

Request for a Fence Exemption - 174 Armour Boulevard

Date: April 29, 2021

To: North York, Community Council

From: District Manager, Municipal Licensing and Standards

Wards: Ward 06 – York Centre

SUMMARY

This staff report is in regards to a matter for which the North 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 174 Armour Boulevard 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 erect a new fence 2.44 meters in height, which does not comply with the standards stipulated by Section 447-1.2(B)(1) of the bylaw.

The proposed fence location would be in the rear yard on the east property line and forms a barrier to the neighbouring property. The proposed fence material is pressure treated wood, board on board.

No complaint was filed for the fence.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the North York 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 174 Armour Boulevard, 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 by the property owner of 174 Armour Boulevard, thereby allowing the proposed fence to be erected and maintained as constructed. 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 financial impact anticipated in this report.

DECISION HISTORY

No previous decision history.

COMMENTS

The subject property, 174 Armour Boulevard, is a single family detached residential home situated along Armour Boulevard in Ward 6 (Attachment # 1).

The property owner is seeking relief from the by-law regulations to erect a wood, board on board rear yard fence measured approximately 2.44 metres in height, at a length of 9.76 metres which exceeds the permitted height restrictions contrary to Sections 447-2.B.(1) of Chapter 447 of the Toronto Municipal Code. The proposed location of the fence is the east property line and forms a barrier to the abutting property 2 Westgate Crescent (Attachment 2&3).

As required by Section 447-1.5(B), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for North York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that the North York 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
Rear Yard	East property line in front yard	Fence in the rear yard exceeds the permitted height of 2.0 metres.	447-1.2(B)(1)

The property owner(s) seek this exemption for privacy reason.

CONTACT

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SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS

Attachment 1 - Aerial map - 174 Armour Boulevard
Attachment 2 - Rear Yard Fence - 174 Armour Boulevard, Rear Yard
Attachment 3 - Rear Yard Fence - 174 Armour Boulevard, Rear Yard



Attachment 1 - Aerial map - 174 Armour Boulevard



Attachment 2 - Rear Yard Fence - 174 Armour Boulevard, Rear Yard



Attachment 3 - Rear Yard Fence - 174 Armour Boulevard, Rear Yard