

Application for Fence Exemption -191 Dunvegan Road

Date: November 23, 2022

To: Toronto & East York Community Council

From: Manager Municipal Licensing & Standards, Central District

Wards: Ward 12-Toronto-St. Pauls

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 191 Dunvegan Road to maintain a soft mesh fence with a metal frame in the rear yard on the east property: The fence is a basketball screen and has 2 panels with a height of approximately 3.2 meters (10.49 feet). The fence is a safety measure for ball containment to prevent balls from landing onto adjacent properties. The fence would be in contravention of the Toronto Municipal Code, Chapter 447-1.2B (1) Table 1 - Maximum Height of Fences. Based on a complaint, a Notice of Violation was issued on May 17, 2022.

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 191 Dunvegan Road, to allow them to maintain the soft mesh fence with an approximate height of 3.2 meters (10.49 feet) in the rear yard on the East property, 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 191 Dunvegan Road, to allow them to maintain the soft mesh fence with an approximate height of 3.2 meters (10.49 feet) in the rear yard on the East property. 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(8)(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 44T- Fences requirements with respect to fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION_ & : DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard.	Rear yard (East property line)	Soft mesh fence and metal frame with an approximate height of 3.2 meters (10.49 feet)	447-1.28 (1) Table 1 Maximum Height of Fences. 2.6 meters maximum height

CONTACT

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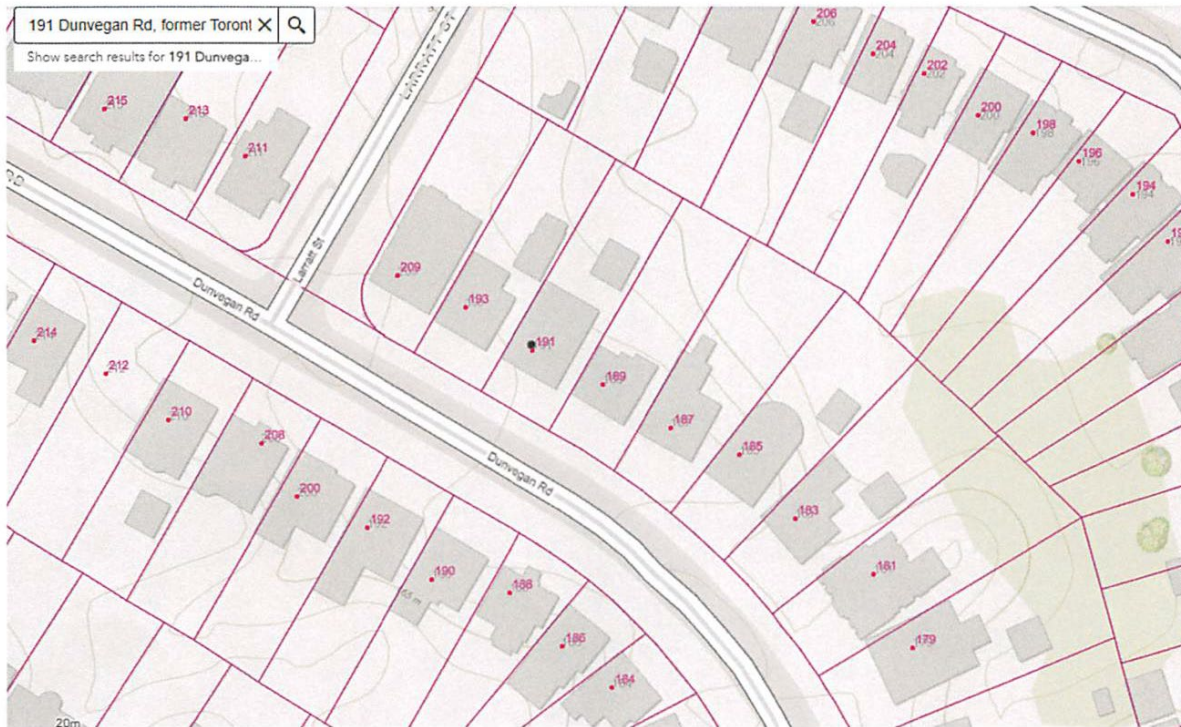
SIGNATURE

Christopher Ellis
Manager, Municipal Licensing and Standards, Central District

ATTACHMENTS

Attachment 1: iView Map of Property
Attachment 2: Applicants photo showing screening
Attachment 3: Applicants photo looking southeast
Attachment 4: Applicants photo look east
Attachment 5: Applicants photo showing how screen is secured and removed
Attachment 6: Site Plan

Attachment 1



Attachment 1: iView Map of Property

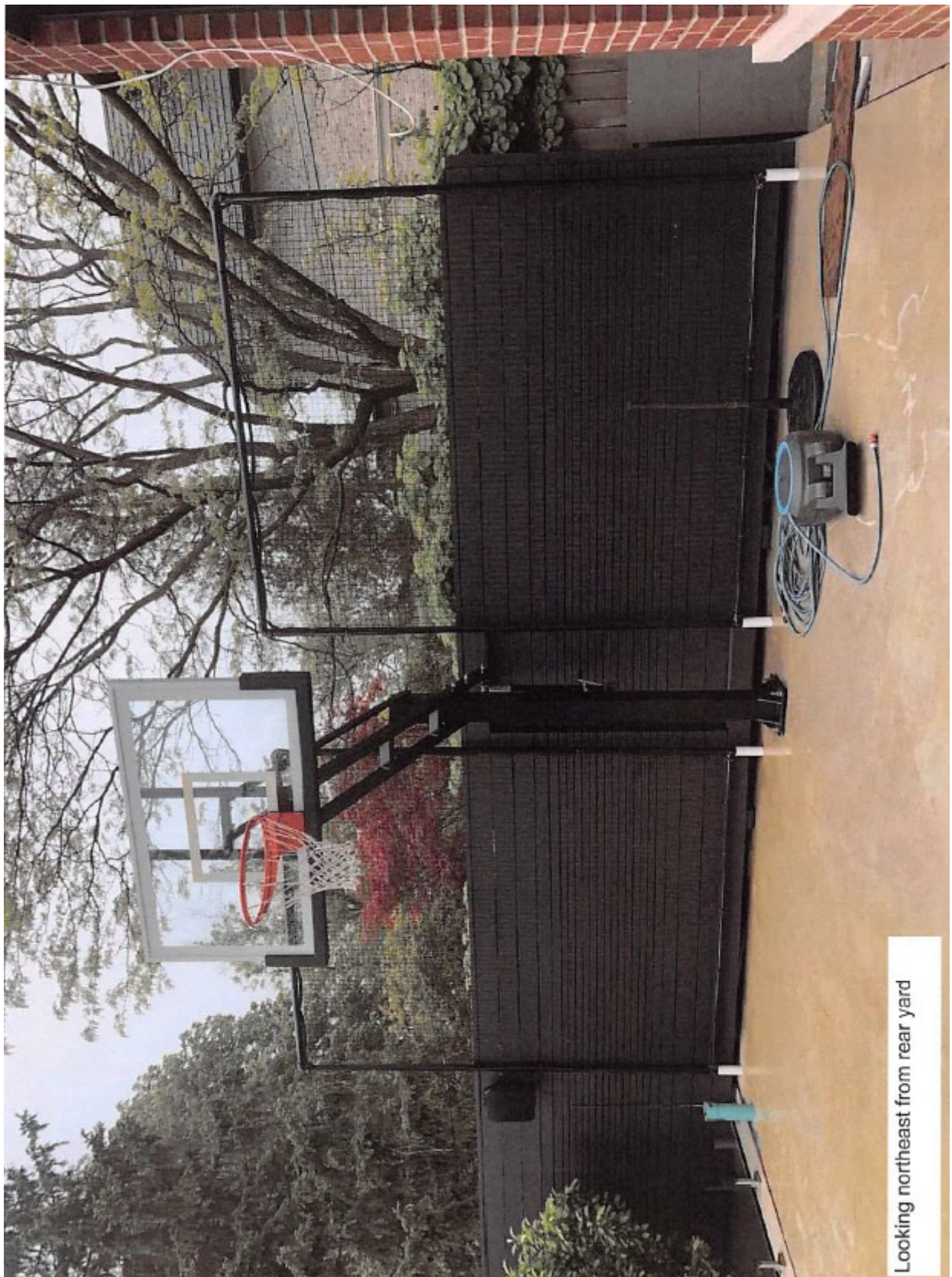


Photo from Applicant showing screen looking Northeast
191 Dunvegan Road



Photo with a view southeast
191 Dunvegan Road

Attachment 4



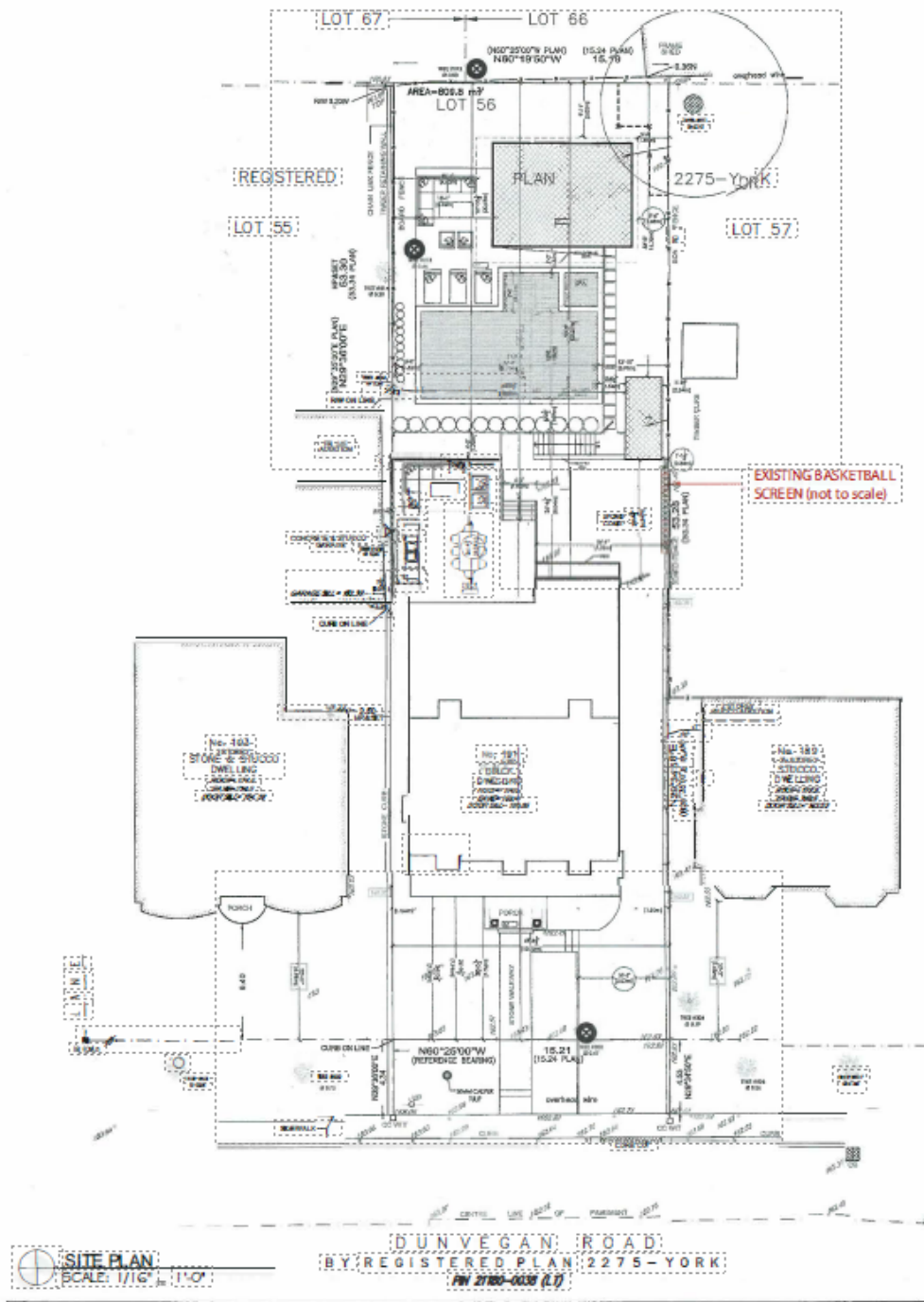
Photo taken in applicant's rear yard

Attachment 5



Photo showing removable basketball screen

Attachment 6



Site plan submitted by the applicant