

Request for a Fence Exemption - 62 Edenvale Cres

Date: Mar 5 2023

To: Etobicoke, Community Council

From: District Manager, Municipal Licensing and Standards

Wards: Ward 02

SUMMARY

This staff report is in regards to a matter for which the Etobicoke Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to advise Council concerning an application by the property owner of 62 Edenvale Cres for a site-specific Fence Exemption, pursuant to Section 447-1.2.A(3) of Toronto Municipal Code, Chapter 447, Fences. The property owner is seeking Council's permission to allow for the existing vinyl fence, which does not comply with the standards stipulated by Section 1.3 E 2(b) of the bylaw.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Etobicoke Community Council give consideration to the exemption application and decide to:

1. Refuse to grant the application for an exemption, by the property owner of 62 Edenvale Cres, for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to issue a notice to the property owner to bring the fence into compliance.

or

2. Grant the application for a fence exemption by the property owner of 62 Edenvale Cres, thereby allowing the erected fence to be maintained as constructed. At such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, or its successor by-law.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

No previous decision history.

COMMENTS

The subject property, 62 Edenvale Cres, is a single family detached residential home situated in Ward 2.

The fence is located in the rear yard, the fence material is made of vinyl fencing, spanning the length of the back yard and entire rear length

The application was not based on a complaint from the public.

The property owner is seeking relief from the by-law regulations to maintain the privacy and security from the neighboring property to prevent any viewing. The owner has erected a vinyl fence, contrary to Toronto Municipal Code Section 1.3 E 2(b). The property owner(s) seek this exemption for safety and security purposes.

As required by Section 447-1.2B(1) and Section 447-1.2A(3); Municipal Licensing & Standards has responded to the fence exemption application Toronto Municipal Code on by preparing this report for Etobicoke Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that the Etobicoke Community Council will consider the application.

Municipal Licensing Standards' reviewed the proposed application and determined that it does not comply with the Toronto Municipal Code, Chapter 447- Fences, as detailed in the following chart:

General Location	Specific Location	Deficiency	By-Law Section
Rear Yard	All 3 sides of the backyard	Construction of material for fence (vinyl)	Sec 1.3 E 2(b)

CONTACT

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SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS

Attachment 1 - Rear Yard - 62 Edenvale Cres- Vinyl Fencing
Attachment 2 - Rear Yard - 62 Edenvale Cres- Vinyl Fencing
Attachment 3 - Rear Yard - 62 Edenvale Cres- Vinyl Fencing

Attachment 1 - 62 Edenvale Cres- Vinyl Fencing



Attachment 2- 62 Edenvale Cres- Vinyl Fencing



Attachment 3- 62 Edenvale Cres- Vinyl Fencing

