

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 95 Great Oak Drive

Date: May 31 2022

To: Etobicoke York Community Council

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

Wards: 2

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 95 Great Oak Drive 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 erect a fence 1.83m in height located at the front of the property and an additional fence running parallel to 97 Great Oak Dr at a height off 1.83m. Maximum height of a fence in the front yard 1.2m.

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 95 Great Oak Drive, 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 95 Great Oak Drive, 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 May 1 2022, in regards to a new 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, 95 Great Oaks Drive, is located in 2. The property is detached 2 storey residence requesting a 1.83m wrought iron fence located at the front of the property and along the side, parallel to 97 Great Oak Dr, also wrought iron fence

See the table below for the dimensions of the fence in question.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	Frontage of property & Parallel to 97 Great Oak Dr, along driveway	Wrought iron Exceeding the 1.2m height requirement for front yard	447 1.2 B(1) Fence height Fence in a front yard; and within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane). <u>Maximum height front yard 1.2m</u>

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

ATTACHMENTS

Attachment 1 - Front Yard - 95 Great Oak Drive - Front facing view
Attachment 2 - Front Yard - 95 Great Oak Drive - Side view of intended fence
Attachment 3 - Front Yard - 95 Great Oak Drive - View of proposed fence neighboring property
Attachment 4 - Front Yard - 95 Great Oak Drive - Survey
Attachment 5- Front Yard - 95 Great Oak Drive – Proposed layout and type of fence

Attachment 1: Front view - 95 Great Oak Drive



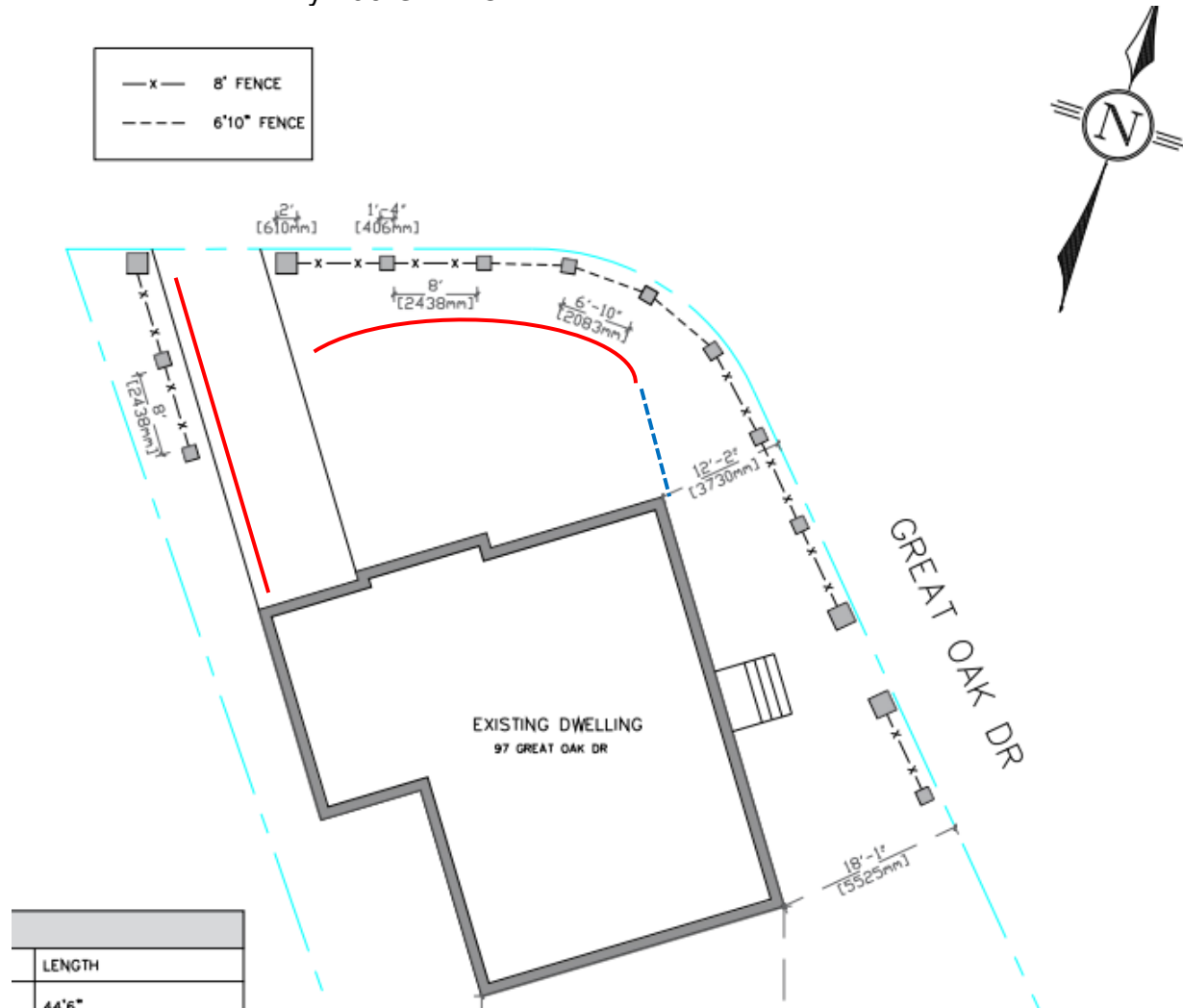
Attachment 2: Side view - 95 Great Oak Drive



Attachment 3: View of proposed fence the neighboring property- 95 Great Oaks Drive



Attachment 4: Survey - 95 Great Oak Drive



Attachment 5: Proposed layout and type of fence - 95 Great Oak Drive

