

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 4 Botley Road

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 4 Botley 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 the installation of a new fence, which does not comply with height restrictions stipulated by Section 447-1.2(B)(1) of the bylaw.

The fence will be located in the front yard along the North West section of the property. It will be constructed of wood, with a height of 2.0 metres and located entirely on private property.

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 4 Botley Rd, for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for a fence exemption permit, without conditions, thereby allowing the fence to be installed as described. 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 26 2021, in regards to a proposed fence installation, in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences, listing "privacy and security" as the 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 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, 4 Botley Rd, is located in Ward 2. The property is a 2 storey detached residential home located on the corner of Crendon Dr and Botley Rd.

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

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	Front yard on west side of property	Proposed fence will be wood in construction and have a height of 2.0 metres	Section 447-1.2(B)(1) No fence described in the following table shall, exceed the height set out in the table

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.

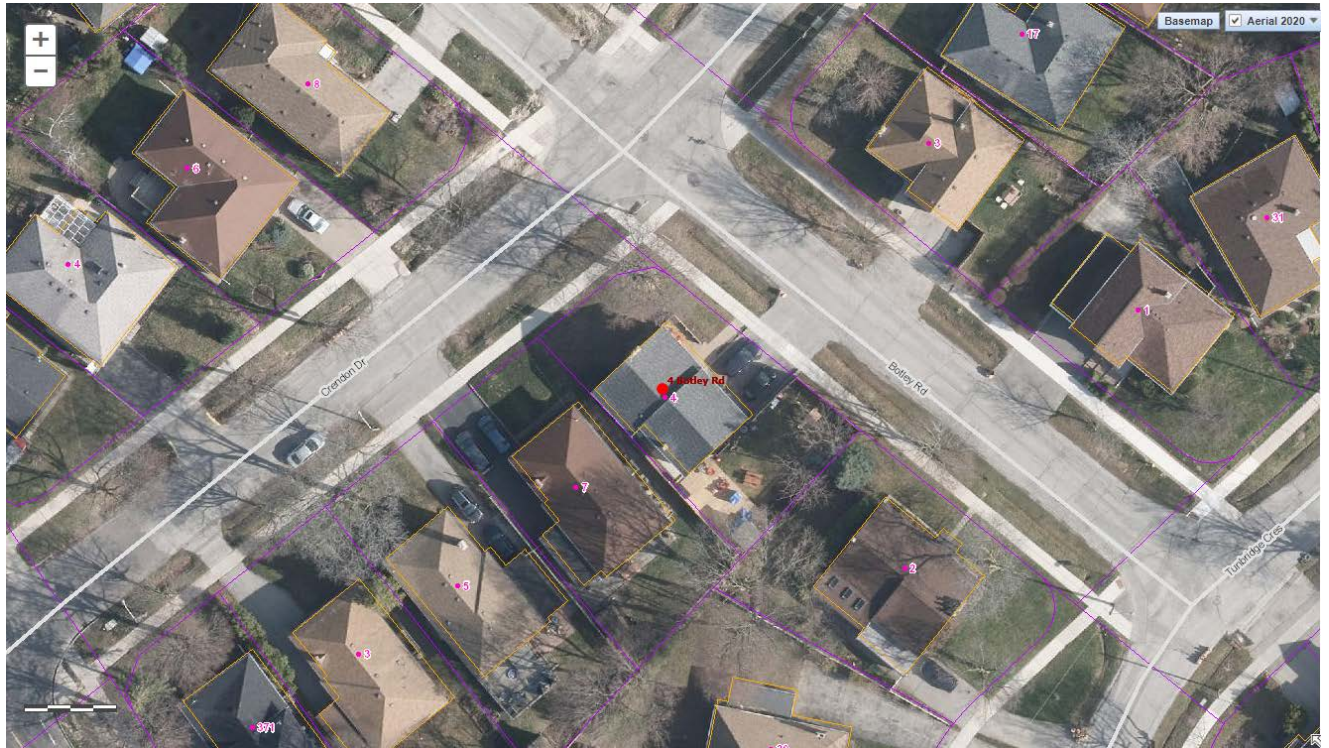
CONTACT

Gurminder Purba, Supervisor,
Municipal Licensing & Standards
West District
Tel. (416) 392-7610
E-mail: gurminder.purba@toronto.ca

SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS



Attachment 1: iView Map of property – 4 Botley Rd



Attachment 2: Location of proposed front yard fence on the west side of property



Attachment 3: Proposed dimensions and location of the fence