

Request for Fence Exemption – 6 Azzarello Lane

Date: May 5, 2023
To: Toronto and East York Community Council
From: Chris Ellis, District Manager, Municipal Licensing & Standards, Toronto & East York District
Wards: Ward 14 – Toronto Danforth

SUMMARY

This staff report is in regards to 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 consider an application submitted by the owner(s) 6 Azzarello Lane, to maintain a Fence greater than 2M on the East side of the 3rd Floor Balcony. They are applying for a site-specific Fence Exemption, pursuant to the Toronto Municipal Code, Chapter 447- Fences. The property owner(s) is seeking Council's permission to be exempt from Chapter 447–1.2. B (1) – Table 1 Item 9 – Any other fence 2M.

The subject property of 6 Azzarello Lane is located in Ward 14, on a CR (Commercial Residential) zoned property. This property is an Entrance address for the primary property of 1505 Danforth Avenue. The address faces South toward Azzarello Lane.

GENERAL LOCATION	CURRENT/ EXISTING CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT
3 rd Floor Balcony, East side	Fence is currently 2.4 metres in height and runs 3.5 metres along the East side of the Balcony. It is constructed of ¾" Plywood with a plastic backing.	Chapter 447–1.2 B(1) – Table 1 -item 9 Any other fence

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Toronto and East York Community Council consider the exemption application and decide to:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 6 Azzarello Lane, 3rd floor Balcony East Lot line, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for the 3rd Floor Balcony East lot line fence/ screen, without conditions. Direct and require that the installation be maintained in good repair without alteration. Direct and require that 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

MLS received a complaint regarding the fence/ screen on the 3rd floor balcony being over the allowable height. There was also concern that it was causing drainage issues to neighbouring properties

As required by Section 447-1.5.(B), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for Toronto and East York Community Council's consideration, and the City Clerk has sent all requisite notifications of the date that Toronto and East York Community Council will consider the application.

COMMENTS

The existing 3rd Floor Balcony Fence/screen has been constructed of Plywood and Plastic fencing material. The total height of the fence and the attachment at the top of the fence exceeds the allowed height of 2 metres.

To further explain, the applicant is seeking an exemption for the existing 3rd Floor Balcony fence/ screen to exceed the maximum height requirement on the East lot line.

CONTACT

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SIGNATURE

Christopher Ellis, Manager,
Municipal Licensing and Standards
Toronto & East York District

ATTACHMENTS

Attachment 1 – Overhead view of 6 Azzarello Lane
Attachment 2 – Photo of fence from complainants' property.
Attachment 3 – Photos of fence provided by applicant
Attachment 4 – Proposed fence construction provided by applicant.

Attachment 2 – Overhead View of 6 Azzarello Lane



Attachment 2 – Photo of fence from complainants' property.



Attachment 3 – Photos of fence provided by applicant



Attachment 4 – Proposed fence construction provided by applicant.

