

Application for Fence Exemption – 77 and 79 Boardwalk Drive

Date: June 1, 2022
To: Toronto & East York Community Council
From: Manager, Municipal Licensing & Standards, Central District
Wards: Ward 19 – Beaches/East York

SUMMARY

This staff report concerns a matter for which the Toronto & 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 by the owner(s) of 77 & 79 Boardwalk Drive to maintain a wooden gate with a height of 2.4 meters (7.8 feet) which exceeds the maximum allowable height of 2.0 meters (6.5 feet) as specified in the Toronto Municipal Code, Chapter 447-1.2B (1) Table 1 – Maximum Height of Fences. The fence is in the side yard east of 77 Boardwalk Drive and is between the properties of 77 & 79 Boardwalk Drive. This fence is for security and safety.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Toronto & East York Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 79 Boardwalk Drive, to allow them to maintain a wooden gate with a height of 2.4 meters (7.8 feet) , which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.2B (1) Table 1 – Maximum Height of Fences

OR

2. Grant the application for an exemption permit, by the owner(s) of 79 Boardwalk Drive, to allow them to maintain a wooden gate with a height of 2.4 meters (7.8 feet). Direct and require that the existing fence be maintained in good repair without alteration. Direct and require that at such time as a 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 financial impact anticipated in this report.

DECISION HISTORY

As required by Section 447-1.5(B)(1), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for Toronto & East York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Toronto & East York Community Council will consider the application.

COMMENTS

The proposed fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with respect to fences.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Side yard	Side yard (East side gate)	Current height of fence 2.4 meters (7.8 feet)	447-1.2B (1) Table 1 Maximum Height of Fences 2.0 Maximum Height

CONTACT

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SIGNATURE

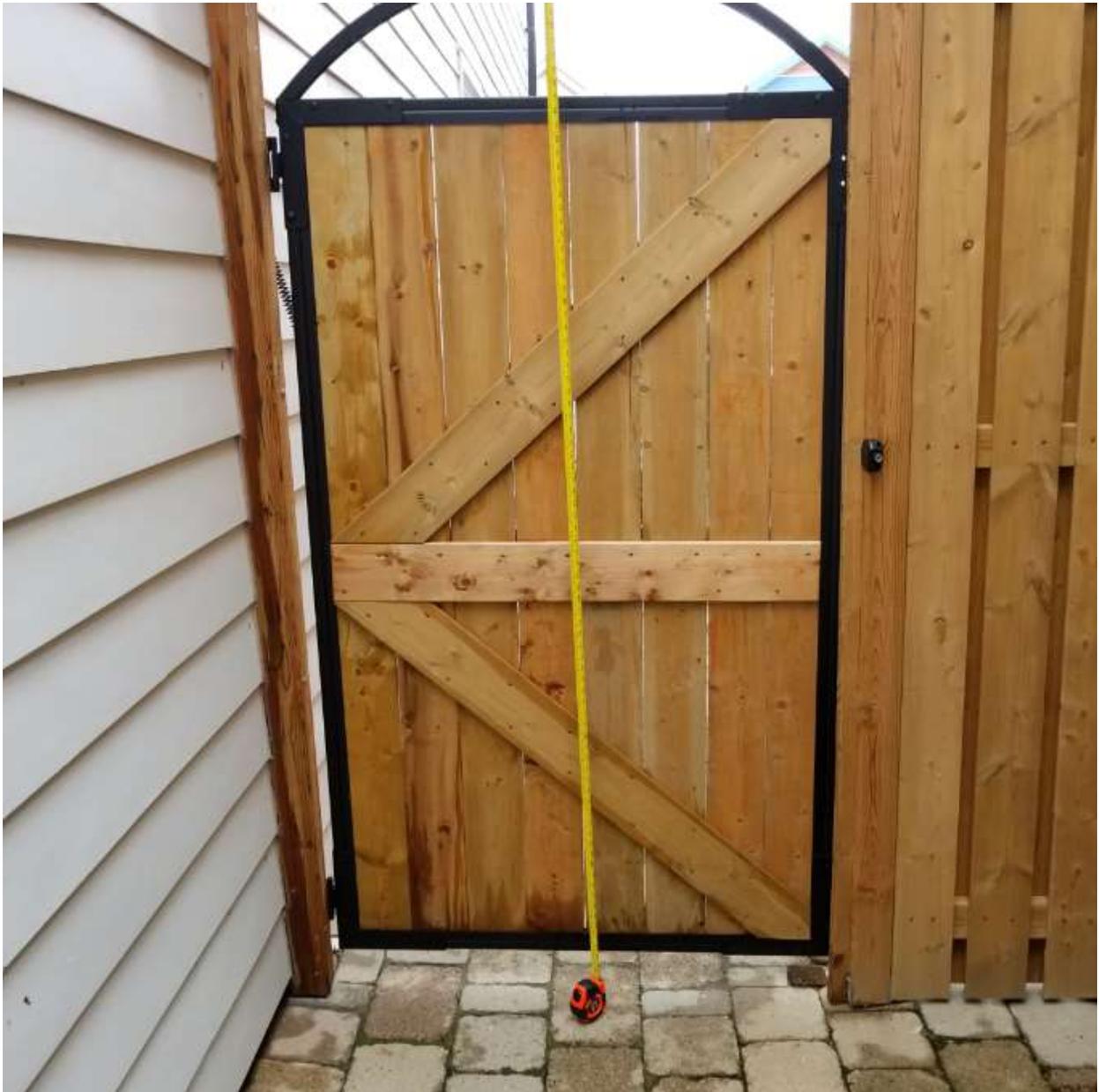
Christopher Ellis, Manager,
Municipal Licensing and Standards
Toronto and East York District

ATTACHMENT

Attachment 1: iView Map of Property
Attachment 2: Officer's photo of gate measuring 2.4m
Attachment 3: Applicant photo of gate
Attachment 4: Applicant photo of gate



Attachment 1: iView Map of Property



Attachment 2: Officer's photo of gate measuring 2.4m



Attachment 3: Applicant photo of gate



Attachment 4: Applicant photo of gate