

Request for Fence Exemption – Rear yard – 79 Boardwalk Dr.

Date: November 21, 2020.

To: Toronto and East York Community Council

From: Chris Ellis, District Manager, Municipal Licensing & Standards, Toronto and East York District

Wards: Ward 19 (Beaches – East York).

SUMMARY

This staff report is in regards to a matter for which the Toronto and East 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 owner(s) of 79 Boardwalk Dr. for a site-specific Fence Exemption, pursuant to the Toronto Municipal Code, Chapter 447- Fences. The property owner(s) is seeking Council's permission to be exempt from Chapter 447–1.2.B(1) – Fence height.

The subject property 79 Boardwalk Dr. is located in Ward 19, on a residentially zoned property.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT
Rear yard	East, North and South side of property, rear yard.	East - Existing wooden board on board fence between #79 & 81 Boardwalk Dr. to be increased in height to 2.44 metres. (8 Feet). North – existing gate is 2.44 metres high. (8 feet). South – Existing wooden board on board fence is 2.3 metres high (average height).	Chapter 447–1.2.B(1) – Fence height.

RECOMMENDATIONS

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

1. Refuse to grant the application for an exemption permit, by the owner(s) of 79 Boardwalk Dr, rear yard fence height, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for the rear yard fence to be built in excess of 2.0 metres without conditions. Direct and require that the installation be maintained in good repair without alteration. Direct and require that 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 financial impact anticipated in this report.

DECISION HISTORY

The owner(s) submitted a fence exemption application, in writing, on August 13th, 2020 for proposed increase in height of an existing pool enclosure boundary fence, with Section 447-1.5.(B) of Toronto Municipal Code, Chapter 447- Fences as 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 Toronto and East York Community Council's consideration, and the City Clerk has sent all requisite notifications of the date that Toronto and East York Community Council will consider the application.

COMMENTS

The proposed wooden fence to the east side of the property would violate Toronto Municipal Code, Chapter 447- Fences, with respect to the fence being in excess of 2 metres in height, however it does not contravene any other provisions of the bylaw. The existing portions of the fence to the north and south that are in excess of 2 metres do not contravene any other provisions of the bylaw. The boundary fences are part of a swimming pool enclosure.

CONTACT

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SIGNATURE

Christopher Ellis
Manager, Municipal Licensing and Standards, Toronto and East York District

ATTACHMENTS

Appendix 1 – Appendix 1, Location of subject property from iView showing areas subject to the exemption request.

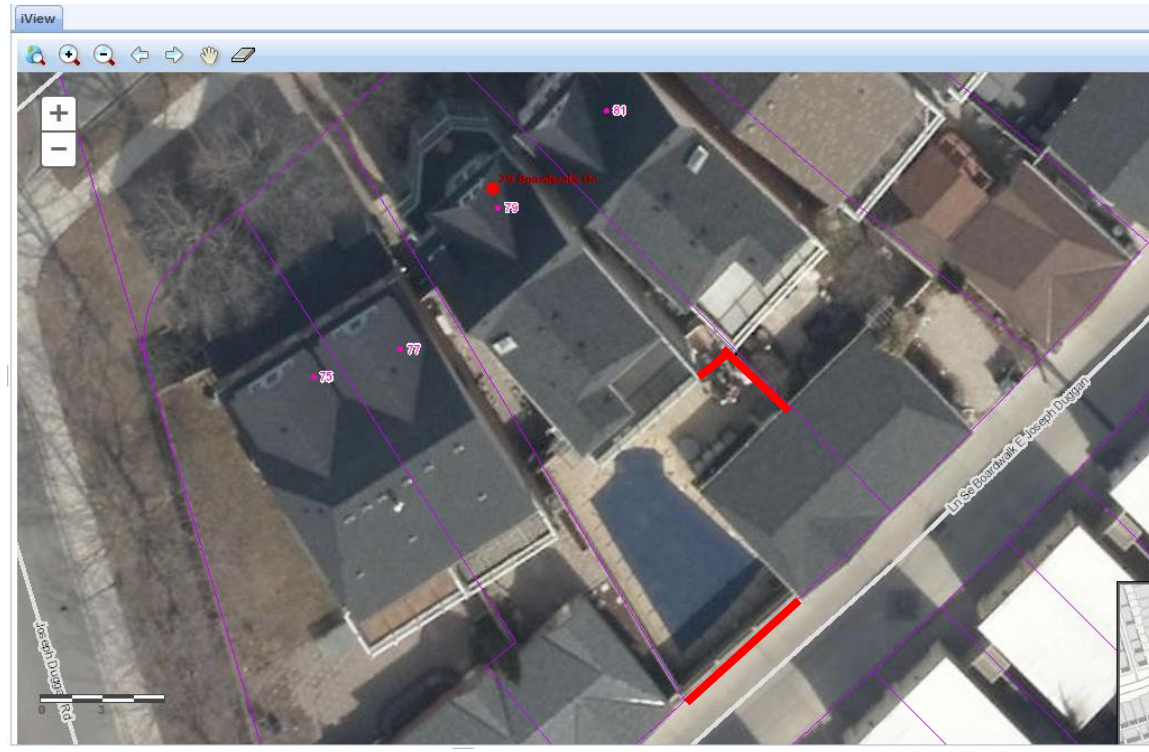
Appendix 2- Elevation photo taken from rear yard of 79 Boardwalk Dr. showing wooden gate to the north.

Appendix 3- Elevation photo taken from rear yard of 79 Boardwalk Dr. showing wooden fence between numbers 79 & 81 Boardwalk Dr. to the east.

Appendix 4- Elevation photo taken from rear yard of 79 Boardwalk Dr. showing wooden fence to the south.

Appendix 5- Elevation photo taken from laneway to the rear of 79 Boardwalk Dr. showing the exterior of the existing wooden fence.

Appendix 1, Location of subject property from iView
showing areas subject to the exemption request:
79 Boardwalk Dr. fence exemption application
Folder #20 184618 FEN 00 IR



Appendix 2- Elevation photo taken from rear yard of 79
Boardwalk Dr. showing wooden gate to the north.
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Appendix 3- Elevation photo taken from rear yard of 79 Boardwalk Dr. showing wooden fence between numbers 79 & 81 Boardwalk Dr. to the east.

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Appendix 4- Elevation photo taken from rear yard of 79 Boardwalk
Dr. showing wooden fence to the south.
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Appendix 5- Elevation photo taken from laneway to the rear of 79 Boardwalk Dr. showing the exterior of the existing wooden fence.
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