

**Request for a Fence Exemption – Front Yard  
61 Medley Crescent**

<b>Date:</b>	August 6, 2015
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Scott Sullivan, District Manager Municipal Licensing & Standards, Scarborough District
<b>Wards:</b>	Ward 38 – Scarborough Centre
<b>Reference Number:</b>	IBMS No. 15-153236

**SUMMARY**

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This staff report concerns 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 advise Council concerning an application by the property owner of 61 Medley Crescent for a site-specific Fence Exemption, pursuant to Section 447-5.C of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Council's permission to install a fence which does not comply with maximum fence height restrictions stipulated by Section 447-2 of the bylaw.

**RECOMMENDATIONS**

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Municipal Licensing & Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 61 Medley Crescent, for a proposed fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for a fence exemption permit, without conditions, thereby allowing the fence to be constructed as proposed. Direct and require that the

installation be maintained in good repair without alteration. Direct and require that at such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, or its successor by-law.

## Financial Impact

There is no financial impact anticipated in this report.

## DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on May 7, 2015, for a proposed fence in the front (South) yard, in accordance with Section 447-5(C) of Toronto Municipal Code, Chapter 447- Fences, listing "privacy and security" as reasons for the application.

As required by Section 447-5(C), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for Scarborough Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Scarborough Community Council will consider the application.

## ISSUE BACKGROUND

The subject property, 61 Medley Crescent, is located in Ward 38. It is composed of a detached, single-family residential dwelling. The front yard is located on the north/west corner of Medley Crescent and Kilbridge road.

Municipal Licensing Standards' review of the proposed fence installation has determined that it will not comply with maximum height restrictions for residential fences in the front yard provided by Section 447-2 of Toronto Municipal Code, Chapter 447- Fences, as detailed in the following chart:

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	1. Adjacent to West lot line;  2. Adjacent to South lot line;	1. Exceeds Height- 1.83 M (6 ft.) high over a distance of 10.0 m (32.8 ft.)  2. Exceeds Height- 1.83 m (6 ft.) high over a distance of 11 m (36.1 ft.)	Section 447-2 (B)(1)  Maximum height of 1.2 metres, measured at any point along its length, based on the average grade height of the land within 1 metre on either side of the fence

	Facing East, but set back 4.00 M (13 ft.) from East lot line	3. Exceeds Height- 1.83 M (6 ft.) high over a distance of 10.0 m (32.8 ft.)	
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The proposed fence is a 5 foot high wood with a 1 foot lattice topper (Appendix 3). There are no driveways located within 2.4 metres of the proposed installation that would prohibit the fence from being constructed of opaque materials.

## COMMENTS

While the proposed fence violates Toronto Municipal Code, Chapter 447- Fences requirements with respect to height, it does not contravene any other provisions of the bylaw.

## CONTACT

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## SIGNATURE

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Scott Sullivan  
Manager, Scarborough District

## APPENDICES

Appendix 1 – Location of 61 Medley Cres. iView Map

Appendix 2 – Proposed Fence Location Plan View.

Appendix 3 – The proposed fence 5 foot high wood with a 1 foot lattice topper.

Appendix 4 – Front Yard Facing 32 Kilbridge Rd.

Appendix 5 – Front Yard Facing Kilbridge Rd