

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 195 Mill Rd

Date: November 03, 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 195 Mill Rd 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 height restrictions stipulated by Section 447-1.2(B)(1) of the bylaw.

The fence is located in the Rear yard of the property. The fence is constructed of wood, with a height ranging from 2.0 to 2.6 metres in height and located entirely on private property.

RECOMMENDATIONS

The Manager recommends:

1. Refuse to grant the application for an exemption permit, by the property owner of 195 Mill 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 (with or without conditions) to the property owners of 195 Mill Road, thereby allowing the proposed fence to be installed. 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, Fences, 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 Oct 21 2021, in regards to an existing fence installation, in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences, listing "privacy, safety 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, 195 Mill Rd, 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	Side yard fence in the rear of the property	Fence is constructed of pressure treated wood and has a height range of 2.0 to 2.6 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 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 – 195 Mill Rd
Attachment 2: Front yard fence (facing west)
Attachment 3: Side Yard fence (photo taken facing South)
Attachment 4: Side Yard fence (photo taken facing South)
Attachment 5: Side Yard fence (photo taken facing North)
Attachment 6: Letter from Neighbour (193 Mill Rd)
Attachment 7: Letter from Neighbour (197 Mill Rd)



Attachment 1: iView Map of property – 195 Mill Rd



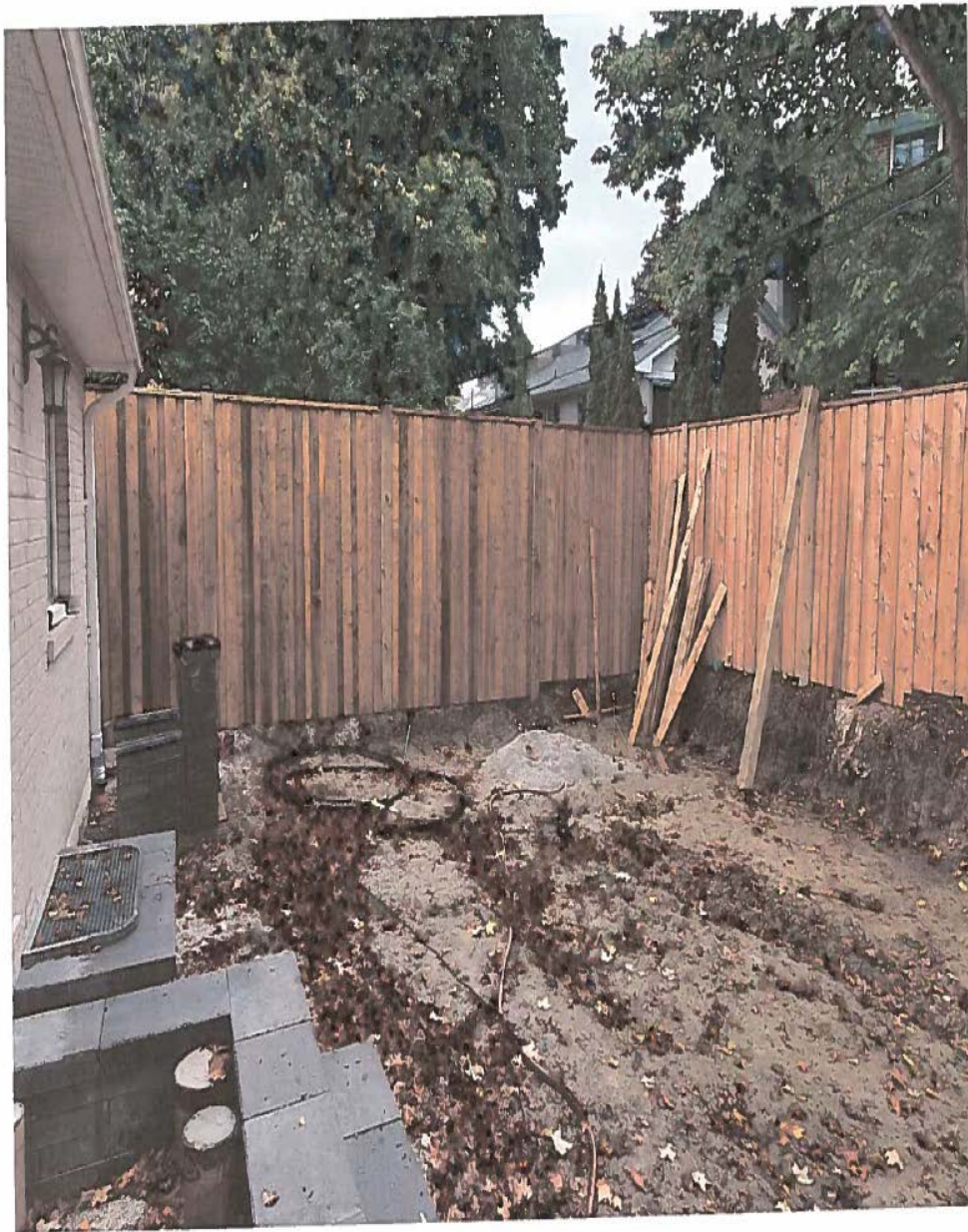
Attachment 2: Front yard fence (facing East)



Attachment 3: Side Yard fence (photo taken facing South)



Attachment 4: Side Yard fence (photo taken facing South)



Attachment 5: Side Yard fence (photo taken facing North)

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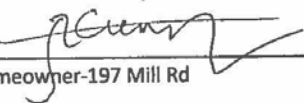
FENCE HEIGHT VARIANCE LETTER OF AUTHORIZATION:

To whom it may concern,

We are in agreement to replace the existing fence between our property, 197 Mill Rd, and the property building the fence, 195 Mill Rd. The new fence will be level from the back of the property towards the front of the property resulting in a slight height variance. We are in agreement with this height variance.

Sincerely,

x 
Homeowner 197 Mill Rd

x 
Homeowner-197 Mill Rd

x September 16, 2021
Date

Attachment 6: Letter from Neighbour (193 Mill Rd)

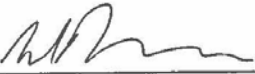
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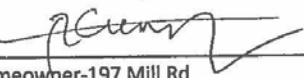
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Attachment 7: Letter from Neighbour (197 Mill Rd)