

**Ward 36, Scarborough Southwest**

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October 16, 2017

I am requesting that Scarborough Community Council add a new item to its agenda which facilitates resolution to the fence matter at **34 Horfield Ave** and the subject of a Fence Exemption (Item SC 25.1).

I am requesting Scarborough Community Council support for the following motion.

Scarborough Community Council recommends that:

City Council amend sections 447-2 (B)(1) of Toronto Municipal Code Chapter 447, so that if the property located at 34 Horfield Ave. is granted an exemption to the front yard fence requirements in Chapter 447 that it is only permitted to have a fence along Allister Avenue with a maximum height of 1.2 metres, for the portion of the fence that constitutes the flankage.

SUMMARY:

On September 6th, 2017 the application for a Fence Exemption for 34 Horfield Ave (SC24.1) was deferred by Scarborough Community Council until October 17, 2017.

The property at 34 Horfield Avenue is a corner lot. The design of the house has the main entrance and driveway on Allister Avenue, and clearly designates the Horfield Ave side of the house as the rear yard. The Local Councillor would like to recommend that the fence facing Allister Ave be treated as the front yard and be lowered to 1.2 meters in accordance with the front yard by-law and that the fence which is the subject of the application (which runs along Horfield Avenue) be allowed to remain at the current height which is within the by-law permission for rear yard fencing. The owner has agreed to this and will lower the fence along Allister Ave to 1.2 meters if the fence exemption request is granted. MLS commented that there are no site-line issues with the current fence. The fence is entirely situated private property.

As Community Council does not have the authority to reduce the height requirement for the fence along Allister Ave, City Council is being requested to allow that change to the municipal code as it impacts 34 Horfield Ave.

I am also requesting that Scarborough Community Council defer consideration of Item SC 25.1 until such time as City Council makes its decision with respect to the site specific exception request on the front yard fence requirements. Link to the staff report (SC 25.1): <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC25.1>

Sincerely,



Gary Crawford
Councillor, Ward 36
Scarborough Southwest