Request for a Fence Exemption – Front Yard
34 Wooster Wood- Ward 43

Date: March 25, 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 130990

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 34 Wooster Wood 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 an exemption for a proposed wood fence which does not comply with maximum fence height restrictions contrary to Section 447-2 of the bylaw.

The definition of a Fence: A barrier, including one for noise attenuation, or any structure, that wholly or partially screens from view, encloses or divides a yard or other land, or marks or substantially marks the boundary between adjoining land, and includes any hedge or shrub that has the same effect.

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 34 Wooster Wood, for a proposed 2.13 m high 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 March 22, 2016, for a proposed privacy wood fence in the front yard constructed on a wood deck, 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, 34 Wooster Wood, is located in Ward 43, in a residential area.

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:

<table>
<thead>
<tr>
<th>GENERAL LOCATION</th>
<th>SPECIFIC LOCATION</th>
<th>PROPOSED CONSTRUCTION &amp; DEFICIENCY</th>
<th>BY-LAW SECTION &amp; REQUIREMENT*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard</td>
<td>Front lot line</td>
<td>Proposed height of 2.13 metres</td>
<td>Sec 447-2(B)(1) Max height of 1.2 metres</td>
</tr>
</tbody>
</table>

The proposed wood fence is a 2.13m (7 ft) high wood privacy fence constructed on floor level of a proposed wood deck.
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

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Elena Sanguiliano
Acting Manager, Scarborough District

APPENDICES

Appendix 1 – Location of 34 Wooster Wood - iView Map
Appendix 2 – Proposed Fence Location Plan View
Appendix 3 – Drawings – 1 to 6 Pages
PLAN OF SURVEY OF parcel 4
REGISTERED PLAN 3748

city of toronto

SITE AREA = 801.75 SQ. M.
(8630 SQ. FT.)

existing house = 99.96 sq. m.
(1076 SQ. FT.)

existing garage = 108.70 sq. m.
(1170 SQ. FT.)

existing shed = 6.32 sq. m.
(68 SQ. FT.)

existing rear deck = 27.69 sq. m.
(298 SQ. FT.)

total coverage = 242.67 sq. m.
(2612 SQ. FT. existing) 30.27%

proposed accessory structure = 16.72 sq. m.
(180 SQ. FT.)

total coverage = 16.72 sq. m.
(proposed) 2.09%

CITY PARKLANI
2-3" x 4" LEDGER LAG SOLTED TO FON. WALL W/ 1/4" DIA. BOLTS 0 30" O.C. MIN. INTO SOLID M"SONRY WALL 

14" DIA. Poured Concrete Sono-Tubes to 4'-0" Below Crane on Undisturbed Soil. Flare to 18" at Base.

PLAN A

4"x4" P.T. wall supports.

PLAN B

Proposed Accessory Structure
34 Wooster Wood
City of Toronto

Plan Views
3/16" = 1'-0"

Drawn
FEBRUARY 06, 2016

John Baltazar