

## **79 Yorkview Drive - Application for Fence Exemption**

**Date:** March 20, 2024.

**To:** North York Community Council

**From:** District Manager, Municipal Licensing and Standards, East District

**Wards:** Ward 18, Willowdale

### **SUMMARY**

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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 79 Yorkview Drive to maintain existing fencing at the property.

The wooden fencing (East property line) measures a maximum height of 2.3 meters in height.

The wooden fencing (West property line) measures a maximum height of 2.3 meters in height.

The wooden fencing (South property line) measures a maximum height of 2.3 meters in height.

This is contrary to the Toronto Municipal Code, Chapter 447-1.2 C (1)

### **RECOMMENDATIONS**

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The District Manager, Municipal Licensing and Standards, East District recommends that:

1. North York Community Council refuse to grant the application for an exemption, by the property owner(s) of 79 Yorkview Drive for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to direct the issuance of a second notice to the property owner(s) to bring the fence into compliance.

## FINANCIAL IMPACT

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There is no financial impact anticipated in this report.

## DECISION HISTORY

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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

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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 & Side Yards	Rear & Side yard property line fencing adjacent to Elgin Road and 362 Hounslow Avenue.	Rear & Side yard fencing has been built higher than 2 meters.	Chapter 447 Section 1.5(B)(1) Item 9.  MAXIMUM HEIGHT OF FENCES. (2 Meters)

The property owner(s) seek this exemption for aesthetics purposes.

Municipal Licensing and Standards recommends North York Community Council refuse to grant the application for an exemption by the property owner of 79 Yorkview Drive. Should North York Community Council grant the application for a fence exemption, the following recommendation may be adopted, in accordance with Municipal Code Chapter 447:

1. Grant the application for a fence exemption by the property owner(s) of 79 Yorkview Drive thereby allowing the existing fence to be maintained as constructed. At such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, Fences or its successor by-law.

## **CONTACT**

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## **SIGNATURE**

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List the attachments.

Attachment 1: iView Map of Property – 79 Yorkview Drive - City of Toronto.  
Attachment 2: Municipal Standards Officer's Photo - 79 Yorkview Drive - Side Yard  
Attachment 3: Municipal Standards Officer's Photo - 79 Yorkview Drive – Side Yard  
Attachment 4: Municipal Standards Officer's Photo - 79 Yorkview Drive – Rear Yard  
Attachment 5: Municipal Standards Officer's Photo - 79 Yorkview Drive – Rear Yard

## ATTACHMENTS

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Attachment 1: iView Map of Property – 79 Yorkview Drive - City of Toronto.





Attachment 3: Municipal Standards Officer's Photo 79 Yorkview Drive – Side Yard



Attachment 4: Municipal Standards Officer's Photo – 79 Yorkview Drive – Rear Yard



Attachment 5 Municipal Standards Officer's Photo – 79 Yorkview Drive – Rear Yard

