

Application for Fence Exemption – 212 BESSBOROUGH DR

Date: March 20, 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 212 Bessborough Drive to maintain a wood link fence in the rear yard on the south side of the property which has fence that exceeds the maximum allowed height of 2m as specified in the Toronto Municipal Code, *Chapter 447-1.2 B (1) Table 1 – Maximum Height of Fences Item 9 – Any other fence*

A Notice of Violation was issued on **March 3, 2023**

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 212 Bessborough Drive, 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 447, Fences, specifically section 447-1.2 B (1) Table 1 – Maximum Height of Fences Item 9 – Any other fence*

OR

2. Grant the application for an exemption permit, by the owner(s) of 212 Bessborough Drive, to allow them to maintain a 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 (South facing lot line)	Current height of Fence in 2.4 Metres	447-1.2 B (1) Table 1 – Maximum Height of Fences Item 9 – Any other fence – 2 Metres

CONTACT

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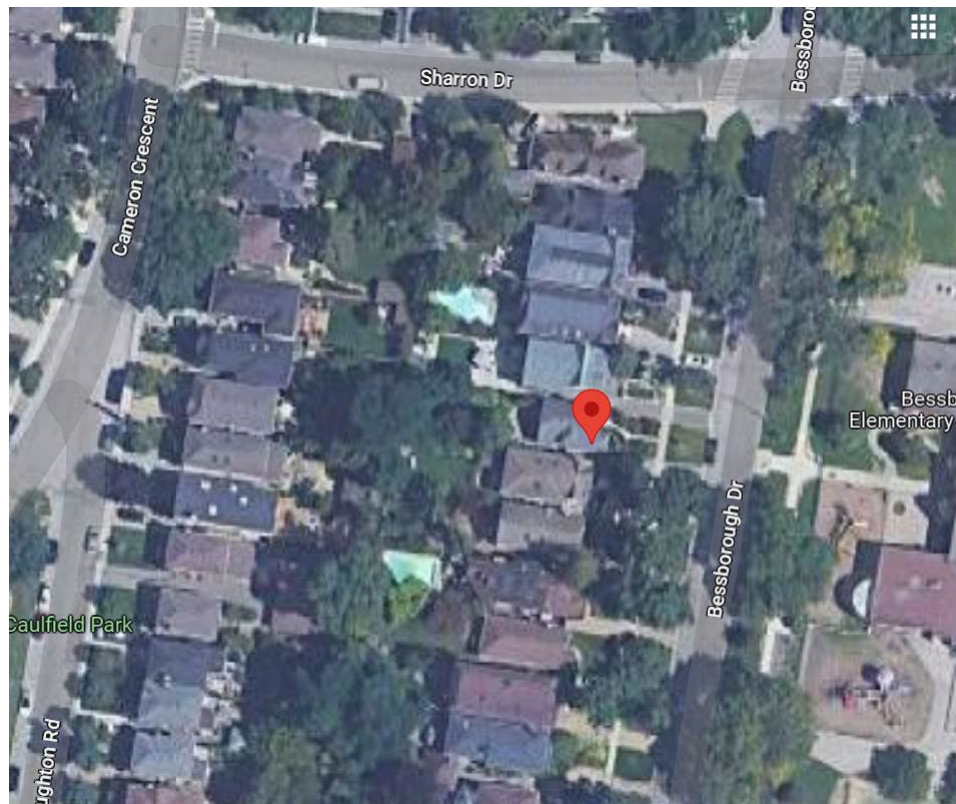
SIGNATURE

Jean Paul Nadeau
(Acting) Manager,
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ATTACHMENTS

Attachment 1: iView Map of Property – 212 Bessborough Drive
Attachment 2: Photos of fence (Taken by Officer B Quick at time of inspection)
– 212 Bessborough Drive
Attachment 3: NOV Sent to Property Owner– 212 Bessborough Drive

Attachment 1: iView Map of Property – 212 Bessborough Drive



212 Bessborough Drive - File # 23 124237

**Attachment 2: Photos of fence (Taken by Officer B Quick at time of inspection)
– 212 Bessborough Drive**





Attachment 3: NOV Sent to Property Owner– 212 Bessborough Drive

NOTICE OF VIOLATION

March 3, 2023

Re: 212 BESSBOROUGH DR

Legal Description: PLAN 2121 PT LOT 223 PT LOT 224

Roll Number: 1906044350023000000

City of Toronto

An inspection of the above location has revealed that the **Toronto Municipal Code, Chapter 447, Fences, as amended**, is being contravened. You are hereby required to correct the following violation(s) on or before the compliance date(s) listed next to each contravention.

The item(s) listed herein are in violation of the Toronto Municipal Code, Chapter 447, Fences.



Item #	Bylaw Section	Location and Description	Required Action	Compliance Date
1	1.2B.(1)	South Side of Property - Fencing in-between Homes: Height of the fence exceeds the height permitted by the Chapter., <u>namely:</u> Wooden fencing is 2.4 metres in height. Maximum height permitted is 2 metres. Fence height to be reduced to be <u>in compliance.</u>	Fence height to be reduced to <u>be in compliance.</u>	April 6, <u>2023</u>

