

## **Request for a Fence Exemption - 37 Frost St**

**Date:** August 20 2021

**To:** Etobicoke, Community Council

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

**Wards:** Ward 01 – Etobicoke North

### **SUMMARY**

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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 37 Frost St 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 front yard on the west side of the property line. The fence material is wood (board on board) and is 2 metres in height and within 2.4m of the lot line.

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

## **RECOMMENDATIONS**

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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 37 Frost St, 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 37 Frost St (with or without conditions), 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**

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There is no financial impact anticipated in this report.

## **DECISION HISTORY**

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No previous decision history.

## COMMENTS

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The subject property, 37 Frost St, 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, security and safety for two Autistic grandchildren that play on the property in the front yard.

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 |
|------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------|----------------|
| Front Yard       | West Side of the property | Fence in a front yard; and within 2.4 metres of a lot line abutting a public highway; maximum height of 1.2 metres | 447-1.2B(1)    |

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

## CONTACT

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## **SIGNATURE**

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Joe Magalhaes  
District Manager

## **ATTACHMENTS**

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- Attachment 1 - Front Yard - 37 Frost St- Front facing view
- Attachment 2 - Front Yard - 37 Frost St- Close up of fence
- Attachment 3 - Front Yard - 37 Frost St- Side view, main entrance to home
- Attachment 4 - Front Yard - 37 Frost St- Street view parallel to sidewalk

Attachment 1- 37 Frost St- Front facing view



Attachment 2 - 37 Frost St - Close up of fence





Attachment 3 - 37 Frost St- Sideview, main entrance to home



Attachment 4 - 37 Frost St - Street view parallel to sidewalk

