

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 13 Murrie St

Date: October 17, 2023

To: Etobicoke York Community Council

From: District Manager, Municipal Licensing and Standards, West District

Wards: Ward 3 – Etobicoke-Lakeshore

SUMMARY

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

The purpose of this report is to advise Community Council concerning an application by the property owner of 13 Murrie St for a site-specific Fence Exemption, pursuant to Section 447-1.5(B) of Toronto Municipal Code, Chapter 447 – Fences. The property owner is seeking Community Council's permission to maintain a fence in the rear yard on the east, west and south side of the property that will not comply with the standards stipulated by Section 447-1.2(B)(1). The applicant is seeking permission to maintain a fence constructed of wood with vertical-on-vertical board. The fence is constructed at different heights throughout to rear yard. The East side of the property two areas where fence differs in height. The first section along the patio is measured at approximately 2.5m (100 inches). The lower section of the East fence is approximately 2.1m (82 inches). The West side of the property has two area where the fence differs in height due to change of grade. The portion of the fence along the driveway is approximately 2.2m (84 inches). The portion along the shed is approximately 2.5m (100 inches). The rest of the West side fence to the rear lot line is approximately 2.2m (84 inches). The south side fence is measured at approximately 2.3m (90 inches)

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, West District recommends that Etobicoke York Community Council:

1. Refuse the application for property owner of 13 Murrie St. The proposed fence would fail to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences. A notice of violation to direct the property owner to bring the fence into compliance will be issued.

FINANCIAL IMPACT

There is no anticipated Financial Impact from this report.

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on June 22, 2023, in regards to a fence exemption application for an existing fence in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences.

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

The subject property, 13 Murrie St, and is located in Ward 3. The property is a detached residential home.

See the table below for the dimensions of the fence to be maintained.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
East, West and South side of property.	Rear yard of property.	Height of the fence to exceed the height permitted by the Chapter. Namely; The existing fence is between 2.1m and 2.5m.	Chapter 447-1.2B(1) Any other fence; shall not exceed a height of 2 metres.

COMMENTS

On June 22, 2023, property owner at 13 Murrie St submitted an application for a fence exemption.

The applicant is seeking permission to maintain a fence on the East side of the property. The fence is constructed of wood with vertical board on boards and horizontal boards on top. The fence height is between 2.5m and 2.1m. The applicant is requesting the exemption for their privacy, safety, and security.

*Alternate recommendation is to grant the application for a fence exemption permit (with or without conditions) to the property owners of 13 Murrie St, thereby allowing the

current fence to be maintained. Direct and require that the existing fence be maintained in good repair without alteration. At such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, Fences, or its successor by-law.

CONTACT

Chantal Cormier, Acting Supervisor
Municipal Licensing and Standards
Investigation Services – West District
Tel. 647-210-4781
Email: Chantal.Cormier@toronto.ca

SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS

- Attachment A** – GIS MAP
- Attachment B** – Photos taken by officer V. Roppo
- Attachment C** – Photos submitted by applicant
- Attachment D** - Drawings
- Attachment E** – Letters of Support

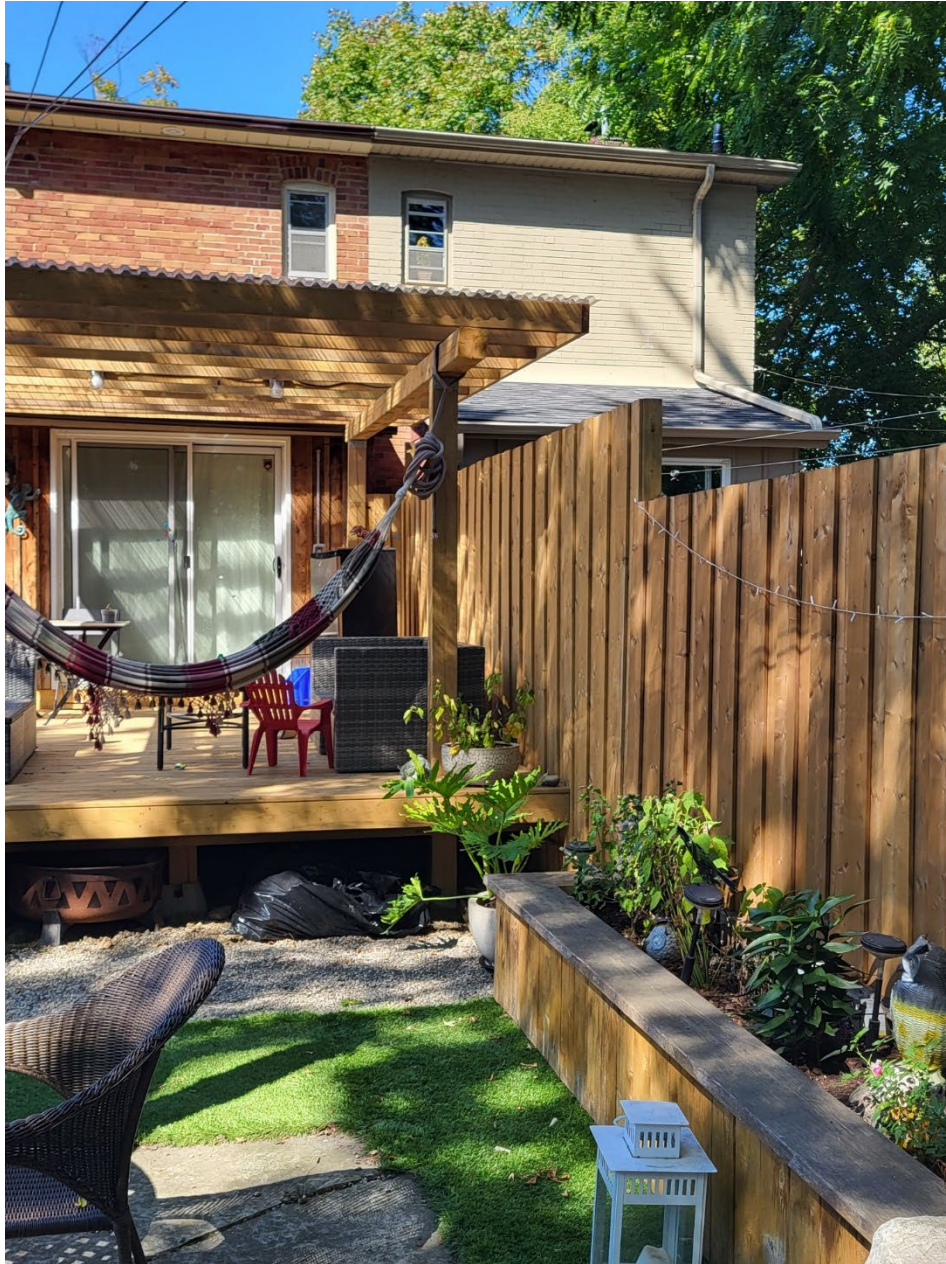
Attachment A

GIS MAP



Attachment B

Photos taken by Officer V. Roppo
(East Side Fence along patio)



(East side fence)



(East side fence along patio measurement 2.5m)



(East side fence along patio measurement)



(West side of fence along driveway)



(West side of fence along shed)



(West side fence measurement, 84 inches)



(West side of fence along shed)



(West side of fence along shed measurement 2.5m)



(West side of fence)



(West side of property grade change)

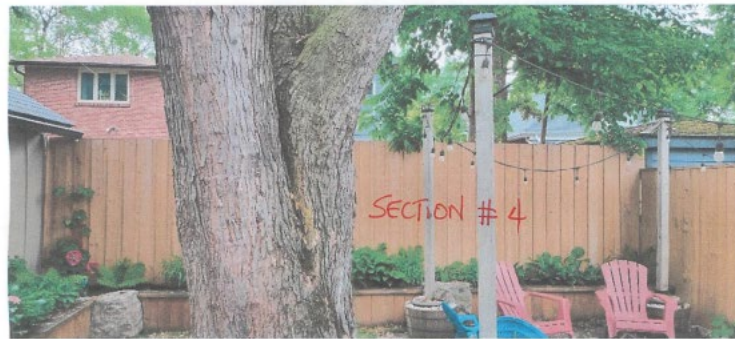


(West side gap under fencing 6 inches)



Attachment C

Photos submitted by applicant.



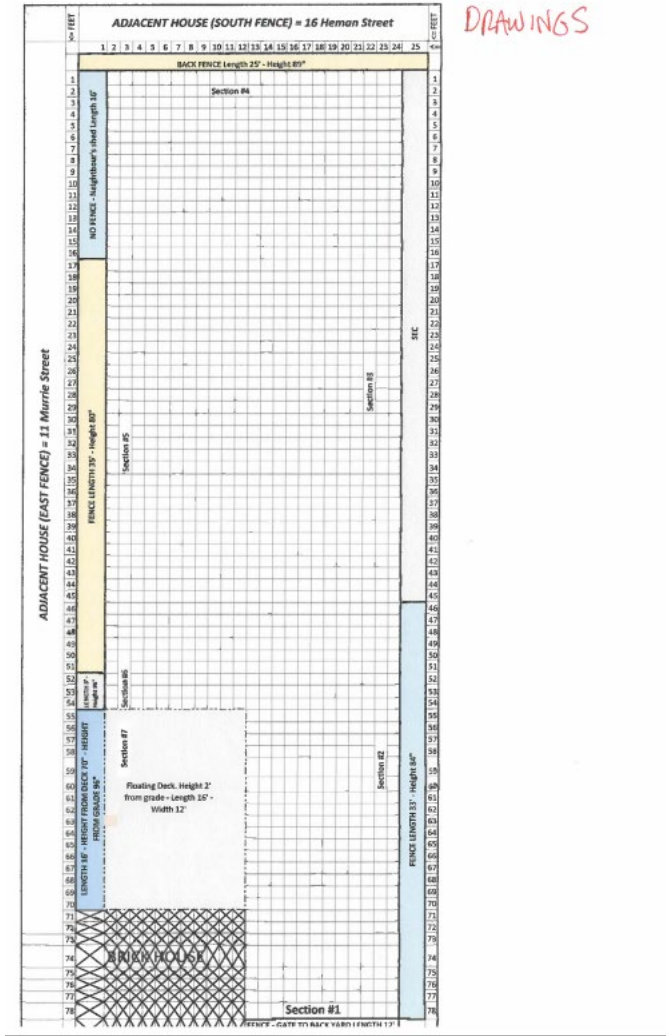
(Submitted by applicant)



Attachment D

Site Drawings

DRAWINGS



Attachment E

Letters of support – submitted by applicant

June 2, 2023

City of Toronto
ML&S District Office
West District, Etobicoke Civic Centre
399 The West Mall, North Block, 3rd floor
Toronto, ON M9C 2Y2

Re: Fence Exemption for 13 Murrie Street, Toronto ON M8V 1X6
Folder #: 23 148062 FEN 00 IV
RN 711 805 105 CA

Dear Officer:

I/We, Karen L. Gillingham
as the property owner(s) adjacent to 13 Murrie St., confirm my support for the Fence Height Exemption as it serves as a privacy fence between our properties.

If you have any questions regarding this correspondence, please feel free to contact me/us at:

Name(s) of Property Owner(s):

Mailing Address of Property Owner(s):
11 MURRIE ST. ETOB. ONT. M8V 1X6

Phone Number: _____

Email Address: _____

Sincerely,

Karen L. Gillingham

Name of Property Owner: Karen L. Gillingham

Karen L. Gillingham
Signature of Property Owner

(Letter of support – submitted by applicant)

June 2, 2023

City of Toronto
ML&S District Office
West District, Etobicoke Civic Centre
399 The West Mall, North Block, 3rd floor
Toronto, ON M9C 2Y2

Re: Fence Exemption for 13 Murrie Street, Toronto ON M8V 1X6
Folder #: 23 148062 FEN 00 IV
RN 711 805 105 CA

Dear Officer:

I/We, WILLIAM HUSSEY / KATHERINE IRVINE
as the property owner(s) adjacent to 13 Murrie St., confirm my support for the Fence Height Exemption as it serves as a privacy fence between our properties.

If you have any questions regarding this correspondence, please feel free to contact me/us at:

Name(s) of Property Owner(s):

WILLIAM HUSSEY / KATHERINE IRVINE

Mailing Address of Property Owner(s):

16 HEMAN ST., ETOBICOKE M8V 1X5

Phone

Number: 416-671-2922

Email

Address: canadahusse@gmail.com

Sincerely,

Name of Property Owner: WILLIAM HUSSEY


Signature of Property Owner

(Letter of support – Submitted by applicant)

June 2, 2023

City of Toronto
ML&S District Office
West District, Etobicoke Civic Centre
399 The West Mall, North Block, 3rd floor
Toronto, ON M9C 2Y2

Re: Fence Exemption for 13 Murrie Street, Toronto ON M8V 1X6
Folder #: 23 148062 FEN 00 IV
RN 711 805 105 CA

Dear Officer:

I/We, EILEEN LAFFEY
as the property owner(s) adjacent to 13 Murrie St., confirm my support for the Fence Height Exemption as it serves as a privacy fence between our properties.

If you have any questions regarding this correspondence, please feel free to contact me/us at:

Name(s) of Property Owner(s):

EILEEN LAFFEY

Mailing Address of Property Owner(s):

15 MURRIE ST

Phone Number: 416-566-3842

Email Address: _____

Sincerely,

Name of Property Owner: EILEEN LAFFEY

Eileen LaFey
Signature of Property Owner
June 4/23