While the proposed fence violates Toronto Municipal Code, Chapter 447- Fences with respect to height, it does not appear to contravene any other provisions of the bylaw.

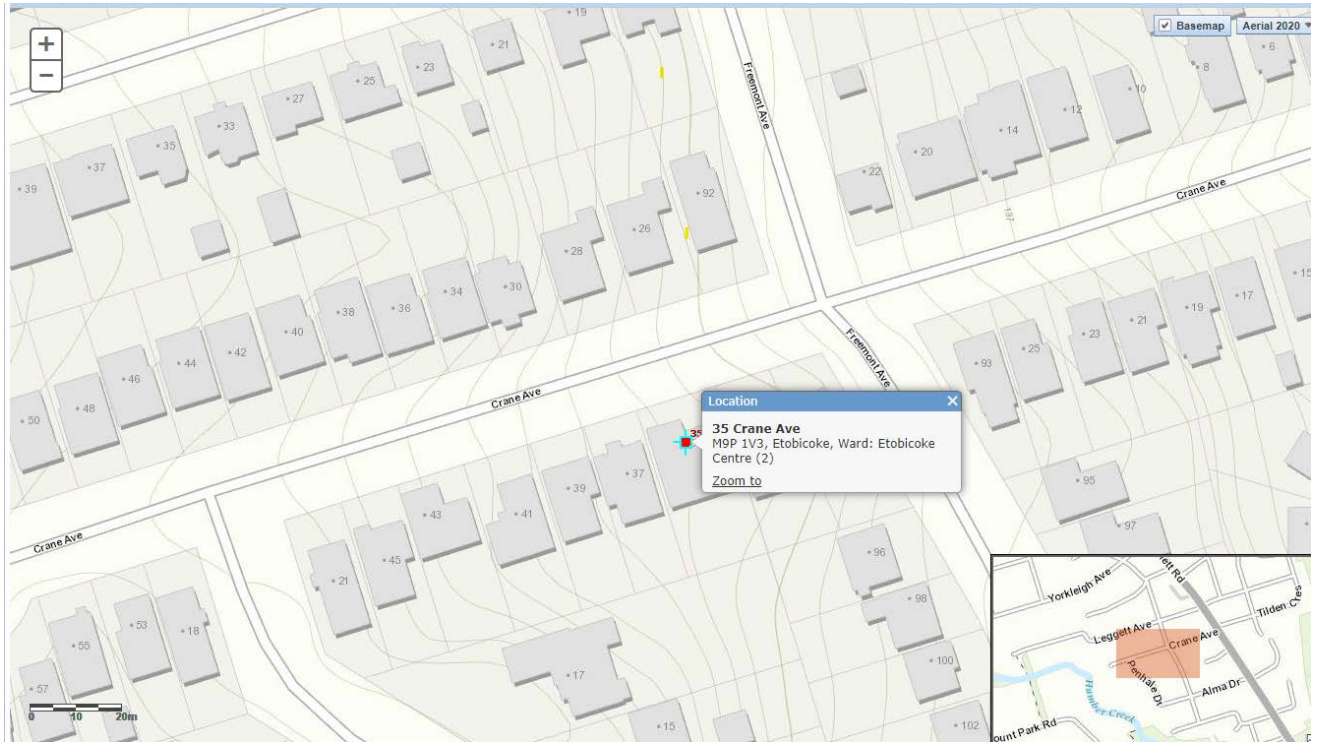
CONTACT

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SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS



Attachment 1: iView Map of property – 35 Crane Ave



Attachment 2: PVC fence installed on West side of property (photo taken facing South-west)



Attachment 3: PVC fence on West side of property (photo taken facing South)