

Application for Fence Exemption 20 Ivor Road

Date: May 21, 2021
To: North York Community Council
From: East District Manager Municipal Licensing and Standards
Wards: Ward 15 - Don Valley West

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 consider an application submitted by the homeowner of 20 Ivor Road to erect a proposed Faux Green fence in the rear yard, which does not meet the height requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the North York Community Council give consideration to the exemption application and decide to:

1. Refuse the application for an exemption submitted by the homeowners of 20 Ivor Road to erect a proposed Faux Green fence in the rear yard, which does not comply with provisions of City of Toronto Municipal Code, Chapter 447, Fences, and direct that a second unappealable Notice of Violation be issued under City of Toronto Municipal Code, Chapter 447, Fences; or
2. Grant the exemption to the homeowners of 20 Ivor Road to erect a proposed Faux Green fence in the rear yard to be maintained in the same condition without alteration. At such time as replacement of the fence is required that the replacement fence will comply with Municipal Code Chapter 447, Fences, or its successor by-law.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

An application for a fence exemption was submitted by the property owners of their own volition based on the fact that the proposed Faux Green fence rear yard is in violation of the TCM 447- Fences. Accordingly, all required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office of the date that the application for exemption will be considered by North York Community Council. (Attachment 1)

COMMENTS

The property owners determined that installing the proposed Faux Green fence in the rear yard would not comply with the height provisions set out in the Toronto Municipal Code Chapter 447- Fences.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Rear Yard	West side of the property	Proposed Faux Green fence will be approximately 5.0 meters at the highest point. The permitted height is 2.0 meters	1.2B.(1)

A Fence Exemption application was submitted by the property owners of 20 Ivor Road, as a result of the property owner's findings of non-compliance with the height regulations in TCM 447-Fences. The property owner of 20 Ivor Road put forward a Fence Exemption application on the grounds that the fence will provide privacy, security and is aesthetically pleasing.

However, should the North York Community Council decide to grant the owner the exemption, the owner will be subject to the conditions for compliance as set out in recommendation 2.

CONTACT

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SIGNATURE

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ATTACHMENTS:

1. View of Notification area 20 Ivor road
2. Front view of 20 Ivor road
3. Landscape Architects drawings of proposed Faux Green Wall
4. Landscape Architects aerial view of location of wall
5. View of West side of the property neighbours Cabana and proposed fence location
6. View of pool and neighbouring property
7. An example of faux green wall provided by the Property Owner

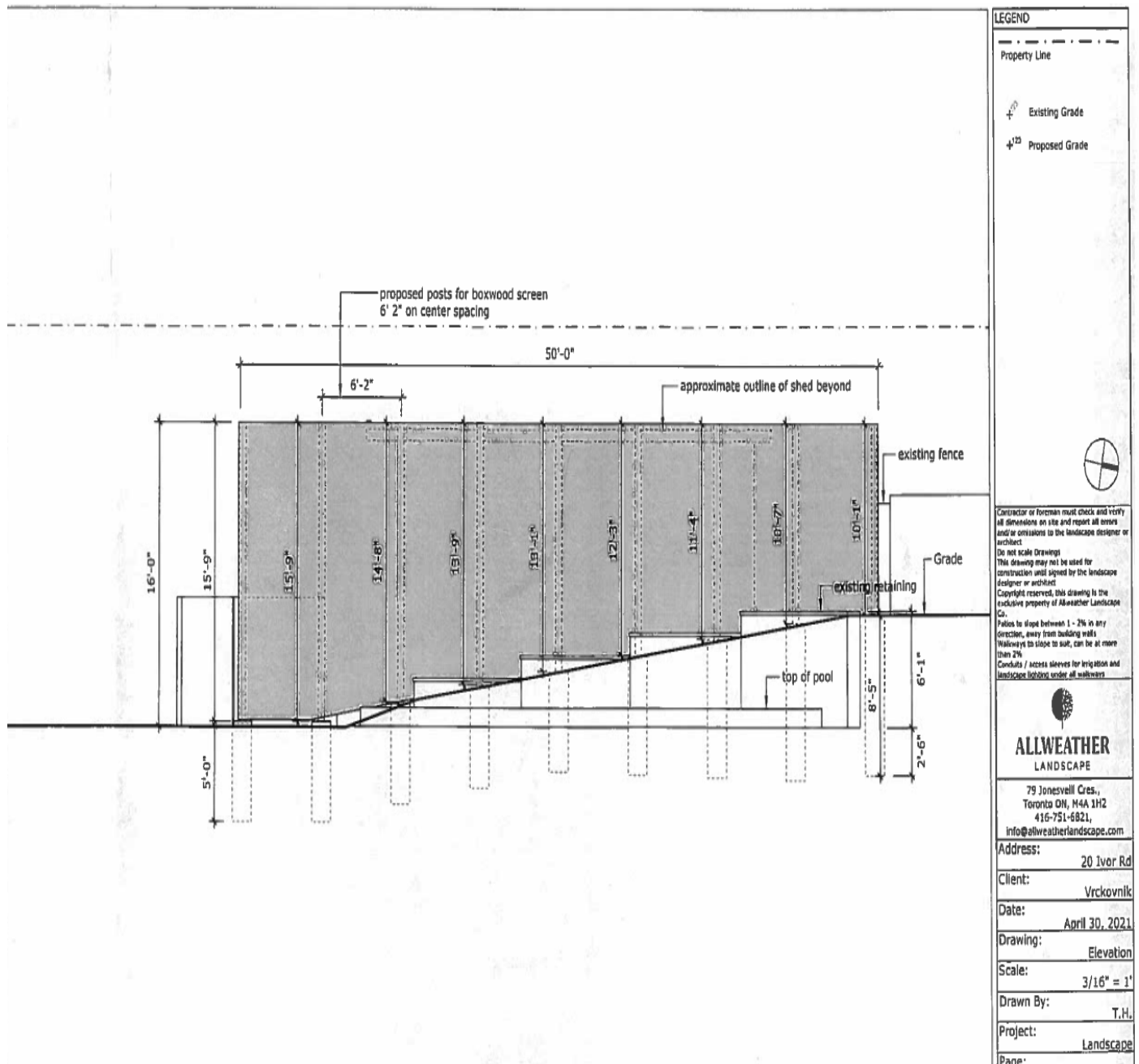
Attachment 1: View of Notification area 20 Ivor Road



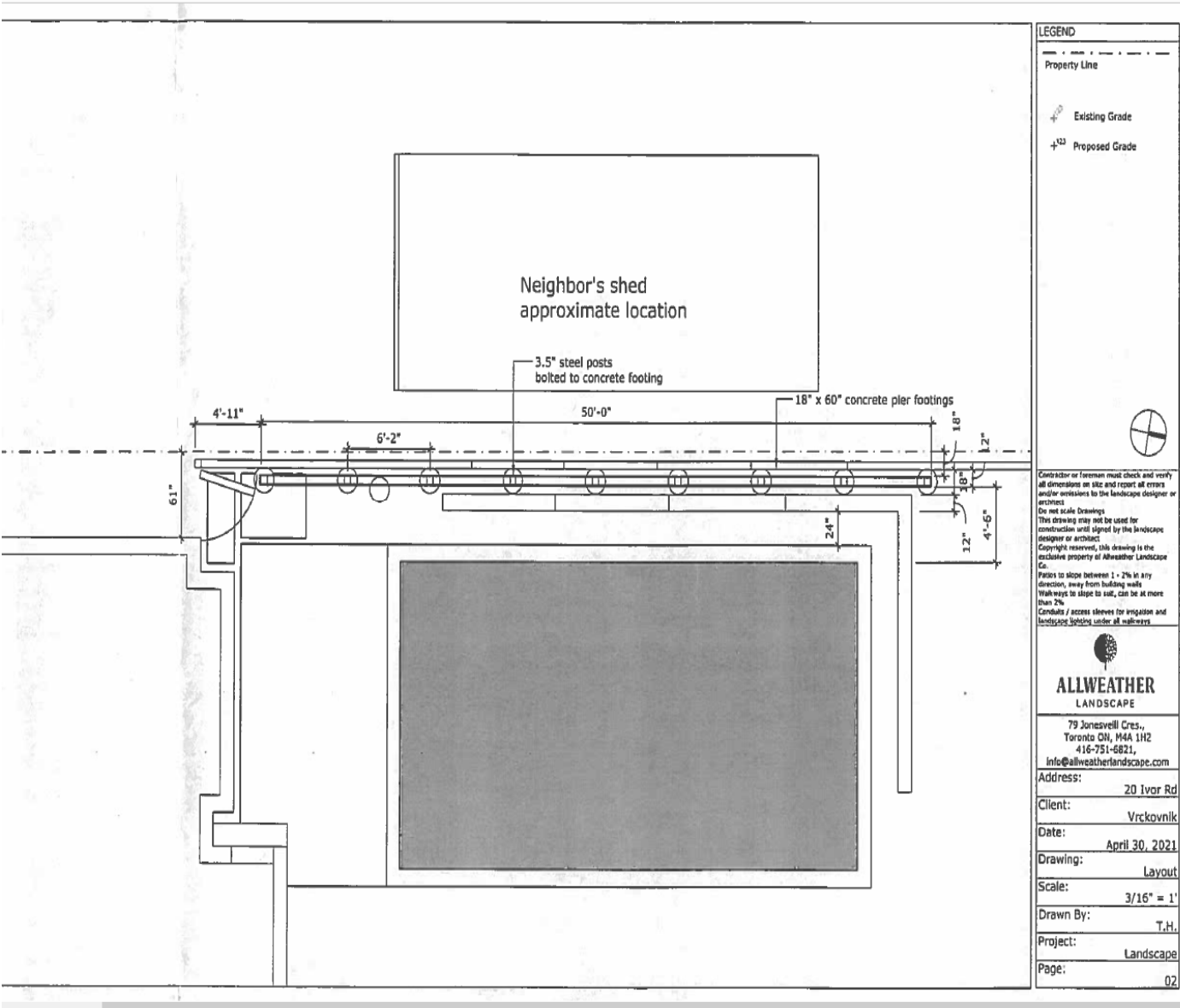
Attachment 2: Front view of 20 Ivor Road



Attachment 3: Landscape Architects drawings of proposed Faux Green Wall



Attachment 4: Landscape Architects aerial view of location of wall



Attachment 5: View of West side of the property neighbours Cabana and proposed fence location



Attachment 6: View of pool and neighbouring property



Attachment 7: An example of faux green wall provided by the Property Owner

