

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 25 Foxwell St

Date: March 5 2023

To: Etobicoke York Community Council

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

Wards: 5

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 25 Foxwell St St 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 add 1 additional 8ft(2.4m) high panel and 6ft in width for privacy from anyone going up/down the fire escape from looking into the back yard. He is also seeking permission to keep the existing 2m high fence so they can be side by side at the same height, a Notice was issued for the existing fence that is in excess of 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 25 Foxwell St, for a proposed fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to issue a Notice for the property owner to bring fence into compliance

OR

2. Grant the application for a fence exemption permit (with or without conditions) to the property owners of 25 Foxwell St, 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 regards to an existing **and** 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, 25 Foxwell St, is located in Ward 5. The property is a detached 2 story residence where the existing portion of a fence at the rear of the property is 2.4m(8ft), the owner is requesting an additional 6ft wide panel.

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	Rear Yard	Existing 2.4m(8ft) fence to maintain it and to construct 1 additional panel in the rear yard 2.4m(8ft) fence	<u>Section 1.2B.(1)</u> Rear Yard - West Side of Property: Height of the fence exceeds the height permitted by the Chapter., namely; wood fence in rear yard exceeds max. height of 2 meters

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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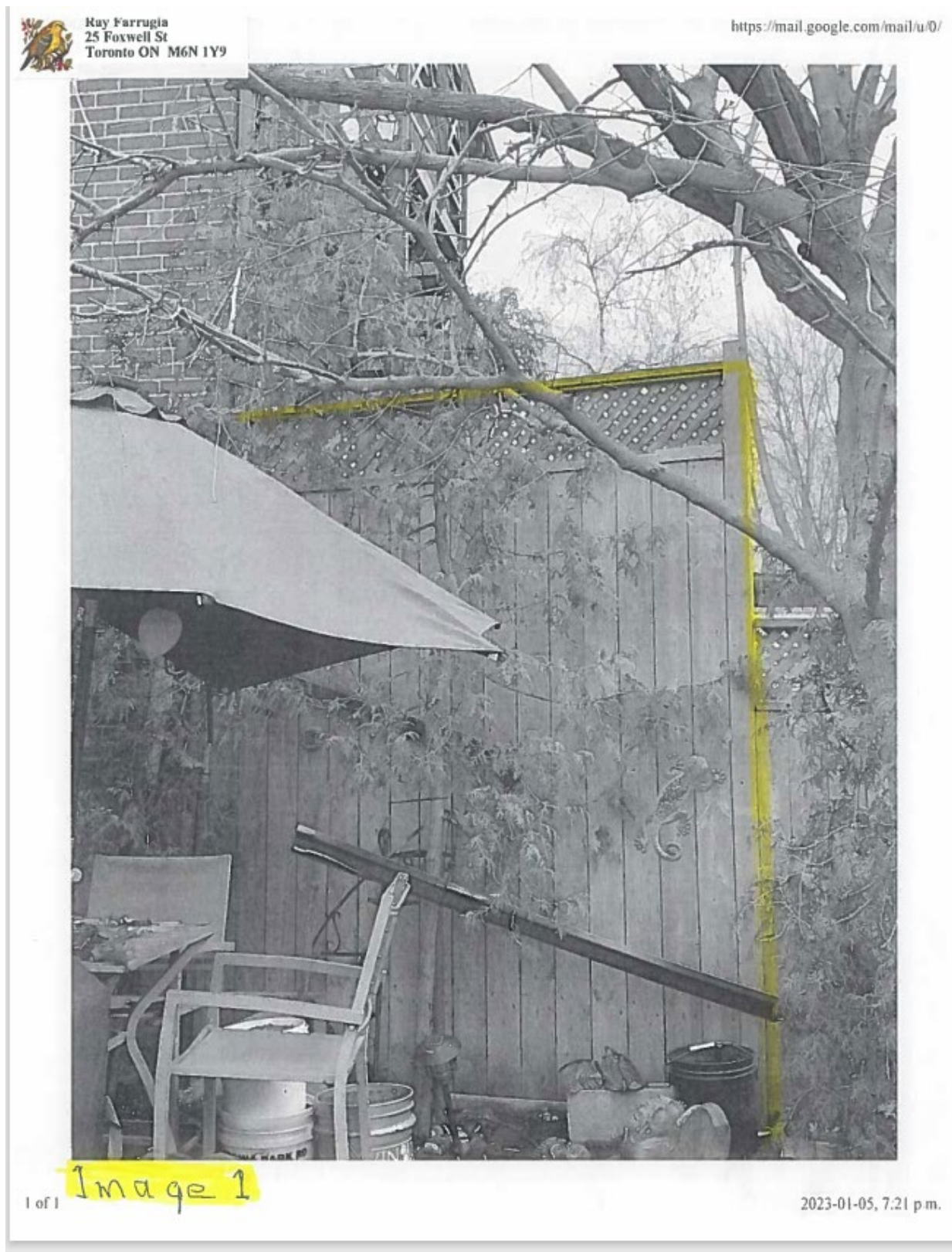
SIGNATURE

Joe Magalhaes
District Manager

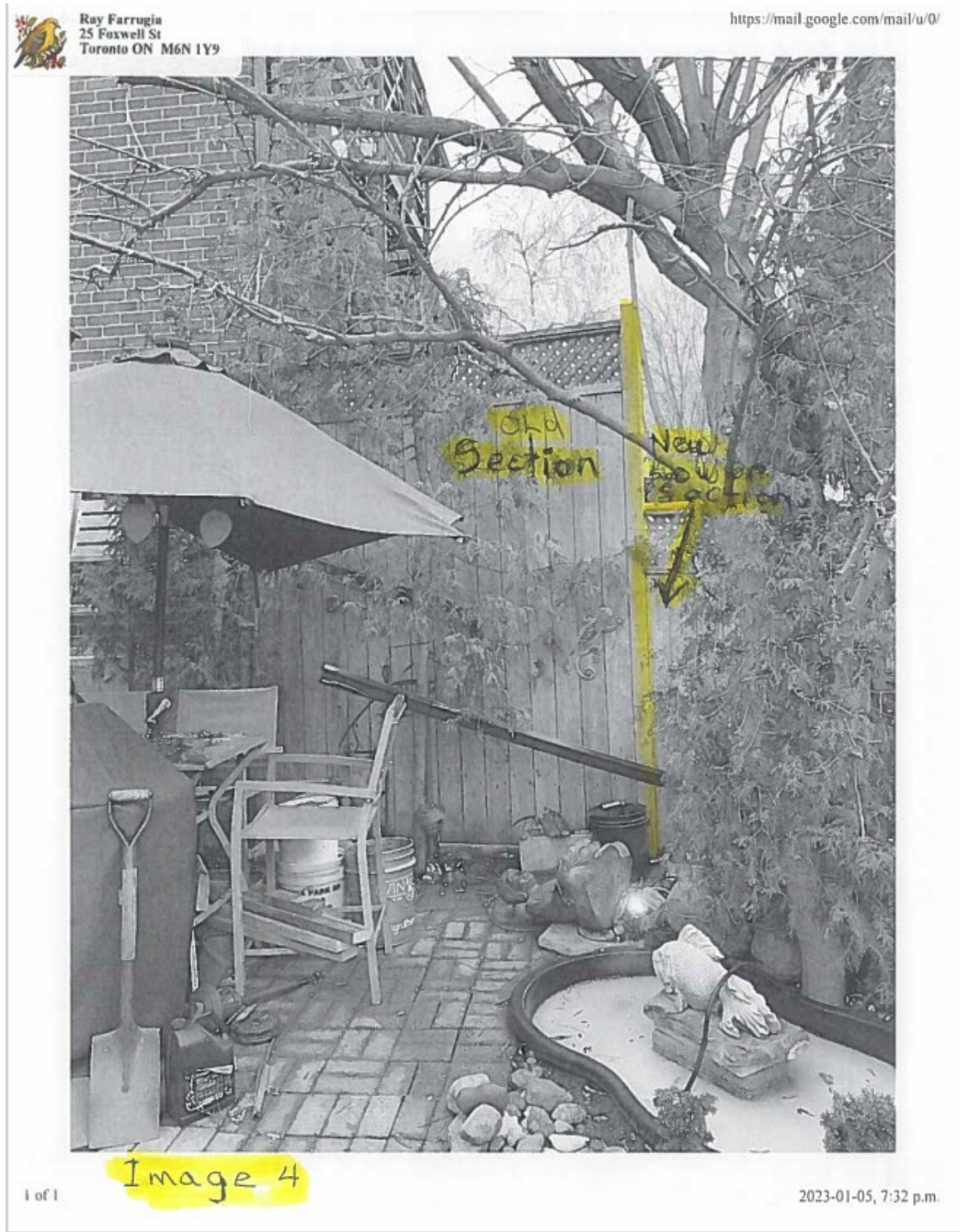
ATTACHMENTS

Attachment 1 - Front Yard - 25 Foxwell St - Rear Yard-Existing Fence
Attachment 2 - Front Yard - 25 Foxwell St – Rear Yard-Exisiting Fence
Attachment 3 - Front Yard - 25 Foxwell St – Rear Yard-Additional Panel
Attachment 4 - Front Yard - 25 Foxwell St – Rear Yard-Additional Panel

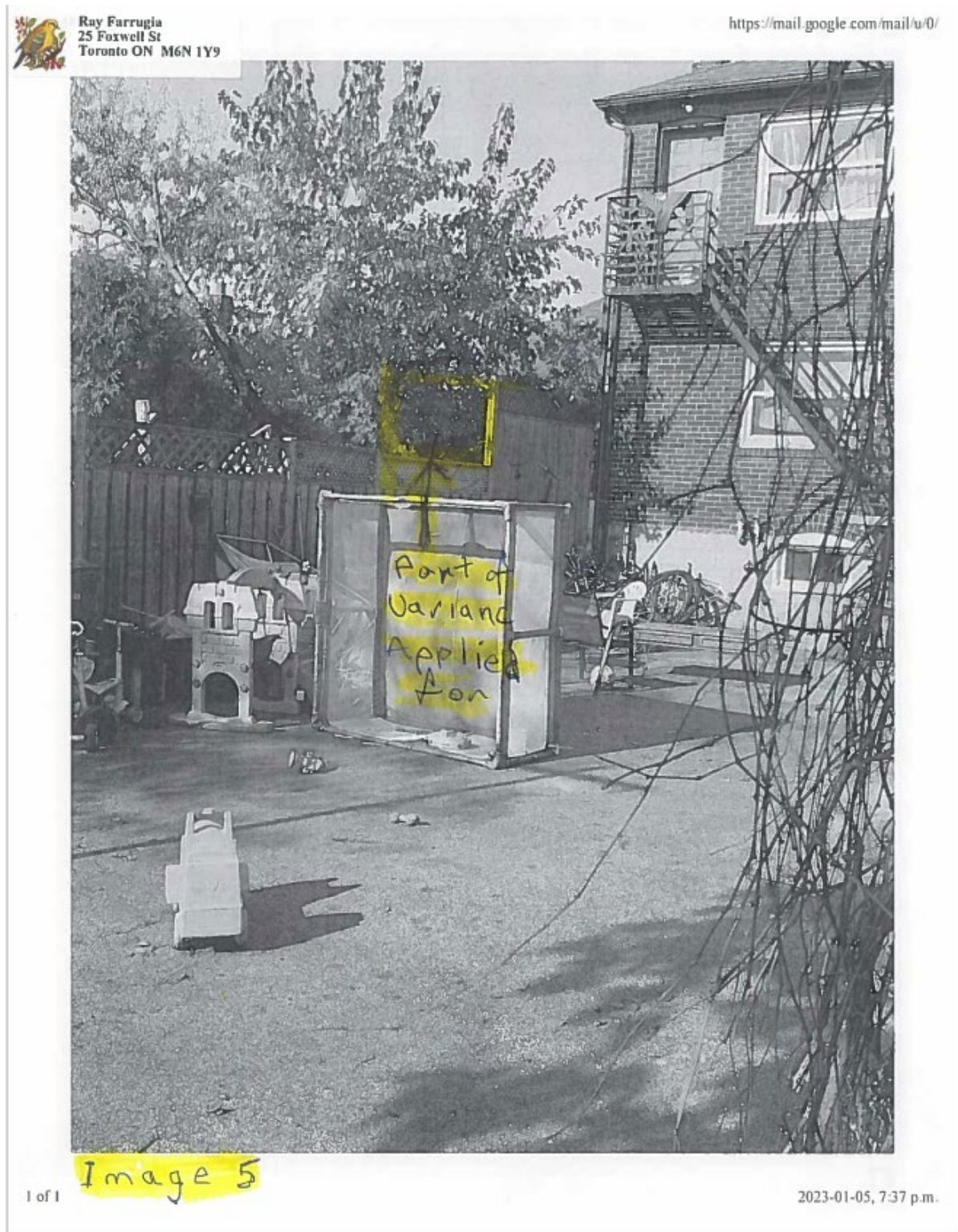
Attachment 1: 25 Foxwell St – Rear Yard-Exisiting Fence



Attachment 2: 25 Foxwell St – Rear Yard-Exisiting Fence



Attachment 3: 25 Foxwell St – Rear Yard-Additional Panel



Attachment 4: 25 Foxwell St – Rear Yard-Additional Panel

