

Application for Fence Exemption – 54 York Road

Date: January 12, 2023

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 54 YORK RD to maintain a wood fence in the rear yard on the east and west side of the property which is over the allowed 2 Metres. This exceeds the maximum allowable height of a fence between 2 residential properties as stated in the Toronto Municipal Code, Chapter 4471.2B. (1) Table 1 - Maximum Height of Fences – Item 9 Any Fences

A Notice of Violation was issued on Dec 14, 2022

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 54 YORK RD, to allow them to maintain the Wood fence with a height greater than 2 Metres, which does not comply with the Toronto Municipal Code, Chapter 4471.2B. (1) Table 1 - Maximum Height of Fences – Item 9 Any Fences

OR

2. Grant the application for an exemption permit, by the owner(s) of 54 YORK RD, to allow them to maintain the Wood fence with a height greater than 2 Metres. 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, Fences 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 fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear yard (East and west a facing lot lines)	Current Fence Height 8.4 Feet or 2.5 M	447-1.2B.(1) Restrictions on fences; height. Table 1 Item 9 Any other fence 2 M

CONTACT

Joy Correia, Supervisor
Municipal Licensing & Standards Division
North York District
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E-mail: Joy.Correia@toronto.ca

SIGNATURE

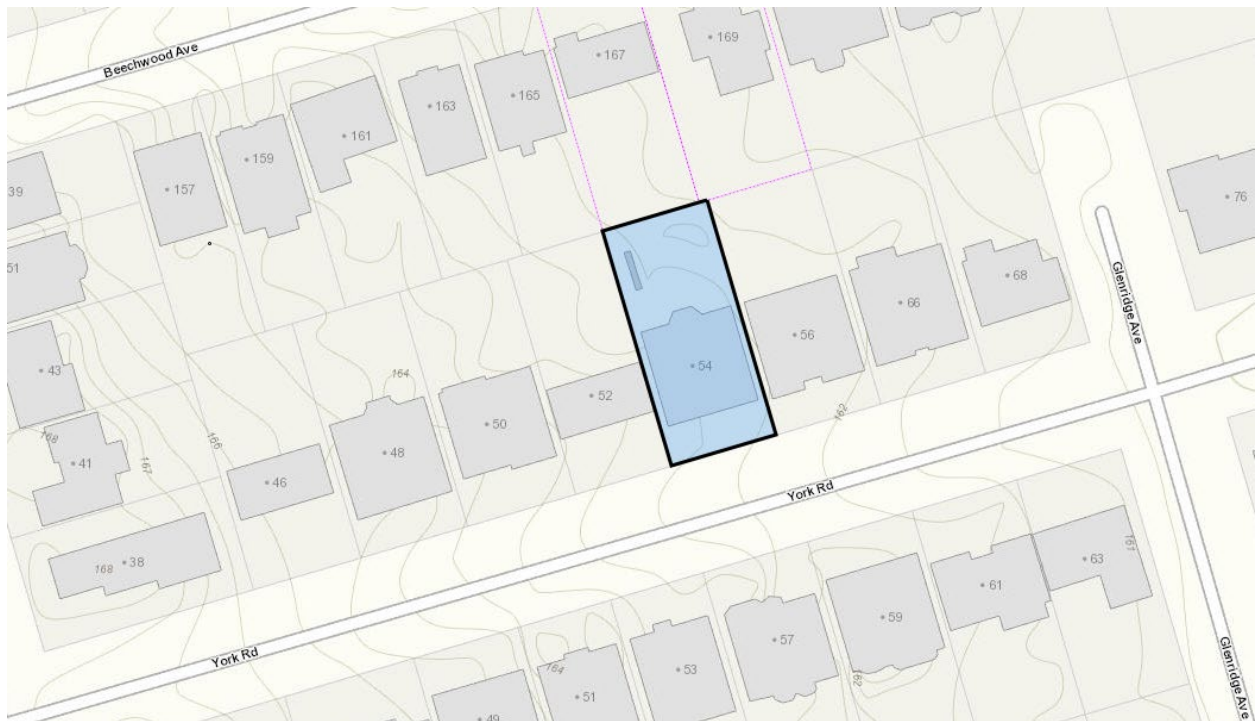
Terry Karabassis

Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

- Attachment 1: iView Map of Property – 54 YORK RD
- Attachment 2: Photo of fence – 54 YORK RD
- Attachment 3: Drawing of fence heights (Submitted by applicant) – 54 YORK RD
- Attachment 4: Photo of fence – 54 YORK RD
- Attachment 5: 2 Letters Submitted by Applicant from Owners of 56 York Road

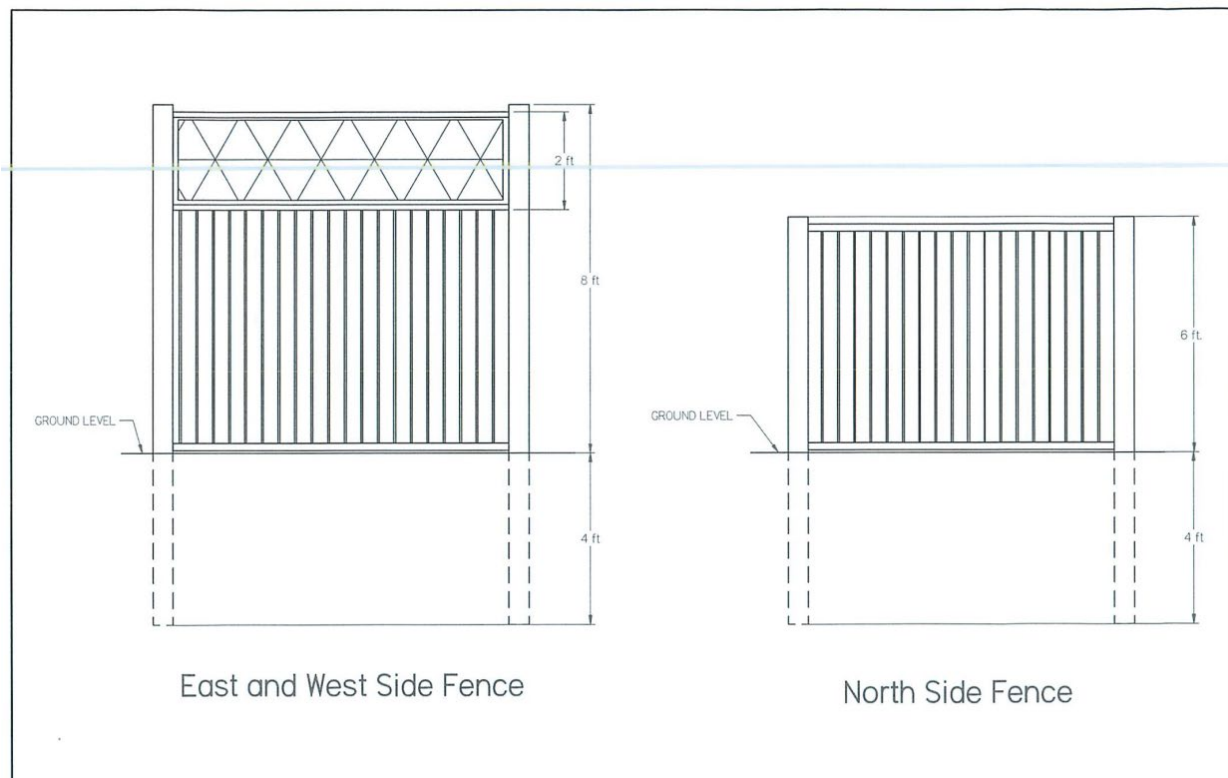
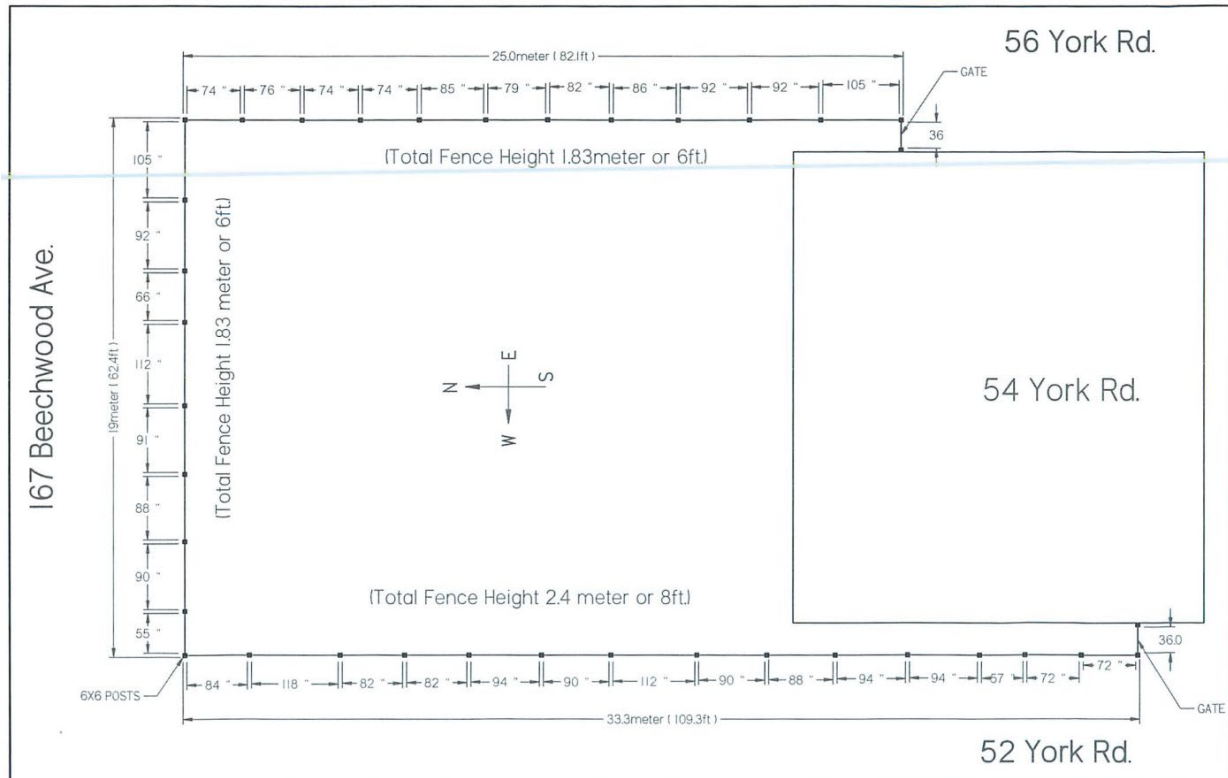
Attachment 1: iView Map of Property – 54 YORK RD



Attachment 2: Photo of fence – 54 YORK RD



Attachment 3: Drawing of fence heights (Submitted by applicant) – 54 YORK RD



Attachment 4: 3 Photos of fence (Submitted by Applicant)– 54 YORK RD



west side (between 52 & 54 York Rd)



North Side (between 54 York Rd &
167 Beechwood Ave.)



East side (between 54 & 56 York Rd)

Attachment 5: 2 Letters Submitted by Applicant from Owners of 56 York Road

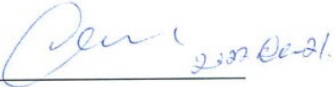
December 21, 2022

To whom may concern,

I, Chi Fai, Lit the resident and owner of 56 York Road acknowledge that I was aware of and approved of the construction of a fence between 56 York Road and 54 York Road with the height of 6 ft and addition of 2 ft net.

I acknowledge that this was communicated to me and approved by me prior to the construction of the fence for added privacy and security.

Regards,



Address: 56 York Road, Toronto, ON M2L1H6

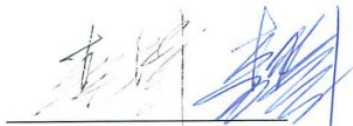
December 21, 2022

To whom may concern,

I, Zhouhua Li the resident and owner of 52 York Road acknowledge that I was aware of and approved of the construction of a fence between 52 York Road and 54 York Road with the height of 6 ft and addition of 2 ft net.

I acknowledge that this was communicated to me and approved by me prior to the construction of the fence for added privacy and security.

Regards,



Address: 56 York Road, Toronto, ON M2L1H6