

Request for a Fence Exemption - 23 Laurentia Cres

Date: March 6, 2023
To: North York, Community Council
From: District Manager, Municipal Licensing and Standards
Wards: Ward 06 – York Centre

SUMMARY

This staff report is in regards to a matter for which the North York 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 23 Laurentia Cres for a site-specific Fence Exemption, pursuant to Section 447-1.3.(C). 3 of Toronto Municipal Code, Chapter 447, Fences. The property owner is seeking Council's permission to allow for a juliette gate, which does not comply with the standards stipulated by Section 447-1.3.(C).3 of the bylaw.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the North York 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 23 Laurentia Cres, for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to issue a second 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 23 Laurentia 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, 23 Laurentia Cres, is a single family detached residential home situated in Ward 6.

The fence is located in the rear yard as a part of a future pool enclosure separating the pool area from rear yard access point. The fence material will be made of wrought iron juliette gate, 62" wide and 48" tall across the back opening of the home.

The application was not based on a complaint from the public; it resulted as part of the findings in the pool fence preliminary review.

The property owner is seeking relief from the by-law regulations to be able to use a juliette style gate to prevent any access into pool area.

As required by Section 447-1.3-E (2)(C); Municipal Licensing & Standards has responded to the fence exemption application Toronto Municipal Code on by preparing this report for North York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that the North York 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	Rear Yard	Pool enclosure includes the wall of home acting as part of the pool enclosure using Juliette style fence	447-1.3C(3) Access Protection

The property owner(s) seek this exemption for safety purposes.

CONTACT

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SIGNATURE

Joe Magalhaes
District Manager

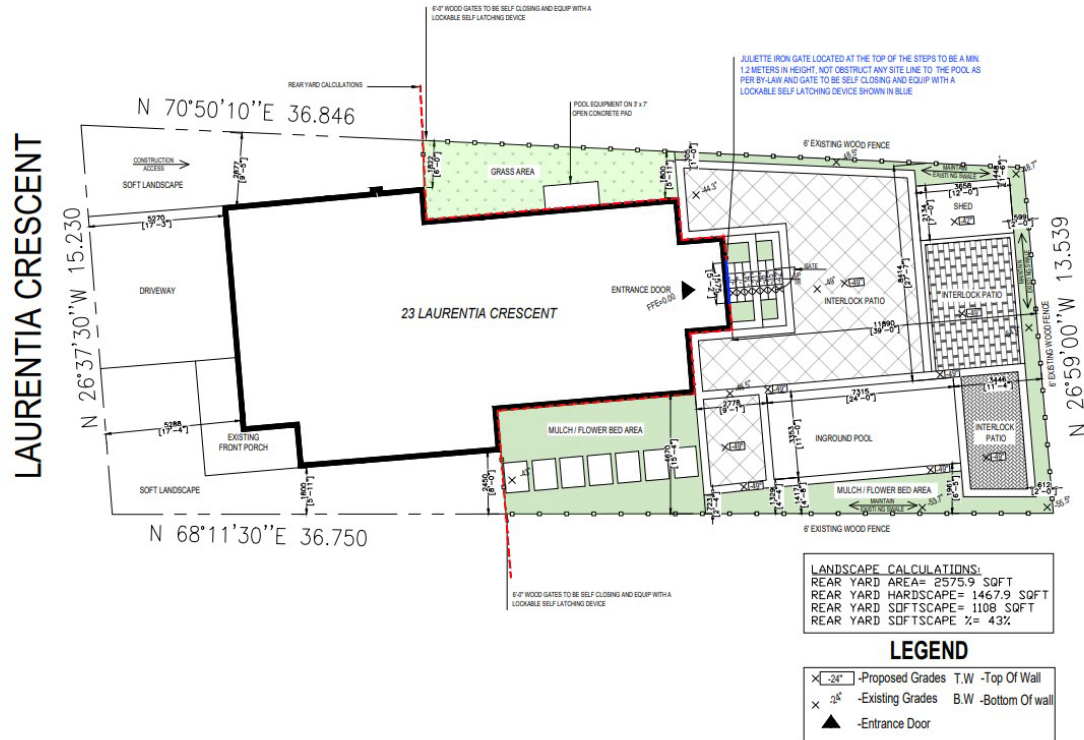
ATTACHMENTS

Attachment 1 - Rear Yard - 23 Laurentia Cres -location of proposed fence
Attachment 2 - 23 Laurentia Cres *blue line shows location of proposed fence*
Attachment 3 - 23 Laurentia Cres - Map

Attachment 1 - Rear Yard - 23 Laurentia Cres -location of proposed fence



Attachment 2 - 23 Laurentia Cres *blue line shows location of proposed fence*



Attachment 3 - 23 Laurentia Cres - Map

