

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 – 230 Torresdale Avenue

Date: August 21, 2024

To: North York Community Council

From: District Manager, Municipal Licensing and Standards, West District

Wards: Ward 06 – York Centre

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 advise Community Council concerning an application by the property owner of 230 Torresdale Avenue for a site-specific Fence Exemption, pursuant to Section 447-1.5(B) of Toronto Municipal Code, Chapter 447 – Fences. The property owner is seeking Community Council's permission to maintain a fence in the rear yard on the north, and south side of the property that will not comply with the standards stipulated by Section 447-1.2(B)(1). The applicant is seeking permission to maintain a fence constructed of wood with vertical boards. The fence is 2.1m in height on the north side and is 24.3m in length. The fence on the south side is 2.07m in height and is 23.4m in length.

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, West District recommends that North York Community Council:

1. Refuse the application for a fence exemption for the property owner of 203 Torresdale Avenue, as the proposed fence would fail to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences. Direct that a second notice of violation to be issued to direct the property owner to bring the fence into compliance.

FINANCIAL IMPACT

There is no anticipated Financial Impact from this report.

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on June 11, 2024, in regard to a fence exemption application for an existing fence in accordance with Section 447-1.5(B) of Toronto Municipal Code, Chapter 447- Fences.

As required by Section 447-1.5(B), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for North York Community Council consideration, and, the City Clerk has sent all requisite notifications of the date that North York Community Council will consider the application.

The subject property, 230 Torresdale Avenue, and is in Ward 6. The property is a detached residential home.

See the table below for the dimensions of the fence to be maintained.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
North and South side of property.	Rear yard of property.	Height of the fence to exceed the height permitted by the Chapter. Namely, the existing fences are 2.1m and 2.07m.	Chapter 447-1.2B (1) Any other fence; shall not exceed a height of 2 meters.

COMMENTS

On June 11, 2024, property owner at 230 Torresdale Avenue submitted an application for a fence exemption.

The applicant is seeking permission to maintain two fences on the North and South side of the property. The fences are constructed of wood with vertical boards. The fence heights are 2.1m on the north side and 2.07m on the south side of the property. The applicant is requesting the exemption for their privacy and security.

*Alternate recommendation is to grant the application for a fence exemption permit (with or without conditions) to the property owners of 230 Torresdale Avenue, thereby allowing the current fence to be maintained. Direct and require that the existing fence be maintained in good repair without alteration. 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

Joe Magalhaes
District Manager

ATTACHMENTS

Attachment A – GIS MAP
Attachment B – Photos taken by officer.
Attachment C – Site Plan

Attachment A

GIS MAP



Attachment B

North side Fence - Photos taken by Officer.



(South side fence - Photo taken by Officer)



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March 19, 2024 10:12 AM

Attachment C

Site Plan

