

Consolidated Clause in Scarborough Community Council Report 7, which was considered by City Council on September 25, 26 and 27, 2006.

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**Request for Fence Exemption
120 Fallingbrook Road
(Ward 36 - Scarborough Southwest)**

City Council on September 25, 26 and 27, 2006, amended this Clause by deleting the recommendation of the Scarborough Community Council, and adopting instead the following:

“That

- (1) the two lattice panels located on the west property line be removed; and*
- (2) the request for Fence Exemption to Chapter 447 of the Toronto Municipal Code for the remaining fences be referred to Scarborough Community Council for consideration at its meeting in January 2007.*

This Clause, as amended, was adopted by City Council.

The Scarborough Community Council recommends that City Council:

- (1) receive the recommendation in the Recommendation Section of the report (July 17, 2006) from the Scarborough District Manager, Municipal Licensing and Standards; and**
- (2) grant the request for an exemption to Chapter 447 of the Toronto Municipal Code dealing with Fences for 120 Fallingbrook Road, subject to the removal of the two lattice panels located on the west property line.**

Purpose:

To respond to a request from the owner of the subject residence, for an exemption to Chapter 447 of the Toronto Municipal Code dealing with fences.

Financial Implications and Impact Statement:

There are no financial implications.

Recommendation:

It is recommended that the existing wood lattice extension be refused based on the requirements set out in Chapter 447 of the Toronto Municipal Code.

Background:

The City of Toronto Council enacted the amalgamated Fence By-Law on July 6th, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pools to erect and maintain fences and gates around the swimming pools. This by-law and the amendments are now found in Chapter 447 of the Toronto Municipal Code.

The subject property owner has erected in the rear yard (south/west corner) a partial lattice extension of approximately 4 feet 4 inches(1.3 metres) high by 24 feet long, on top of the existing 5 foot high(1.5 metres) wood fence.

Comments:

The owner of the subject property is seeking an exemption to the Fence By-law for additional privacy.

Conclusions:

This report is submitted for information to Community Council in deciding whether or not to exempt the subject lands under the City of Toronto Municipal Code Chapter 477 Fences.

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(Attachments referred to in the foregoing report were forwarded to all Members of Council with the September 13, 2006 agenda of the Scarborough Community Council, and copies thereof are also on file in the Office of the City Clerk at the Scarborough Civic Centre.)

The Scarborough Community Council received the following communications:

- (a) (September 11, 2006) from Bernadette Warren;
- (b) (September 11, 2006) from Bernadette Warren;

- (c) (September 11, 2006) from Geraldine Gardner;
- (d) (September 12, 2006) from Gwen Morgan; and
- (e) (September 12, 2006) from John Montgomery.

Gwen Morgan addressed the Scarborough Community Council.