

Application for Fence Exemption - 48 Lankin Boulevard

Date: May 31, 2022
To: Toronto and East York Community Council
From: District Manager, Municipal Licensing and Standards
Wards: 14

SUMMARY

This staff report concerns 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 advise Community Council concerning an application by the property owner of 48 Lankin Boulevard 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 less than 1.2 Metres horizontally from the water's edge in the pool. This would not comply with the standards stipulated in section 447-1.3. E(1)(a)

RECOMMENDATIONS

Municipal Licensing and Standards recommends that Toronto and East York Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 48 Lankin Boulevard, 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 48 Lankin Boulevard, thereby allowing the proposed fence to be installed. Direct and require that the installation 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 anticipated Financial Impact from this report.

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on December 31, 2021, in regards to a new fence installation, in accordance with Section -1.3.E (1)(a) of Toronto Municipal Code, Chapter 447- Fences.

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 and East York Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Toronto and East York Council will consider the application.

The subject property of 48 Lankin Blvd. Is located in Ward 14, on a residentially zoned property. This property consist of a detached house.

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 fence	North, west and South side of the pool Fence	The existing fence consist of wood construction, is situated less than 1.2 metres horizontally from the water's edge on all sides (0.9-1.15 metres), except the east side, towards the porch.	Section- -1.3.E (1) (a) of Toronto Municipal Code, Chapter 447- Fences.

COMMENTS

The newly constructed wood fence in the rear yard of the property is located less than 1.2 Meters from the water's edge for all three sides except from the porch which is east of the swimming pool. The distance from the fence to the water's edge are as follows; north side -0.90 metres, west side -1.0 metre, south side -1.15 metres. While the proposed fence violates Toronto Municipal Code, Chapter 447- Fences with respect to a fence less than 1.2 Metres from the water's edge in the pool, from the west north and south side of the rear yard, it does not appear to contravene any other provisions of the bylaw.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment #1: iView Map of property – 48 Lankin Blvd

Attachment # 2: North and West view of fence from the deck

Attachment # 3: South and West view of fence from the deck

Attachment # 4: West view of fence from the deck

Attachment #1: iView Map of property – 48 Lankin Blvd.



Attachment # 2: North and West view of fence from the deck



Attachment # 3: South and West view of fence from the deck



Attachment # 4: North and West view of fence from the deck

