

## Application for Fence Exemption – 77 and 79 Boardwalk Drive

Date: May 30, 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 west of 79 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 77 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 77 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 swimming pool enclosures.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Side yard	Side yard (West 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

---

Nicole Sweetapple, Supervisor  
Municipal Licensing & Standards  
Central District  
E-mail: [Nicole.sweetapple@toronto.ca](mailto:Nicole.sweetapple@toronto.ca)

## SIGNATURE

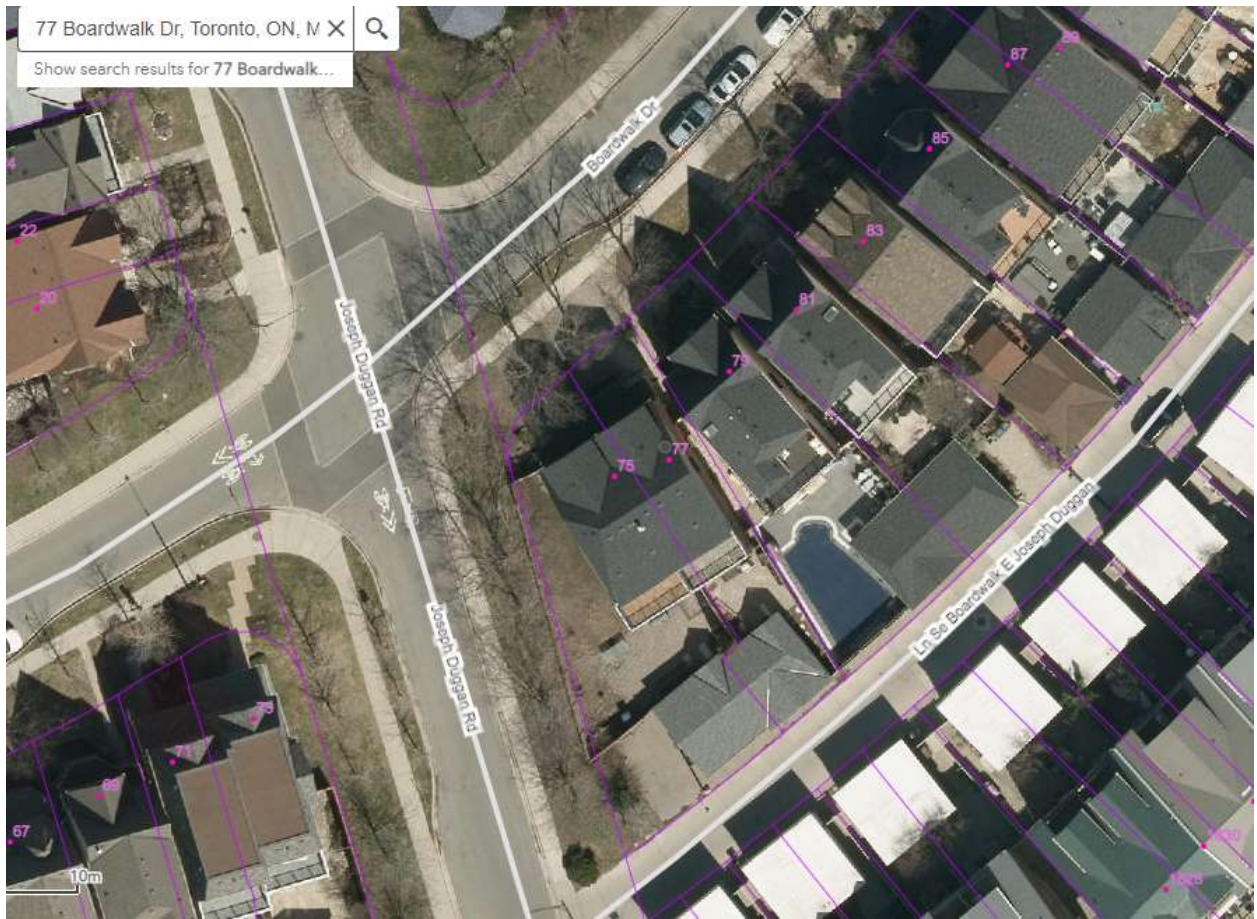
---

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

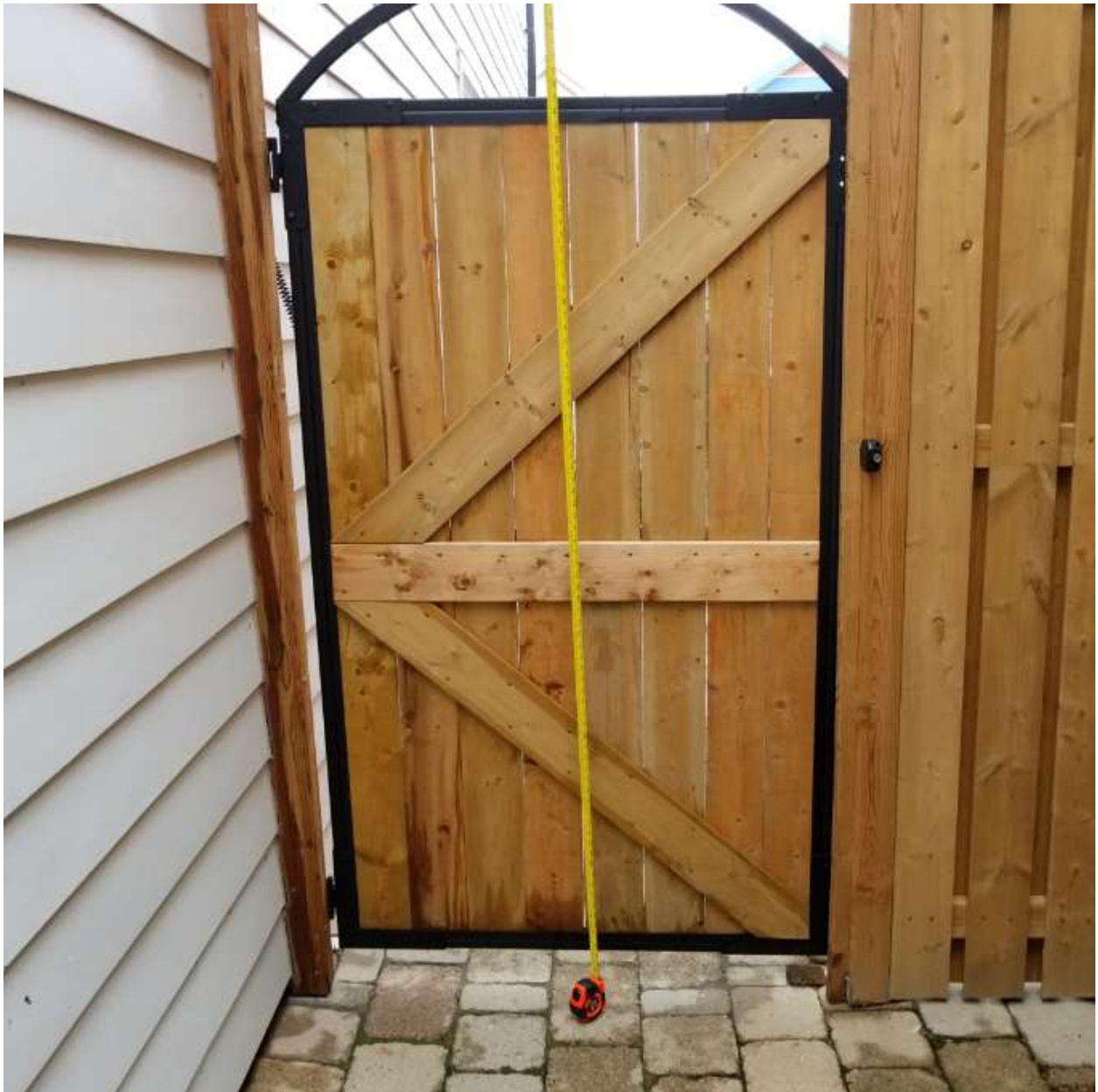
## ATTACHMENT

---

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