

Application for Fence Exemption – 34 Rollscourt Drive

Date: March 7, 2022

To: North York Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 15 – Don Valley West

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 consider an application by the owner(s) of 34 Rollscourt Drive to maintain a fence with an attached pergola in the rear yard on the north and west side of the property. The fence 3.5 meters high which exceeds the maximum allowable height of 2.0 meters as specified in the Toronto Municipal Code, Chapter 447-1.2.B(1) Table 1 – Maximum Height of Fences. A Notice of Violation was issued on December 18, 2020.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the North York Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 34 Rollscourt Drive, to allow them to maintain the existing fence/pergola structure, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.2.B(1) Table 1 – Maximum Height of Fences.

OR

2. Grant the application for an exemption permit, by the owner(s) of 34 Rollscourt Drive, to allow them to maintain the existing fence/pergola structure of greater than 2.0 meters. Direct and require that the existing fence be maintained in good repair without alteration. Direct and require that at such time as a 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

As required by Section 447-1.5(B)(1), 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 – Fences requirements with respect to fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear yard (North and West facing lot lines)	Current fence has pergola attached to it which makes the pergola a part of the fence. Current fence is 3.5 meters in height.	447-1.2.B(1) Table 1 – Maximum Height of Fences. Item 9 – Any other fence (2.0 Meters)

CONTACT

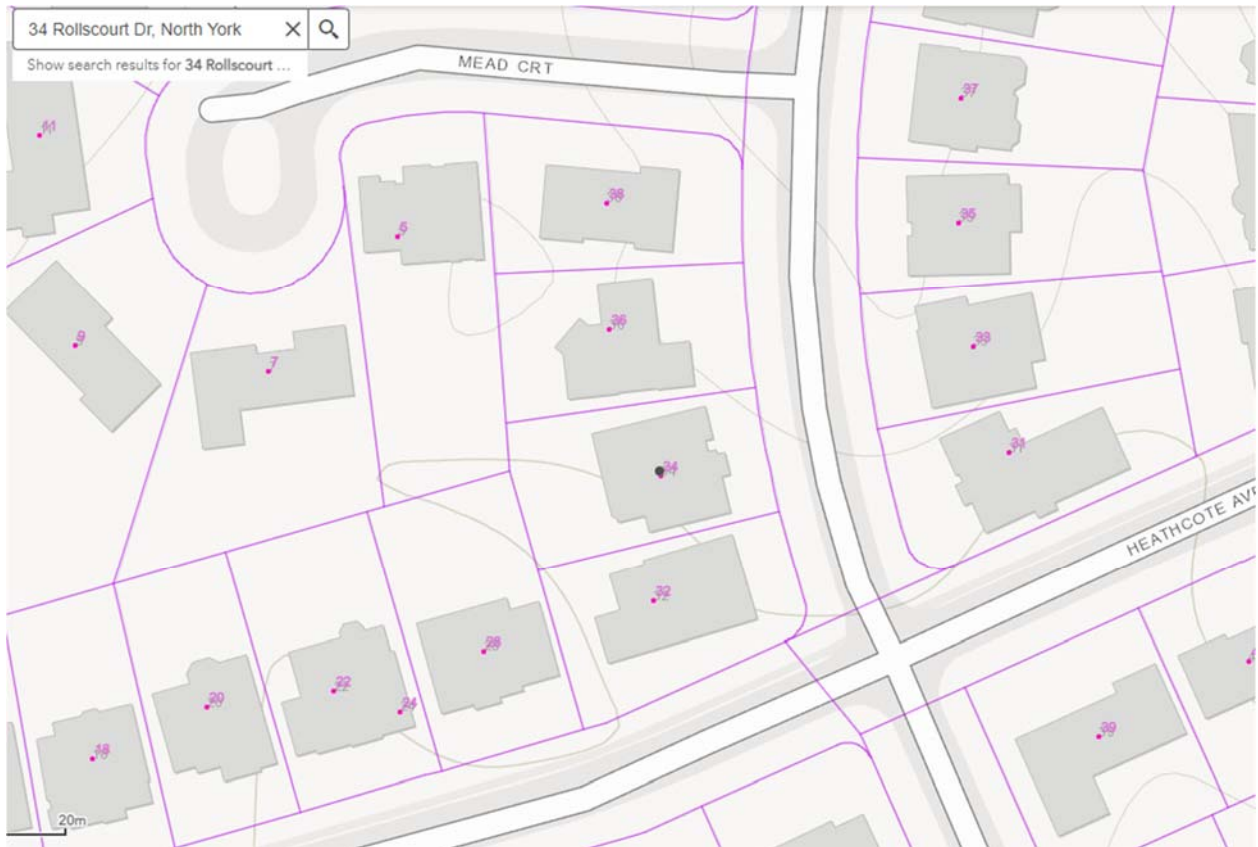
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SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

- Attachment 1: iView Map of Property – 34 Rollscourt Drive
- Attachment 2: Picture of Fence/Pergola structure – 34 Rollscourt Drive
- Attachment 3: Picture of Fence/Pergola structure from neighbouring property (36 Rollscourt)
- Attachment 4: Picture of Fence/Pergola structure from neighbouring property (36 Rollscourt)



Attachment 1: iView Map of Property – 34 Rollscourt Drive



Attachment 2: Picture of Fence/Pergola structure – 34 Rollscourt Drive



Attachment 3: Picture of Fence/Pergola structure from neighbouring property (36 Rollscourt)



Attachment 4: Picture of Fence/Pergola structure from neighbouring property (36 Rollscourt)