

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 534 Glen Park Ave

Date: November 4, 2024

To: North York Community Council

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

Wards: Ward 08 – Eglinton – Lawrence

SUMMARY

This staff report concerns a matter for which the North 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 534 Glen Park Avenue 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 north, east and west sides of the property that will not comply with the standards stipulated by Section 447-1.2(B)(1) and 447 -1.2(B)(Table 2). The applicant is seeking permission to maintain a fence constructed of wood with vertical boards. The fence height on the applicant's side measures 2 meters. However, when measured from the adjoining properties, the height is 2.5 meters due to a grade difference of 0.61 meters. At the average grade level, the fence height is 2.2 meters.

RECOMMENDATIONS

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

1. Refuse the application for a fence exemption for the property owner of 534 Glen Park Avenue, as the proposed fence would fail to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences. Direct that a notice of violation to be issued to direct the property owner to bring the fence into compliance.

FINANCIAL IMPACT

There is no anticipated Financial Impact from this report.

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on August 8, 2024, in regard 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 North York Community Council consideration, and, the City Clerk has sent all requisite notifications of the date that North York Community Council will consider the application.

The subject property, 534 Glen Park Avenue, and is in Ward 8. 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*
North, east and west side of property.	Rear yard of property.	Height of the fence to exceed the height permitted by the Chapter. Namely, the existing fences are 2.2m.	Chapter 447-1.2B (1) Any other fence; shall not exceed a height of 2 meters.

COMMENTS

On August 8, 2024, property owner at 534 Glen Park Avenue submitted an application for a fence exemption.

The applicant is seeking permission to maintain the fences on the north, east and west side of the property. The fence is constructed of wood with vertical boards. The fence height is 2.2m north, east and west side of the property. The applicant is requesting the exemption for their privacy and security.

*Alternate recommendation is to grant the application for a fence exemption permit (with or without conditions) to the property owners of 534 Glen Park Avenue, 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

Christina Savella, Supervisor
Municipal Licensing and Standards
Investigation Services – West District
Tel. 647-333-4023
Email: Christina.savella@toronto.ca

SIGNATURE

Joe Magalhaes
District Manager

ATTACHMENTS

Attachment A – GIS MAP
Attachment B – Photos taken by officer.
Attachment C – Site Plan

Attachment A

GIS MAP



Attachment B

Fence from applicant's side - Photos taken by Officer.



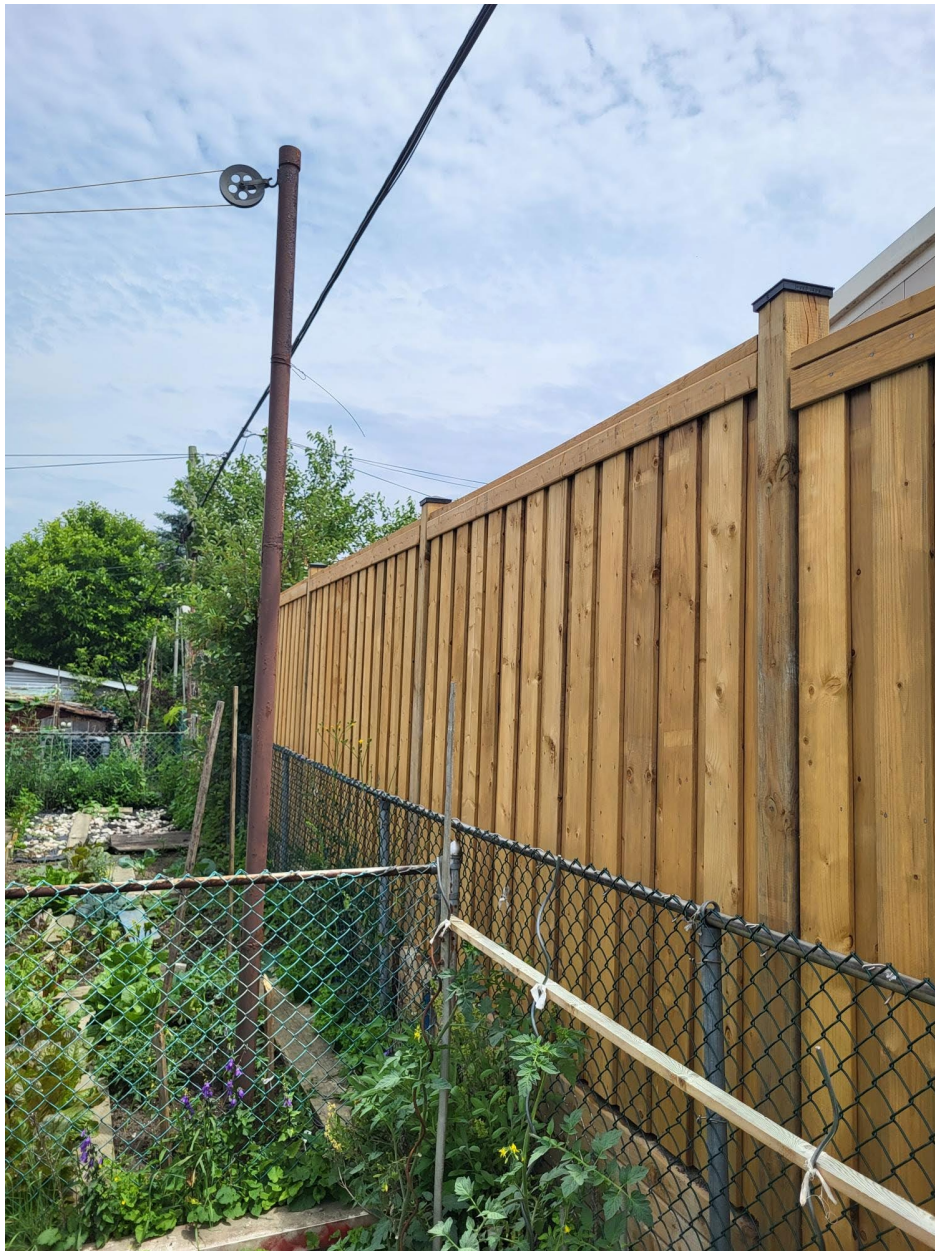
(Fence from Applicant's side - Photo taken by Officer)



(Fence height from applicant's side – Photo taken by Officer)



(Fence from Neighbouring property – Photo taken by Officer)



(Grade difference and fence height from neighbouring side – photo taken by Officer)



Attachment C

