



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption – 1442 Danforth Road

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| Date: | February 5, 2015 |
| To: | Scarborough Community Council |
| From: | Scott Sullivan, Manager Municipal Licensing and Standards |
| Wards: | Ward 38 Scarborough Centre |
| Reference Number: | IBMS No. 15 112281 FEN 00 IR |

SUMMARY

This staff report is about a matter for which the Scarborough Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to consider a request by the owner(s) of 1442 Danforth Road to be exempted from Chapter 447– Fences, Section 447-3. This section states that "the maximum height of a fence located in the side yard is 2 metres and in the front yard the height is 1.2 metres on a residential property" based on the average grade height of the land within 1 metre on either side of the fence.

RECOMMENDATIONS

Municipal Licensing and Standards, Scarborough District, recommends that the Scarborough Community Council:

1. Refuse the application for a exemption from Chapter 447-3 Fences, of the Toronto Municipal Code, to allow the existing wood fence located near the side (north) property line of the residential property. The height of the fence located in the side yard varies from 2.1 m to 2.2 m and the height of the portion of fence in the front yard is 1.6 m. Adding to the height of the existing fence is the change in grade height of 30cm. Therefore, the total height of the existing wood fence as defined by the fence by-law is 2.25 to 2.35m in the side and 1.75m in the front.
2. Confirm the notice and direct that a second notice be given under this article.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

The City of Toronto Council enacted the amalgamated By-Law 472-2000 on July 6, 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 safety fences and gates around private swimming pools. This By-Law and the amendments are now found in the Toronto Municipal Code Chapter 447.

ISSUE BACKGROUND

This is a single family detached residential property located at 1442 Danforth Road in Ward 38. Municipal Licensing and Standards Division received an application from the property owner seeking relief from Section 447-2 " Maximum height of a fence located in the side yard is 2 metres and the front yard 1.2 metres on a residential property based on the average grade height" in the Fence By-law. The existing wood fence is located on a 30cm high retaining wall as the grade of 1442 Danforth Road is approx 30 cm lower than 1444 Danforth Road in this area. The fence itself varies in height from 2.1m to 2.2m in the side yard to 1.6 metres in the front with the addition of a 15cm average grade height the overall height of the wood fence is 2.25m and 2.35m and 1.75 in the front yard. A Notice of Violation was issued to the owner.

COMMENTS

The Municipal Licensing & Standards Division received an application for a Fence Exemption to Chapter 447 on October 1, 2014.

CONTACT

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SIGNATURE

Scott Sullivan, Manager
Scarborough District

ATTACHMENTS

Attachment #1: Photo of front of dwelling
Attachment #2: Photo of existing wood fence side yard
Attachment #3: Photo of existing wood fence rear yard
Attachment #4: Photo of existing wood fence side yard
Attachment #5: Photo of existing wood fence side yard
Attachment #6: Aerial View