

Request for Fence Exemption – 93 Humbercrest Boulevard

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 4 – Parkdale-High Park

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) of 93 Humbercrest Boulevard, 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) – Fence height.

The subject property of 93 Humbercrest Boulevard is located in Ward 4, on a residentially zoned property. This property is a detached house.

GENERAL LOCATION	SPECIFIC LOCATION	CURRENT/ EXISTING CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT
Rear Yard	South Side property line	The existing fence is constructed of Horizontal cedar, tongue and groove boards that exceed 2 Metres. Currently at 2.16 Metres.	Chapter 447–1.2B(1) Table 1 Item 9 Any Other Fence 2.0 Metres (Allowed Maximum Height)

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 93 Humbercrest Boulevard, rear yard fence height, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for the existing front yard fence, 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

As required by Section 447-1.5(B)(1), 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 proposed fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with respect to fence height. (Required Height of 2.0 metres, actual height of fence is 2.16 Metres) There are presently two issues listed on a Notice of violation. This is concerning the self closing, self locking device for the side door and gate. Also, there is a pool pump that is located 0.25 metres from the property line, minimum distance should be 0.30 metres

CONTACT

Anthony Stewart
Supervisor
Municipal Licensing & Standards
Toronto and East York District
Tel. 416-397-7543

SIGNATURE

Christopher Ellis, Manager,
Municipal Licensing and Standards
Toronto and East York District
Tel. 416-392-7735
E-mail: Christopher.Ellis@toronto.ca

ATTACHMENTS

Appendix 1 - Location of subject property from the City of Toronto's interactive mapping showing area.

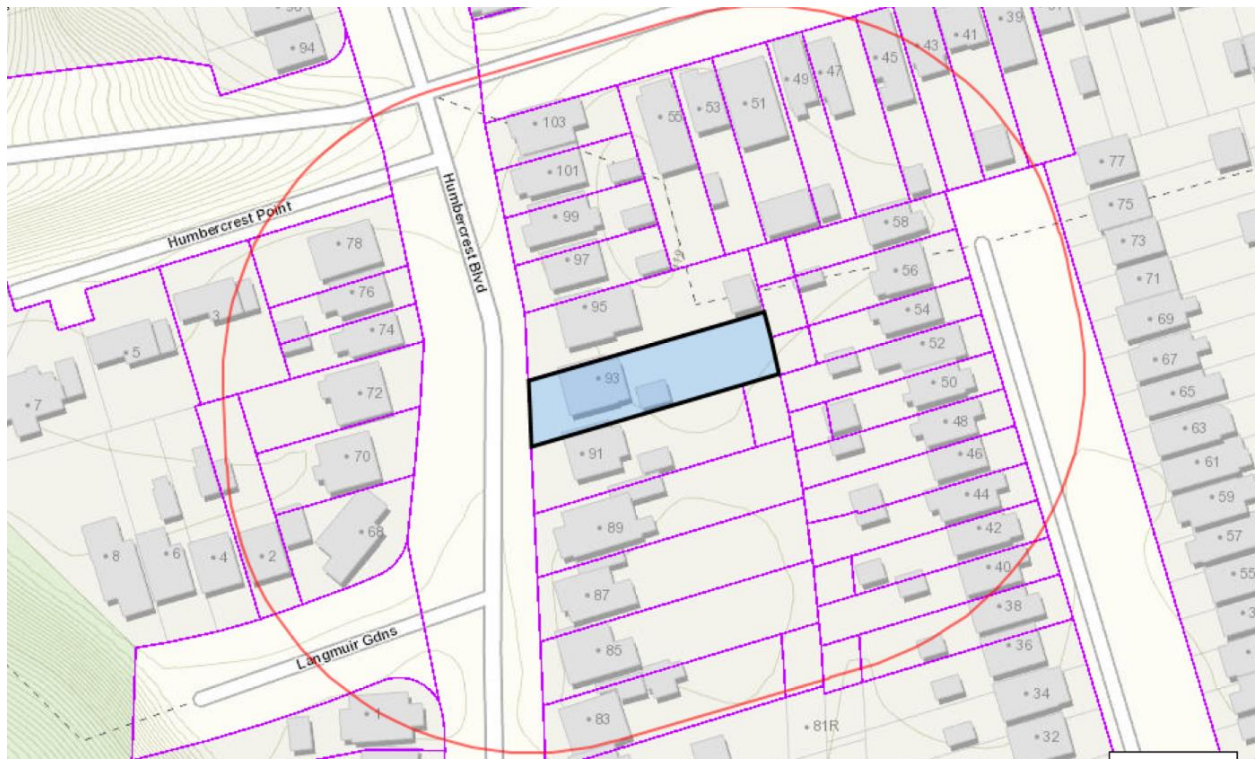
Appendix 2 – South side rear fence

Appendix 3 – South side rear fence

Appendix 4 – South side rear fence

Appendix 5 – South side rear fence

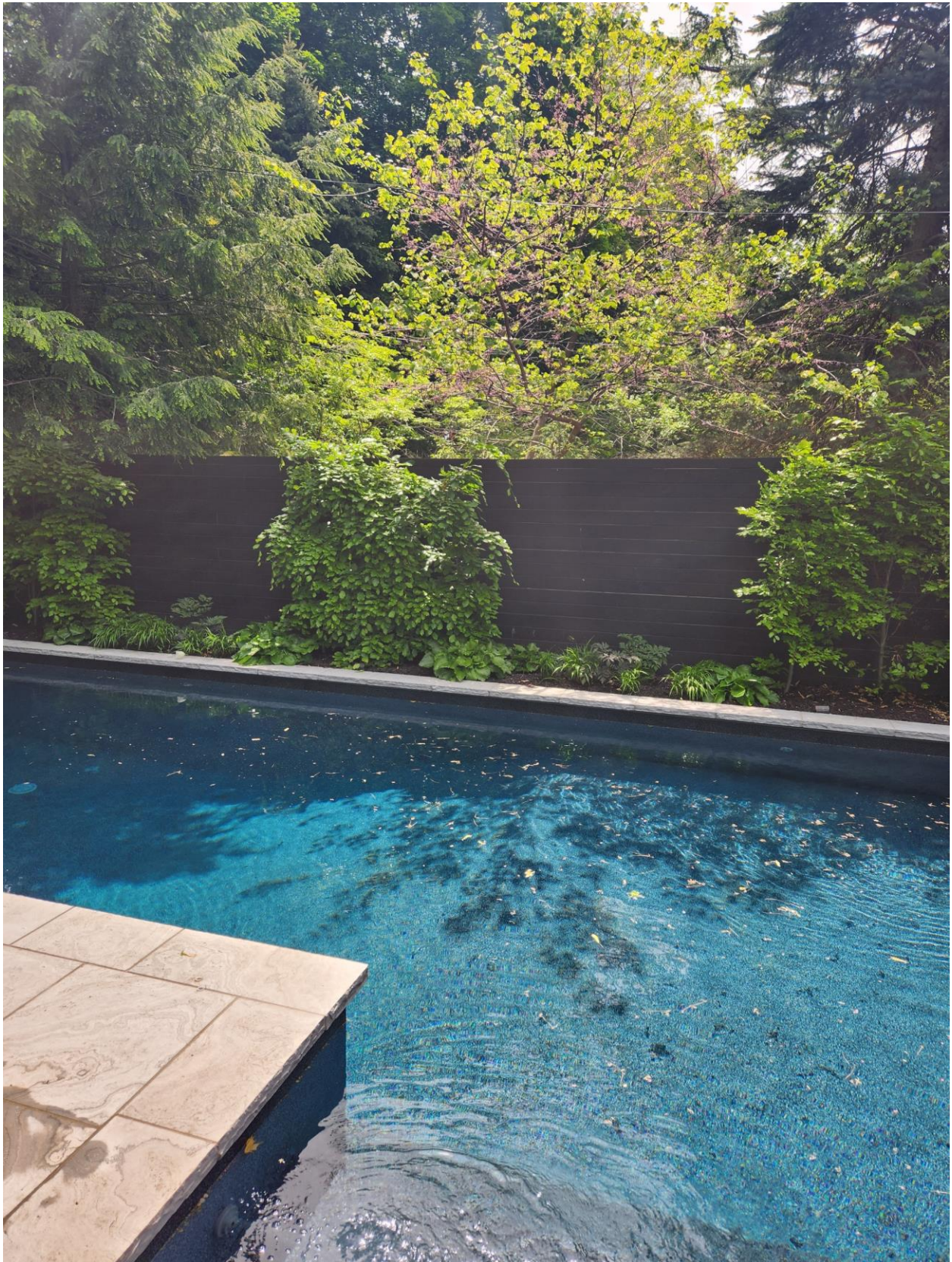
Appendix 1 - Location of subject property from iView



Appendix 2 – South side rear fence



Appendix 3- South side rear fence



Appendix 4- South side rear fence



Appendix 5- South side rear fence

