

## **95 Stavely Crescent - Application for Fence Exemption**

**Date:** March 18, 2025

**To:** Etobicoke York Community Council

**From:** District Manager, Municipal Licensing & Standards, West District

**Wards:** Ward 1 - Etobicoke North

### **SUMMARY**

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This staff report concerns a matter for which the Etobicoke 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 95 Stavely Crescent 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 front, side, and rear yard 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 in the front yard constructed of vertical board-on-board compressed wood and a fence in the rear yard constructed of vertical board-on-board compressed wood with a horizontal wooden board on top. The height of the fence in the front yard is 2.14 meters. The height of the fence in the rear yard is 2.31 meters.

### **RECOMMENDATIONS**

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

1. Refuse the application for property owner of 95 Stavely Crescent. The fence fails to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences. A second Notice of Violation to be issued directing the property owner to bring the fence into compliance as Council's decision is final and binding.

### **FINANCIAL IMPACT**

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There is no anticipated financial impact from this report.

## DECISION HISTORY

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The property owner submitted a fence exemption application, in writing, February 2, 2025, in regard to a fence exemption application for an existing fence not 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 Etobicoke York Community Council consideration, and, the City Clerk has sent all requisite notifications of the date that Etobicoke York Community Council will consider the application.

The subject property, 95 Stavely Crescent, and is located in Ward 1. The property is a residential property zoned as Residential Detached.

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

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Perimeter of Property	Front yard & rear yard of residential property.	Fence constructed in front yard: 2.14 meters.  Fence constructed in rear yard: 2.31 meters.	Chapter 447-1.2 B. Fence height. (1) No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one metre away on either side of the fence, exceed the height set out in the Table for the fence. Namely, 2 meters in height.

## COMMENTS

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On February 2, 2025 the property owner at 95 Stavely Crescent submitted an application for a fence exemption.

The applicant is seeking permission to maintain a fence in the front yard constructed of vertical board-on-board compressed wood and a fence in the rear yard constructed of

vertical board-on-board compressed wood with a horizontal wooden board on top. The height of the fence in the front yard is 2.14 meters. The height of the fence in the rear yard is 2.31 meters.

The applicant is requesting an exemption to the fence height restriction for reasons of security, safety, and privacy.

The applicant has raised concerns about their privacy due to a surveillance camera directed toward their property, as well as an ongoing history of harassment that has involved Toronto Police Services.

## **CONTACT**

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## **SIGNATURE**

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Joe Magalhaes  
District Manager

## **ATTACHMENTS**

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Attachment A - GIS Map  
Attachment B - Photo - Street view - 95 Stavely Crescent  
Attachment C - Photo - Front yard fence 2.14m in height  
Attachment D - Photo - Rear yard  
Attachment E - Photo - Rear yard 2.31m in height

Attachment A - GIS Map



Attachment B - Photo - Street view - 95 Stavelly Crescent



Attachment C - Photo - Front yard fence 2.14m in height



Attachment D - Photo - Rear yard



Attachment E - Photo - Rear yard 2.31m in height

