

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 104 Meadowbank Road

Date: Jun 9 2022

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 Community Council concerning an application by the property owner of 104 Meadowbank Road 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 used as a swimming pool enclosure in the rear yard at a height of 1.5 metres. The fence does not comply with section 447-1.3(E)(b) regarding not having an external condition that facilitates climbing the outside of the enclosure.

RECOMMENDATIONS

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

1. Refuse to grant the application for an exemption permit, by the property owner of 104 Meadowbank Road, 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 104 Meadowbank Road, thereby allowing the fence to remain as constructed. 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 May 12, 2022, 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 Etobicoke York Community Council 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, 104 Meadowbank Road, is located in Ward 2. The property is a 2 storey residential family unit.

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	South side of the swimming pool enclosure (tree on neighbouring property)	Chain link – 1.5 metres in height	447-1.3(E) (b) Be no closer than one metre to any external condition that may facilitate climbing the outside of the enclosure unless the height of the enclosure is at least 1.8 metres for a distance of at least one metre on each side of the condition;

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.

A notice will be issued to the property owner if the exemption is not granted.

CONTACT

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SIGNATURE

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District Manager

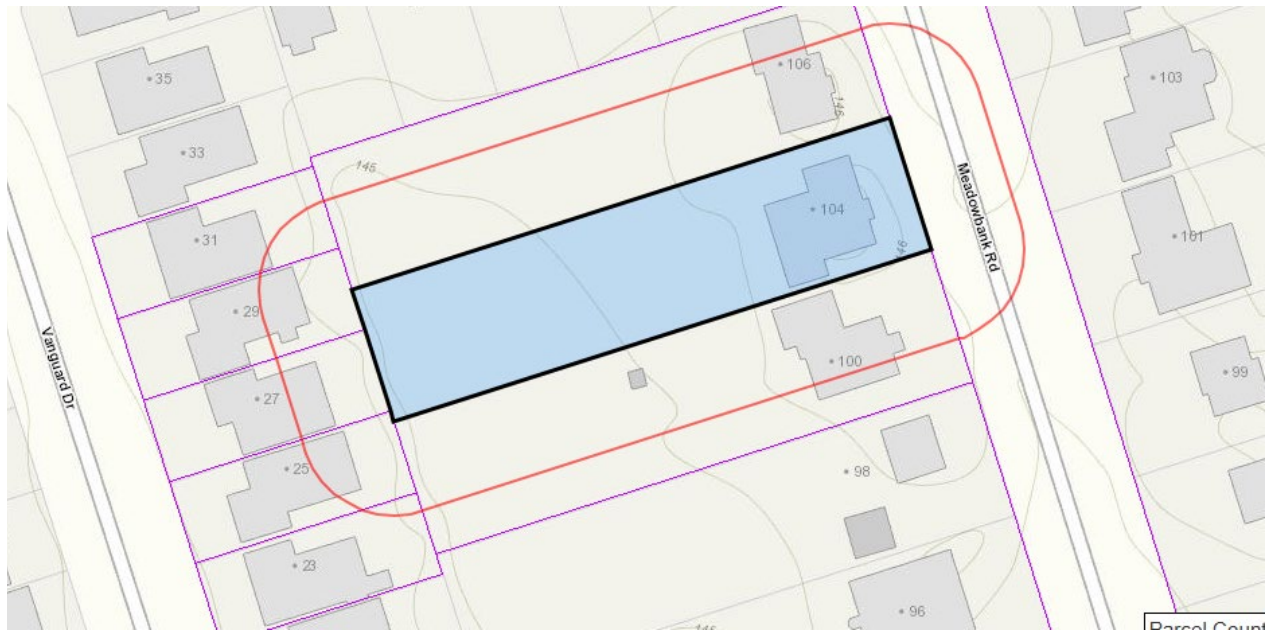
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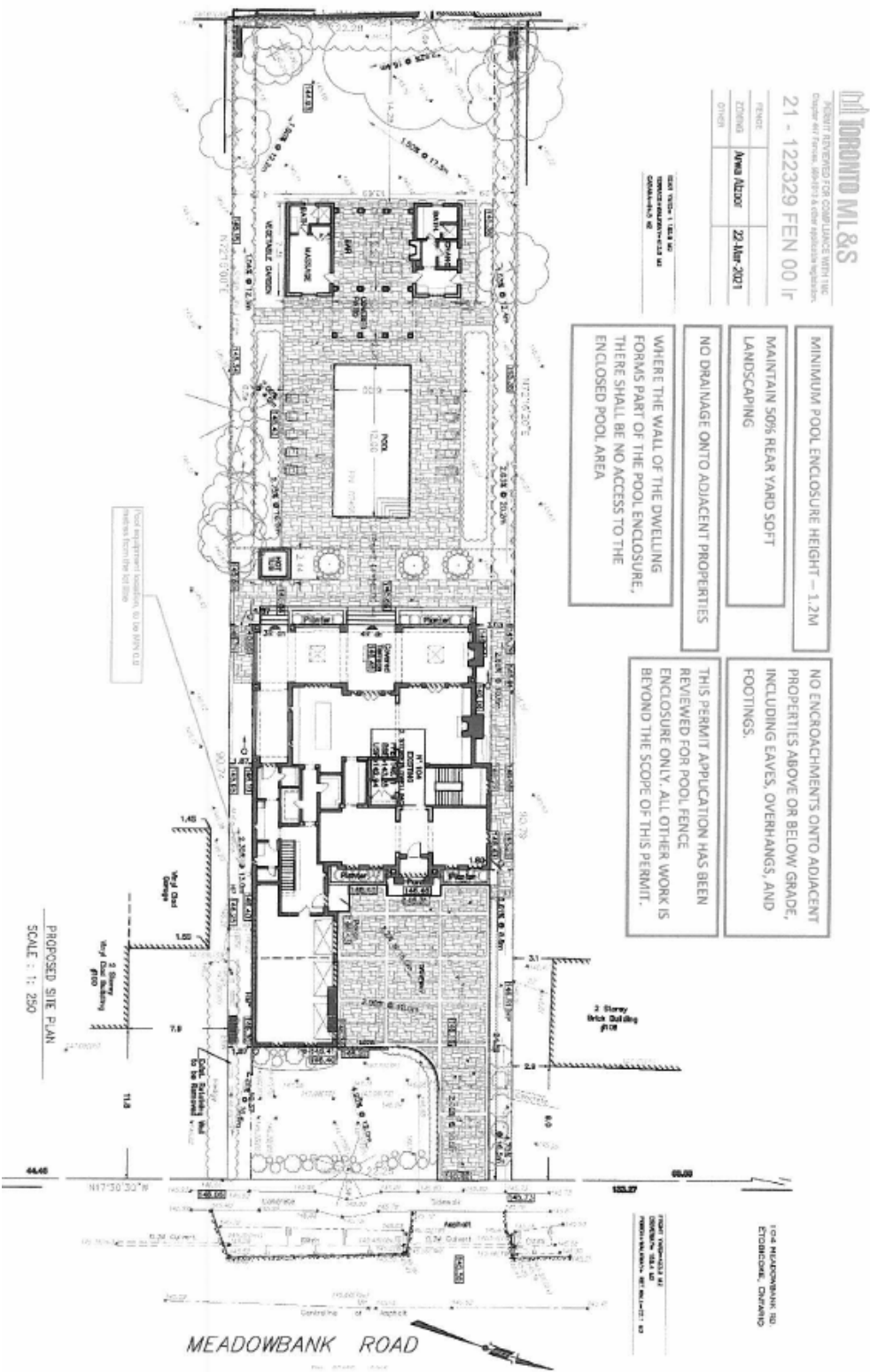
Attachment 1: iView Map of property – 104 Meadowbank Road

Attachment 2: Swimming pool enclosure permit

Attachment 3: Photo of south pool enclosure fence with tree from neighbour's property

Attachment 1: iView Map of property – 104 Meadowbank Road





Attachment 3: Photo of south pool enclosure fence with tree from neighbour's property

