

Request for Fence Exemption – Rear Yard – 47 Codsell Ave

Date: June 10, 2020

To: North York Community Council

From: Peter Hardisty, District Manager, Municipal Licensing & Standards, West 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 47 Codsell Ave 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 1.2 B (1) No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence, exceed the height set out in the Table for the fence. Item 4 No higher than 2.0 metres

The subject property **47 Codsell Ave** is located in Ward 6 – York Centre, on a residentially zoned property.

GENERAL LOCATION	SPECIFIC LOCATION	EXISTING CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT
Rear Yard	Rear Yard	Existing hedge line over 2.0 metres	1.2 B (1) No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence, exceed the height set out in the Table for the fence. Item 4 No higher than 2.0 metres

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, **47 Codsell Ave** Fence 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 Fence 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 May, 12/2020 for an existing fence in the Rear Yard Chapter 447 of Toronto Municipal Code – 1.2 B (1) No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence, exceed the height set out in the Table for the fence. Item 4 No higher than 2.0 metres

As required by Section 447-1.5 (B) (5), 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 Fence violates Toronto Municipal Code, Chapter 447- 1.2 B (1) No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence, exceed the height set out in the Table for the fence. Item 4 No higher than 2.0 metres as it relates to construction and/or materials permitted by the by law, it does not contravene any other provisions of the bylaw.

CONTACT

Jean-Paul Nadeau, Acting Supervisor,
Municipal Licensing & Standards Division
North York District
Tel. # 416-396-7311
Fax (416) 395-7056
E-mail: JeanPaul.Nadeau@toronto.ca

SIGNATURE

Peter Hardisty
Manager, Municipal Licensing and Standards, West District

ATTACHMENTS

Appendix 1 – Location Subject Property from Iview.

Appendix 2 – View of notification area in relation to **47 Codsell Ave**

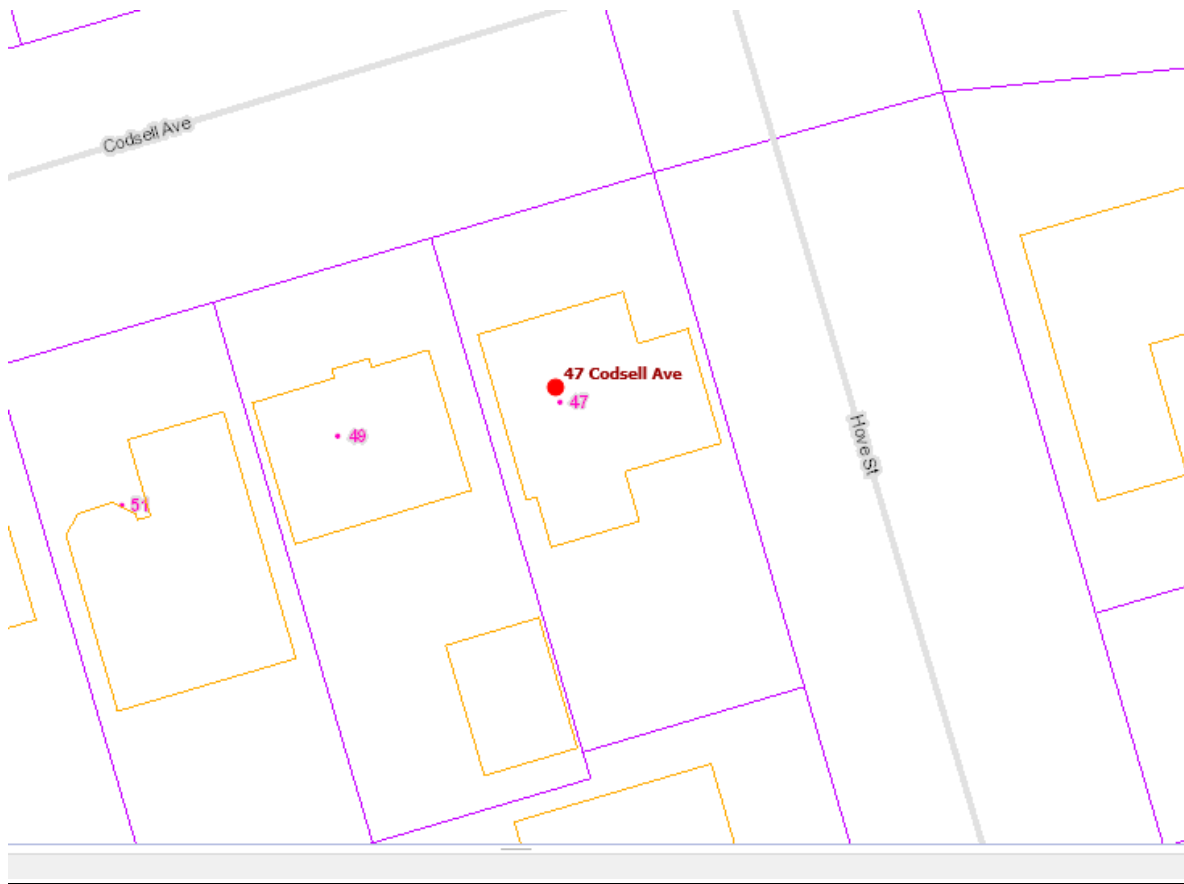
Appendix 3 - Hove St Facing West

Appendix 4 - Hove St Facing South

Appendix 5- Rear Yard Facing East

Appendix 1 - Location Subject Property from Iview.

Location of subject property from [iView](#):



Appendix 2 – View of notification area in relation to **47 Codsell Ave**



Appendix 3 - Hove St Facing West



Appendix 4 - Hove St Facing South



Appendix 5- Rear Yard Facing East

