

## **Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 23 Bradbury Crescent**

**Date:** August 13, 2024

**To:** Etobicoke York Community Council

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

**Wards:** Ward 2 Etobicoke Centre

### **SUMMARY**

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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 23 Bradbury Crescent 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 wood fence on the West side of the property measuring 2.1m. in height and increase the fence height on the South side of the property from 1.8m. to 2.1m. in height which will not comply with the standards stipulated by Section 447-1.2(A). A Notice of Violation was issued on May 15, 2024, relating to the fence height on the south side of the property.

### **RECOMMENDATIONS**

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

Refuse to grant the application for exemption by the property owner of 23 Bradbury Crescent because the fence fails to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences and to issue a second notice to the property owner to bring the fence into compliance.

### **FINANCIAL IMPACT**

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There is no anticipated Financial Impact from this report.

## DECISION HISTORY

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The property owner submitted a fence exemption application, in writing on May 31, 2024.

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, 23 Bradbury Crescent is located in Ward 2. The property is a detached residential home.

See the table below for the dimensions of the fence to be maintained and increase in height.

<b>GENERAL LOCATION</b>	<b>SPECIFIC LOCATION</b>	<b>PROPOSED CONSTRUCTION &amp; DEFICIENCY</b>	<b>BY-LAW SECTION &amp; REQUIREMENT*</b>
South Side of Property	Rear Yard	Increase fence height from 6 ft. To 2.1m in height.	Chapter 447-1.2 B(1) Fence not in the front yard and not within 2.4 metres of a public highway exceeds 2.0 metres.
West Side of Property	Rear Yard	Maintain fence height of 2.1m in height.	Chapter 447-1.2 B(1) Fence not in the front yard and not within 2.4 metres of a public highway exceeds 2.0 metres.

## **COMMENTS**

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On May 31, 2024, the property owner at 23 Bradbury Cr. submitted an application for a fence exemption.

The applicant is seeking permission to maintain a wood fence on the west side of the property measuring 2.1m. in height and increase the fence height on the south side of the property from 1.8m. to 2.1m in height. The applicant is requesting this exemption for privacy, to eliminate light intrusion, safety, independence and freedom in his rear yard.

\*Alternate recommendation is to grant the application for a fence exemption permit (with or without conditions) to the property owner of 23 Bradbury Crescent, thereby allowing the property owner to maintain a wood fence on the west side of the property which currently measures 2.1m. in height and to allow the increase of the existing wood fence measuring 1.8m. in height on the south side to a maximum height of 2.1m. in height. Also, to direct and require the rear yard fence(s) to be maintained in good repair without alteration. At such time as replacement of the fence is required, the installation will comply with Municipal Code Chapter 447, Fences, or its successor by-law.

## **CONTACT**

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## **SIGNATURE**

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Joe Magalhaes  
District Manager

## **ATTACHMENTS**

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Attachment A – I-View Map of Property – 23 Bradbury Crescent  
Attachment B – Photo of South facing Fence  
Attachment C – Photo of West facing Fence  
Attachment D – Photo of West facing Fence  
Fence Exemption Request – 23 Bradbury Cr.

Attachment A: iView Map of property – 23 Bradbury Cres.



Attachment B – South side of rear yard fence currently measuring 1.8m. in height



Attachment C – Photo of Existing west rear yard fence currently measuring 2.1m in height.



Attachment D – Photo of Existing west rear yard fence currently measuring 2.1m in height.

