

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 301 Rockcliffe Ct (20 Rockcliffe Ct)

Date: March 4 2024

To: Etobicoke York Community Council

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

Wards: Ward 05 – York South Weston

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 301 Rockcliffe Ct (20 Rockcliffe Ct) 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 around the perimeter of the property that will not comply with the standards stipulated by Section 447-1.2(A). The applicant is seeking permission to maintain a fence constructed of chain-link, barbed wire, and height. The fence is 2.1m in height (includes barbed wire).

RECOMMENDATIONS

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

1. Refuse the application for property owner of 301 Rockcliffe Ct (20 Rockcliffe Ct). 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, January 5 2024, 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, 301 Rockcliffe Crt (20 Rockcliffe Ct), and is located in Ward 5. The property is a vacant property zoned as Prestige Employment.

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

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Perimeter of Property	Perimeter of Vacant land	Fence is constructed of non-permitted material (barbed wire)	Chapter 447-1.2 (A)(2) No barbed wire, chicken wire or other barbed or sharp material shall be used in any fence unless the fence is permitted by Subsection B to exceed 2.5 metres in height and the barbed or sharp material is installed at a height of not less than 2.5 metres on metal brackets inclined towards the enclosed area at an angle of 45 degrees.

COMMENTS

On January 5, 2024, property owner at 301 Rockcliffe Crt (20 Rockcliffe Ct) submitted an application for a fence exemption.

The applicant is seeking permission to maintain a fence around the perimeter of the vacant property that will not comply with the standards. The fence is constructed of chain-link and barbed wire. The fence height is 2.1m. The applicant is requesting the exemption to comply with Certificate of Property Use requirements in relation to the contamination on land. An exemption will ensure public safety, by not allowing any accessibility. It also provides a barrier from the public dumping/littering on the property.

*Alternate recommendation is to grant the application for a fence exemption permit (with or without conditions) to the property owners of 301 Rockcliffe Crt (20 Rockcliffe Ct), 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

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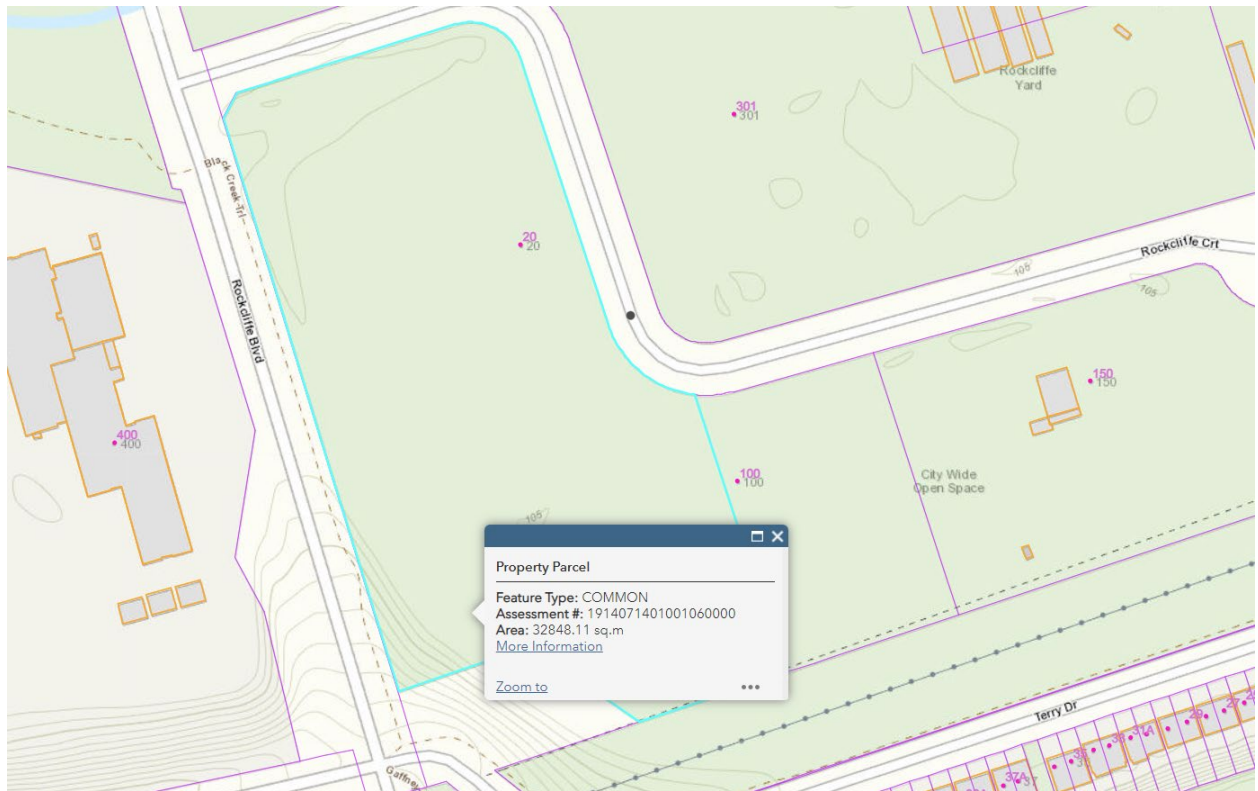
SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS

Attachment A – GIS MAP
Attachment B – Photo
Attachment C – Site Plan
Attachment D – Letters of support submitted by applicant

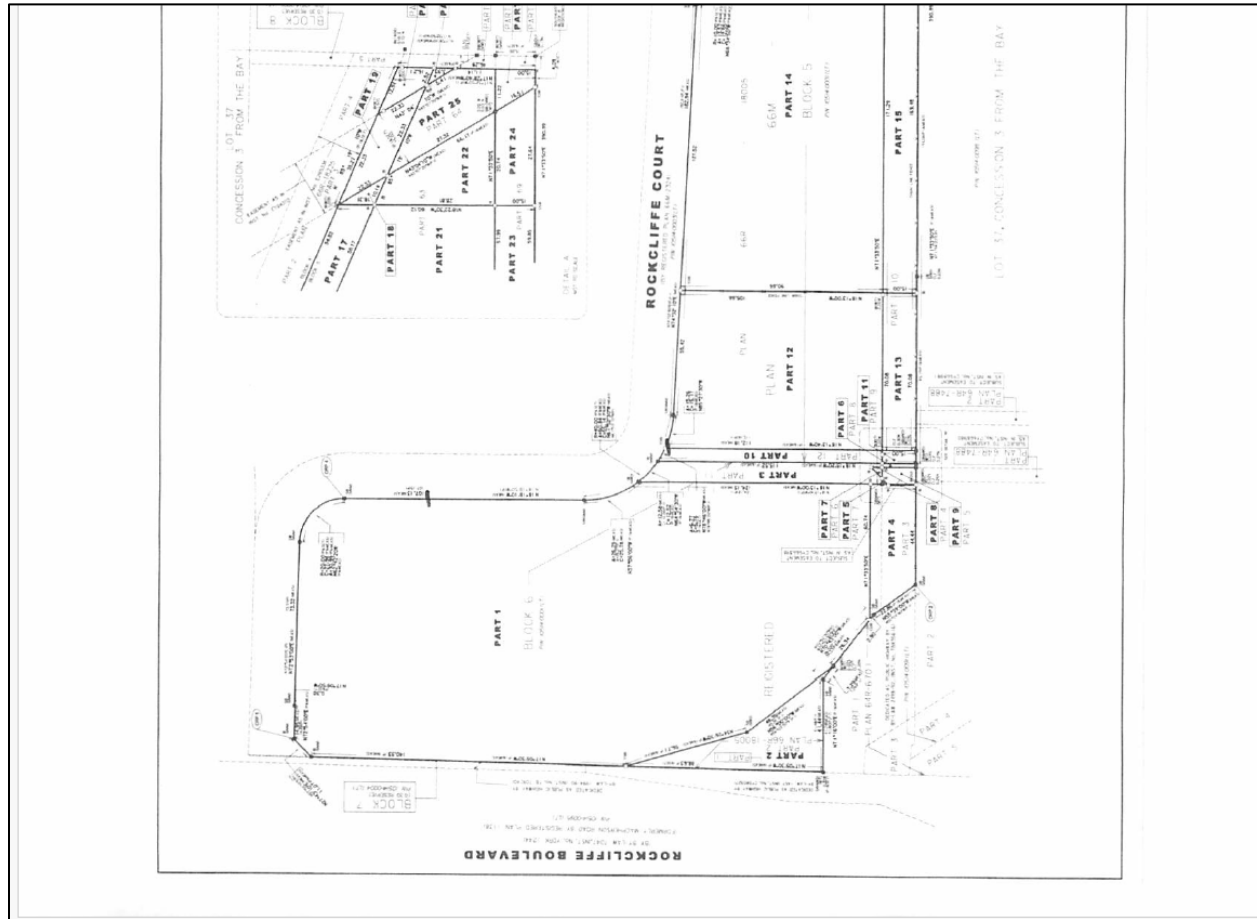
Attachment A: iView Map of property – 301 Rockcliffe Crt (20 Rockcliffe Crt)



Attachment B: Street View



Attachment C: Site Plan



Attachment D: Letters of Support

Letter of Support – Fence Exemption

We support the proposed fence bylaw exemption at **301 Rockcliffe Ct, Toronto, ON M6N5G6** for the purposes of security and public safety.

Support Address: 200 Rockcliffe Court

Name: Bayan

Signature: [Signature]

Date: Jan 3/2023