

Request for a Fence Exemption - 48 Warren Road

Date: May 7, 2024
To: Toronto and East York, Community Council
From: District Manager, Municipal Licensing and Standards
Wards: Ward 12 - Toronto / St. Paul's

SUMMARY

This staff report concerns 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 advise Council concerning an application by the property owner 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 Council's permission to permit the erection of a chain link fence 3.05 metres in length 1.2 metres in height with a self closing self latching gate mounted to the rear wall of the garage to restrict garage door access opening, which does not comply with Section 447-1.3.C(3) of the bylaw.

The property owner is seeking relief from the by-law regulations by permitting the erection of a chain link fence 3.05 metres in length 1.2 metres in height with a self closing self latching gate mounted to the rear wall of the garage to restrict garage door access opening.

Municipal Licensing and Standards Division reviewed the request for deviation from the original site plans associated to the pool enclosure application on January 16th, 2024 ; the subject property owner submitted a fence exemption for review on February 2nd, 2024.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Toronto and East York Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of, for a fence enclosure that 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.

OR

2. Grant the application for a fence exemption permit, without conditions, thereby allowing the fence enclosure to be maintained as constructed. Additionally, direct and require that the installation 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, or its successor by-law.

FINANCIAL IMPACT

There is no financial impact

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on February 2nd 2024, in regards to a potential fencing exemption that would otherwise be in violation specific to Section 447 1.3.C(1) of Toronto Municipal Code.

As required by Section 447-1.5 B, 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 subject property, is located in Ward 12 - Toronto / St. Paul's. 3 Story single family dwelling.

Municipal Licensing Standards' investigated the area where the fence would be installed; the intended fence erection does not meet the Bylaws requirement as seen in the table below.

General Location	Specific Location	Deficiency	By-Law Section
Rear Yard	West side of the property	If the wall of any building, or any portion of it, forms part of the pool enclosure, there shall be no access to the enclosed pool area through the wall	Section 447-1.3.C(1)

CONTACT

Cameron Culver, Supervisor
Municipal Licensing & Standards
Toronto and East York District
Tel. (416) 416 395 7035
E-mail: cameron.culver@outlook.com

SIGNATURE

Peter Hardisty
District Manager

ATTACHMENTS

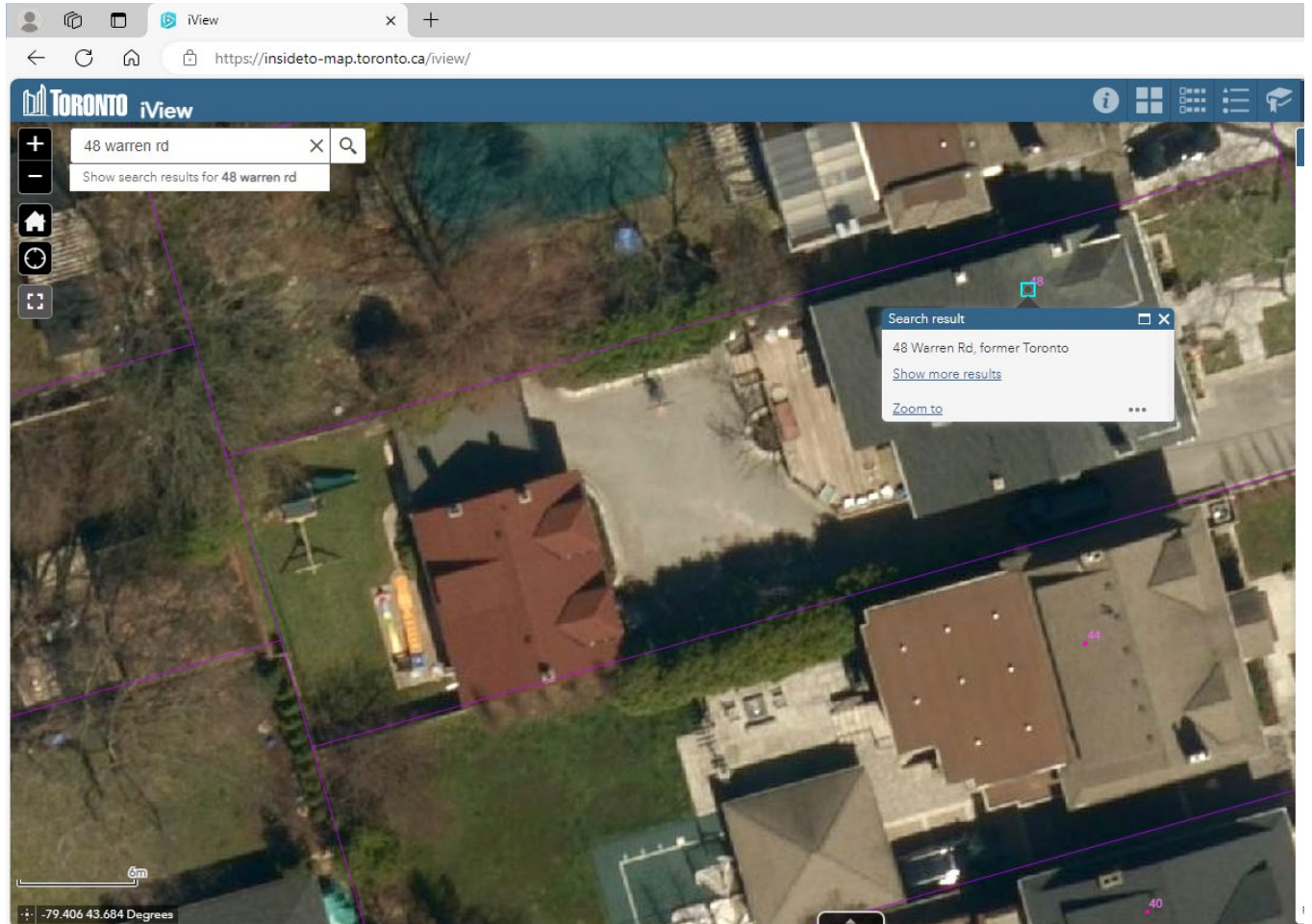
Attachment #1: View of southernly portion of coach house / rear yard
Attachment #2: View of northernly portion of coach house / rear yard
Attachment #3: Ariel view of 48 Warren Rd (pre-construction)



View of southernly portion of coach house / rear yard



Attachment #2: View of northerly portion of coach house / rear yard



Attachment #3: Ariel view of 48 Warren Rd (pre-construction)