

Request for Fence Exemption – Front– 39 Hove St

Date: January 3, 2019

To: North York Community Council

From: Elena Sangiuliano, District Manager, Municipal Licensing & Standards, North York District

Wards: Ward 6 – York Centre

SUMMARY

This staff report is in regards to 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 consider an application submitted by the owner(s) of 39 Hove St for a site-specific Fence Exemption, pursuant to the Toronto Municipal Code, Chapter 447-Fences. The property owner(s) is seeking Council's permission to be exempt from Chapter 447-1.2C (1) permit cedars to obstruct the view of the boulevard or highway contrary to 447-1.2C (1) of the bylaw.

The subject property 39 Hove St is located in Ward 6, on a residentially zoned property.

GENERAL LOCATION	SPECIFIC LOCATION	EXISTING CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENTS
Front Yard	South side of property.	Cedar Hedge obstructs the view of the boulevard or highway within 2.4 meters of the front lot line.	Any fence within 2.4 metres of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the North York Community Council give consideration to the exemption application and decide to:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 39 Hove St, Front yard view obstruction for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and that a second un-appealable Notice of Violation be issued under the City of Toronto Municipal Code Chapter 447 Fences

OR

2. Grant the application for the side yard hedge height and obstruction without conditions. Direct and require that the installation be maintained in good repair without alteration. Direct and require that 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 anticipated in this report.

DECISION HISTORY

The owner(s) submitted a fence exemption application, in writing, on January 08, 2019 for an existing fence in the South Side 447-1.2C (1) of Toronto Municipal Code, Chapter 447- Fences as reasons for the application. Upon inspection of the property by ML&S, the fence was found to be an obstruction of the view of the boulevard or highway contrary to 447-1.2C (1) of the bylaw.

As required by Section 447-5(C), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for North York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that North York Community Council will consider the application.

COMMENTS

The proposed Hedge violates Toronto Municipal Code, Chapter 447- Fences requirements with respect to height and view permitted by the by law, it does not contravene any other provisions of the bylaw.

CONTACT

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SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, North York District

ATTACHMENTS

Appendix 1 – Location Subject Property from iview.

Appendix 2 – Photo taken from North Side facing South

Appendix 3 - Photo taken from South Side facing North

Appendix 4 - Photo taken from Neighbours driveway facing Hove St

Appendix 5 - Photo taken from Sidewalk facing driveway of 39 Hove St

Appendix 6 – View of notification area in relation to 39 Hove St.

Appendix 1

39 Hove St fence exemption application Folder #19-102025 FEN 00 IR

Location of subject property from iView:



Appendix 2 – Photo taken from North Side facing South

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Appendix 3 – Photo taken from South Side facing North

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Appendix 4 – Photo taken from Neighbours driveway facing Hove St

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Appendix 5—Photo taken from Sidewalk facing driveway of 39 Hove St

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**Appendix 6 – View of notification area in relation to 39 Hove St.
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