

**Request for a Fence Exemption – Front Yard
50 Rowallan Drive**

Date:	February 22, 2016
To:	Scarborough Community Council
From:	Elena Sangiuliano, Acting District Manager Municipal Licensing & Standards, Scarborough District
Wards:	Ward 43 – Scarborough East
Reference Number:	IBMS No. 16 101621

SUMMARY

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 50 Rowallan Drive for a site-specific Fence Exemption, pursuant to Section 447-2 of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Council's permission for and exemption for an existing wood fence which does not comply with maximum fence height restrictions contrary to Section 447-2 of the bylaw.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 50 Rowallan Drive, for an existing wood 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 existing fence to be maintained. Direct and require that the fence 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 January 6, 2016, for a existing privacy wood fence in the front yard, in accordance with Section 447-5(C) of Toronto Municipal Code, Chapter 447- Fences 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, 50 Rowallan Drive, is located in Ward 43, in a residential area. The property is a corner lot where the front yard is located on Coronation Drive and the flankage yard is located on Rowallan Drive.

Municipal Licensing Standards' review of the proposed fence installation has determined that it does not comply with maximum height restrictions for 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	EXISTING CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	Front lot line	Exceeds height of 2 metres	Sec 447-2(B)(1) Max height of 1.2m

The existing fence is a 2m (6.6 ft) high wood privacy fence.

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

Glenn Shimoda, Supervisor,
Municipal Licensing & Standards Division
Scarborough District
Tel. (416) 396-7675
Fax (416) 396-5650
E-mail: gshimod@toronto.ca

SIGNATURE

Elena Sanguiliano
Acting Manager, Scarborough District

APPENDICES

Appendix 1 – Location of 545 Morrish Road. iView Map

Appendix 2 – Proposed Fence Location Plan View.

Appendix 3 – Photos #1-2

Appendix 4 – Photos #3-4

Appendix 5 – Photos #5-6

Appendix #1

0 0.005

Rowland Dr

Coronation Dr

1691

1690

1689

1688

1687

1686

1685

1684

1683

1682

1681

1680

1679

1678

1677

1676

1675

1674

1673

1672

1671

1670

1669

1668

1667

1666

1665

1664

1663

1662

1661

1660

1659

1658

1657

1656

1655

1654

1653

1652

1651

1650

1649

1648

1647

1646

1645

1644

1643

1642

1641

1640

1639

1638

1637

1636

1635

1634

1633

1632

1631

1630

1629

1628

1627

1626

1625

1624

1623

1622

1621

1620

1619

1618

1617

1616

1615

1614

1613

1612

1611

1610

1609

1608

1607

1606

1605

1604

1603

1602

1601

1600

1599

1598

1597

1596

1595

1594

1593

1592

1591

1590

1589

1588

1587

1586

1585

1584

1583

1582

1581

1580

1579

1578

1577

1576

1575

1574

1573

1572

1571

1570

1569

1568

1567

1566

1565

1564

1563

1562

1561

1560

1559

1558

1557

1556

1555

1554

1553

1552

1551

1550

1549

1548

1547

1546

1545

1544

1543

1542

1541

1540

1539

1538

1537

1536

1535

1534

1533

1532

1531

1530

1529

1528

1527

1526

1525

1524

1523

1522

1521

1520

1519

1518

1517

1516

1515

1514

1513

1512

1511

1510

1509

1508

1507

1506

1505

1504

1503

1502

1501

1500

1499

1498

1497

1496

1495

1494

1493

1492

1491

1490

1489

1488

1487

1486

1485

1484

1483

1482

1481

1480

1479

1478

1477

1476

1475

1474

1473

1472

1471

1470

1469

1468

1467

1466

1465

1464

1463

1462

1461

1460

1459

1458

1457

1456

1455

1454

1453

1452

1451

1450

1449

1448

1447

1446

1445

1444

1443

1442

1441

1440

1439

1438

1437

1436

1435

1434

1433

1432

1431

1430

1429

1428

1427

1426

1425

1424

1423

1422

1421

1420

1419

1418

1417

1416

1415

1414

1413

1412

1411

1410

1409

1408

1407

1406

1405

1404

1403

1402

1401

1400

1399

1398

1397

1396

1395

1394

1393

1392

1391

1390

1389

1388

1387

1386

1385

1384

1383

1382

1381

1380

1379

1378

1377

1376

1375

1374

1373

1372

1371

1370

1369

1368

1367

1366

1365

1364

1363

1362

1361

1360

1359

1358

1357

1356

1355

1354

1353

1352

1351

1350

1349

1348

1347

1346

1345

1344

1343

1342

1341

1340

1339

1338

1337

1336

1335

1334

1333

1332

1331

1330

1329

1328

1327

1326

1325

1324

1323

1322

1321

1320

1319

1318

1317

1316

1315

1314

1313

1312

1311

1310

1309

1308

1307

1306

1305

1304

1303

1302

1301

1300

1299

1298

1297

1296

1295

1294

1293

129



— Fence

Appendix #2

<http://insideto-map.toronto.ca/common/ImageFileCnn?file=http://mvgccmap03p.corp.tor...> 12/10/2015



50 Rowallan Dr-photo 1



50 Rowallan Dr-photo 2

Appendix 3



50 Rowallan Dr-photo 3



50 Rowallan Dr-photo 4

Appendix 4



50 Rowallan Dr-photo 5



50 Rowallan Dr-photo 6

Appendix 5