

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 68 Burrows Ave

Date: August 23, 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 68 Burrows 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 privacy trellis on top of the current fence, which would not comply with the standards stipulated by Section 447-1.3(B)(1) of the bylaw.

The existing fence is in compliance of the bylaw but the addition of the trellis would cause the fence to exceed the allowed height limits on the north side of the rear yard. The fence material to be used is wood.

RECOMMENDATIONS

The Manager recommends:

1. Refuse to grant the application for an exemption permit, by the property owner of 68 Burrows 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 June 28, 2021, in regards to a proposed 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, 68 Burrows 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	North Side of the rear yard	Wood fence with a trellis on top. The fence is 1.8 m (6 feet in height); the trellis will be 0.45 m (18 inches in height) for a span of 7.3 m (24 feet). Total fence height will be 2.25 m (7 feet 6 inches).	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
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E-mail: gurminder.purba@toronto.ca

SIGNATURE

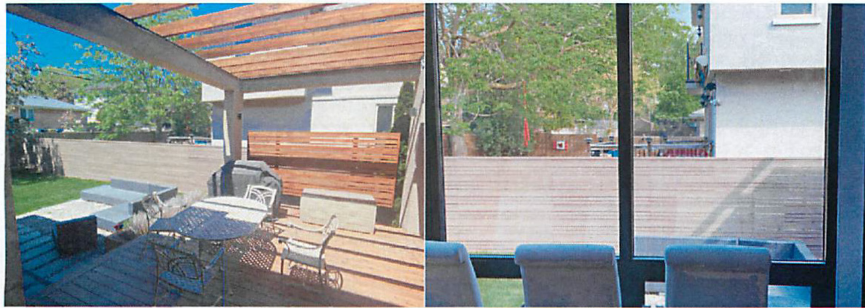
Joe Magalhaes
District Manager

ATTACHMENTS

Attachment 1: iView Map of property – 68 Burrows Ave
Attachment 2: Fence - currently
Attachment 3: Fence - proposed
Attachment 4: Letter of Support - 68 Burrows Ave



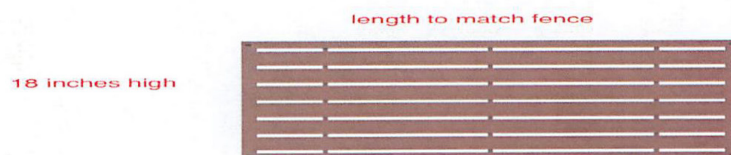
Attachment 1: iView Map of property – 68 Burrows Ave



Rear yard view of fence currently – 6 ft wood Fence:



Size of lattice to be added on top of existing 6 ft fence – painted to match existing fence:

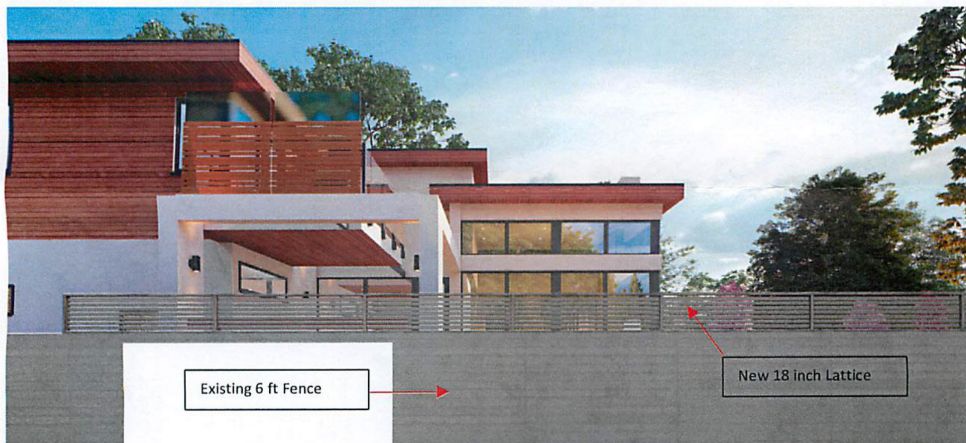


Attachment 2: Fence - currently

Artist photo rendering of existing fence with proposed lattice added to top of Fence.
Trees shown full size after 5+ years of growth:



This is artist's rendering of view from neighbours' deck – when seated.



Addition of the lattice provides both parties increased privacy.

Attachment 3: Fence - proposed

Fence Exemption Application
Community Council
Etobicoke Central District
433 Eastern Ave, Building B
1st Floor
Toronto, ON M4M 1B7
MLSCentral@toronto.ca

June 20th, 2021

RE: 68 Burrows Avenue

Dear Committee Members:

We are the owners of 72 Burrows Avenue. We have no opposition to the proposal submitted on behalf of Alastair Jenkins, owner of 68 Burrows Avenue related to the fence exemption. We believe that the design is in keeping with the neighborhood, the variance is minor in nature and will improve the privacy of both parties.

Thank you for your consideration.

Yours truly,



Aaron and Teresa Pollett



72 Burrows Avenue, Etobicoke ON, M9B 4X1

Attachment 4: Letter of Support - 68 Burrows Ave