

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 2 Manitou Boulevard

Date: November 03, 2021

To: North York Community Council

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

Wards: Ward 8 - Eglinton-Lawrence

SUMMARY

This staff report concerns 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 Community Council concerning an application by the property owner of 2 Manitou 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 Community Council's permission to keep a fence for a pool enclosure that has a lock, which would not comply with the standards stipulated by Section 447-1.3(C)(6)(d) of the bylaw.

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, West District recommends that North York Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 2 Manitou Boulevard, for a proposed 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 2 Manitou Boulevard, 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 October 08, 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 North York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that North York Community Council will consider the application.

The subject property, 2 Manitou Boulevard, is located in Ward 8. The property is a 2 storey detached residential home. The fence will be built on the east side of property and end at the front wall of the 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	Pool Enclosure	Wrought Iron with spacing filled with frosted tempered glass	Section 447-1.(C)(6)(d) Have one gate that is self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 metres above grade

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

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SIGNATURE

Joe Magalhaes
District Manager
Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: iView Map of property – 2 Manitou Blvd
Attachment 2: photograph of lock on pool enclosure

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Attachment 2: photograph of lock on pool enclosure

