

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 17 Alcan Ave

Date: August 23, 2021

To: Etobicoke York Community Council

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

Wards: Ward 3 - Etobicoke Lakeshore

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 17 Alcan 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 existing fence, which does not comply with the standards stipulated by Section 447-1.3(B)(1) of the bylaw.

The fence exceeds the allowed height limit for a property line fence on the east side of the rear yard. The fence material is wood and a notice has been issued to the property owners.

RECOMMENDATIONS

The Manager recommends:

1. Refuse to grant the application for an exemption permit, by the property owner of 17 Alcan Ave, for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to issue a notice to the property owner to bring the fence into compliance.

OR

2. Grant the application for a fence exemption permit (with or without conditions), thereby allowing the fence to be installed as. 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 July 15, 2021, in regards to an existing fence installation, in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences.

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, 17 Alcan Ave, is located in Ward 3. The property is a 2 storey semi-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	East side of yard	Fence is constructed of wood. The fence measures at a maximum height of 3.44 m (11 feet 4 inches in height). It is constructed next to a raised deck	Section 447-1.2(B)(1) Maximum height of 2 metres when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence

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 – 17 Alcan Ave
Attachment 2: Rear Fence (photo taken facing East)
Attachment 3: Rear Fence (photo taken facing North)
Attachment 4: Rear Fence from neighbouring property at 15 Alcan Ave (photo taken facing West)
Attachment 5: Letter of Support - 19 Alcan Ave



Attachment 1: iView Map of property – 17 Alcan Ave



Attachment 2: Rear Fence (photo taken facing East)



Attachment 3: Rear Fence (photo taken facing North)



Attachment 4: Rear Fence from neighbouring property at 15 Alcan Ave (photo taken facing West)

Property Owner
19 Alcan Avenue
Toronto, ON
M8W1V2

City of Toronto
Municipal Licensing and Standards
Etobicoke Civic Centre
Main floor, 399 The West Mall
Toronto, ON M9C 2Y2

Re: Fence Exemption – 17 Alcan Avenue, Toronto, ON M8W1V2

To Whom it may Concern:

I am the property owner of 19 Alcan Avenue, Toronto, ON M8W1V2.

I am aware that the property owner of 17 Alcan Avenue will be submitting a fence exemption application to Municipal Licensing and Standards.

I am aware that the exemption being applied for is for a privacy fence that is 3.07 metres high for a length of 5.5 feet, 2.79 metres high for a length of 8 feet and 2.50 metres for a length of 8 feet.

I support the fence exemption application.

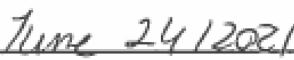
Sincerely,



Signature



Printed Name



Date

Attachment 5: Letter of Support - 19 Alcan Ave

Property Owner
13A Alcan Avenue
Toronto, ON
M8W1V2

City of Toronto
Municipal Licensing and Standards
Etobicoke Civic Centre
Main floor, 399 The West Mall
Toronto, ON M9C 2Y2

Re: Fence Exemption – 17 Alcan Avenue, Toronto, ON M8W1V2

To Whom it may Concern:

I am the property owner of 13A Alcan Avenue, Toronto, ON M8W1V2.

I am aware that the property owner of 17 Alcan Avenue will be submitting a fence exemption application to Municipal Licensing and Standards.

I am aware that the exemption being applied for is for a privacy fence that is 3.07 metres high for a length of 5.5 feet, 2.79 metres high for a length of 8 feet and 2.50 metres high for a length of 8 feet.

I support the fence exemption application.

Sincerely,

Alda Montoso
Signature

Alda Moitoso
Printed Name

June 23/21
Date

Attachment 6: Letter of Support - 13A Alcan Ave