TORONTO

STAFF REPORT
ACTION REQUIRED

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:

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	Front lot line	Proposed height of 2.13 metres	Sec 447-2(B)(1) Max height of 1.2 metres

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

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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

Appendix #1

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PLAN OF SURVEY OF
parcel 4
REGISTERED PLAN 3748

city of toronto

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

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

existing garoe = 108.70 sq. m.
(1170 SQ. FT.

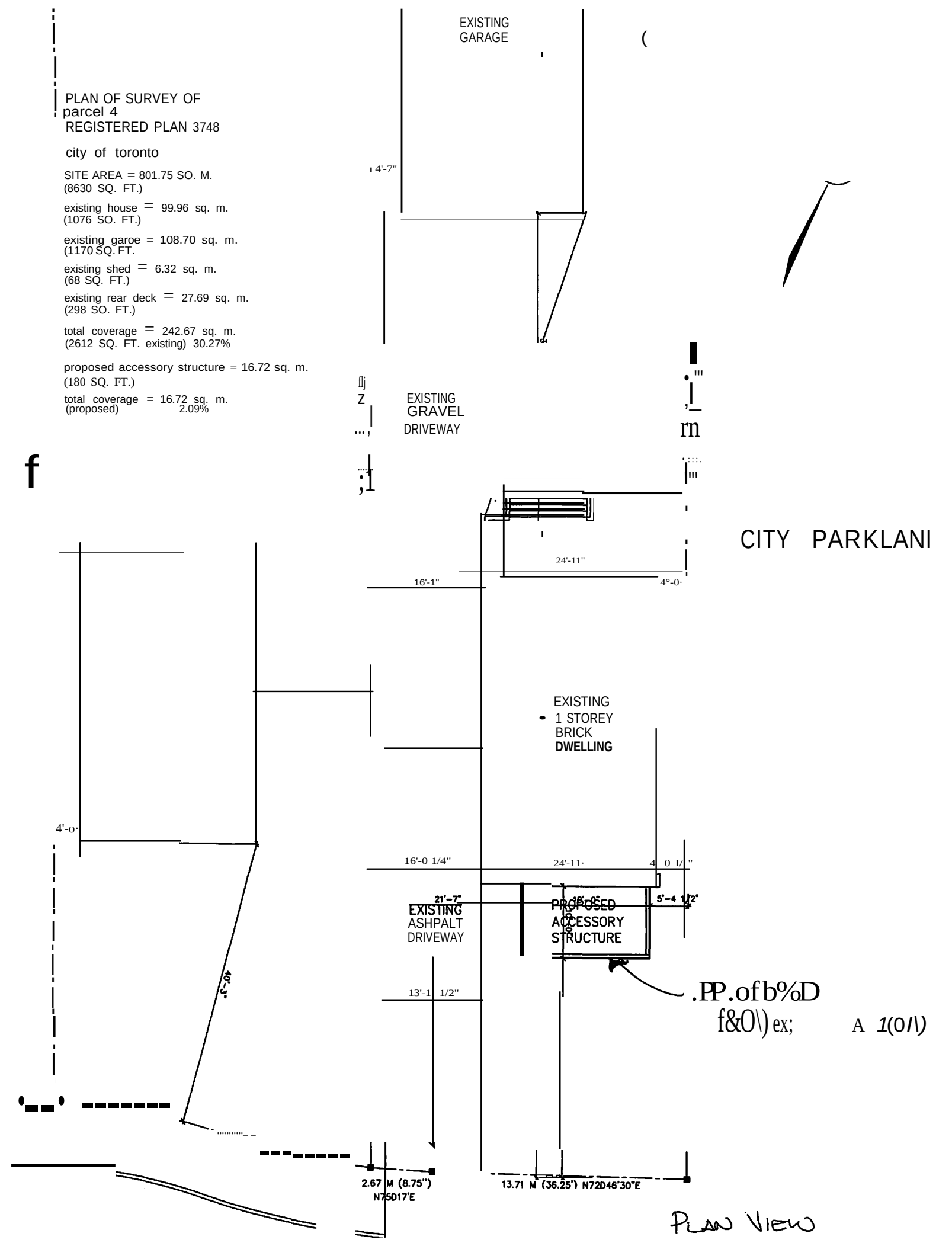
existing shed = 6.32 sq. m.
(68 SQ. FT.)

existing rear deck = 27.69 sq. m.
(298 SO. 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%



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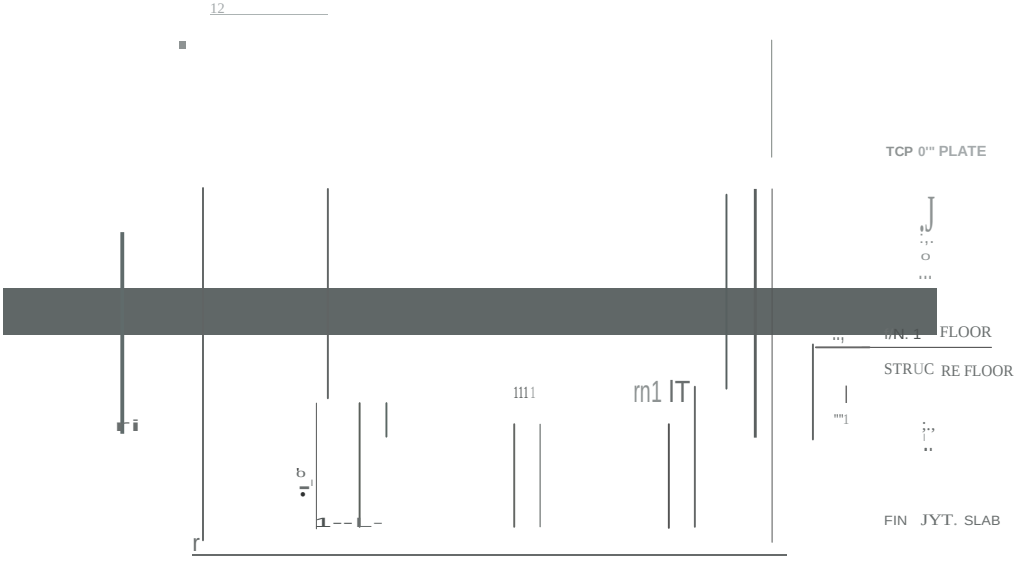
PLAN VIEW

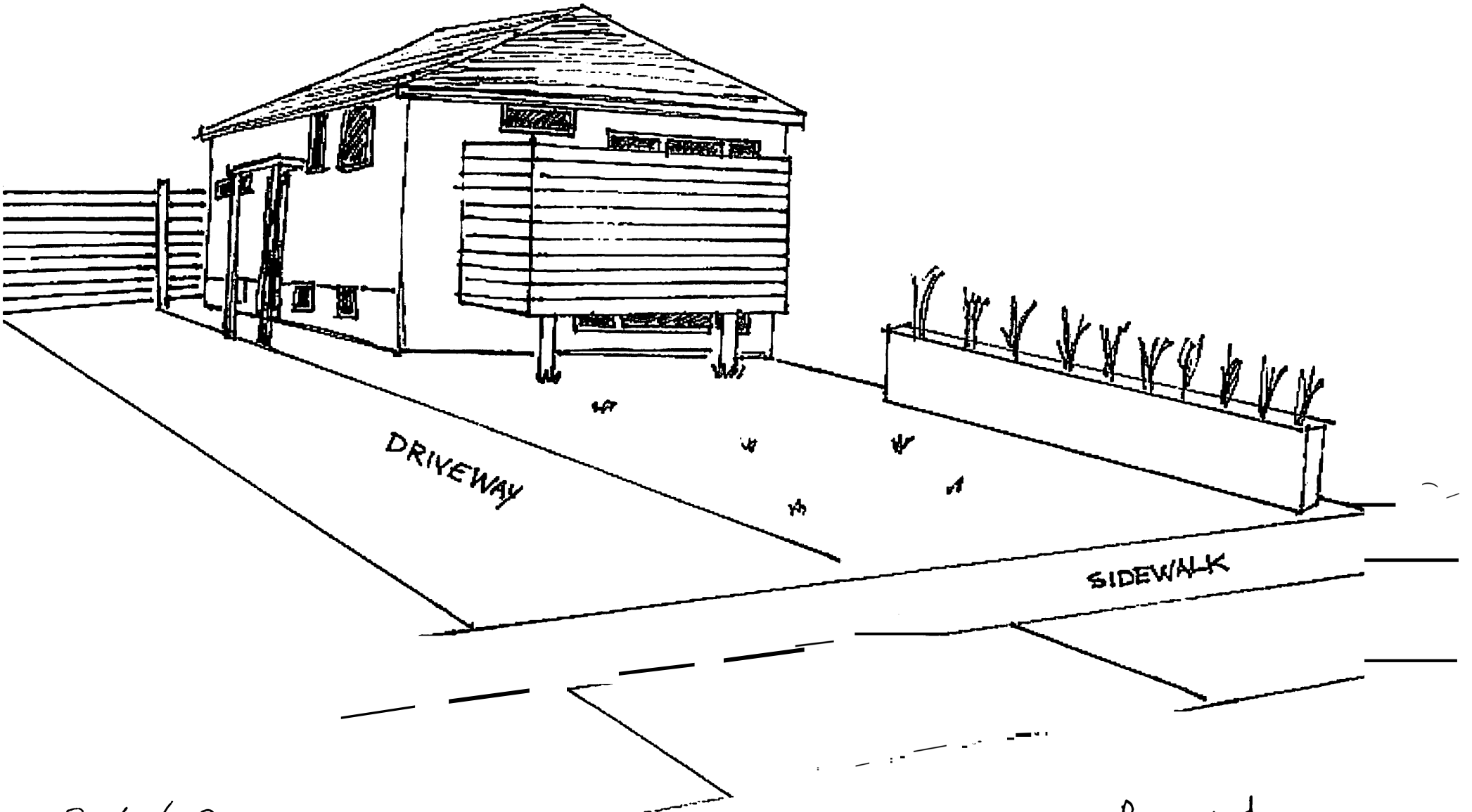
EXISTING SOUTH ELEVATION



PROPOSED SOUTH ELEVATION

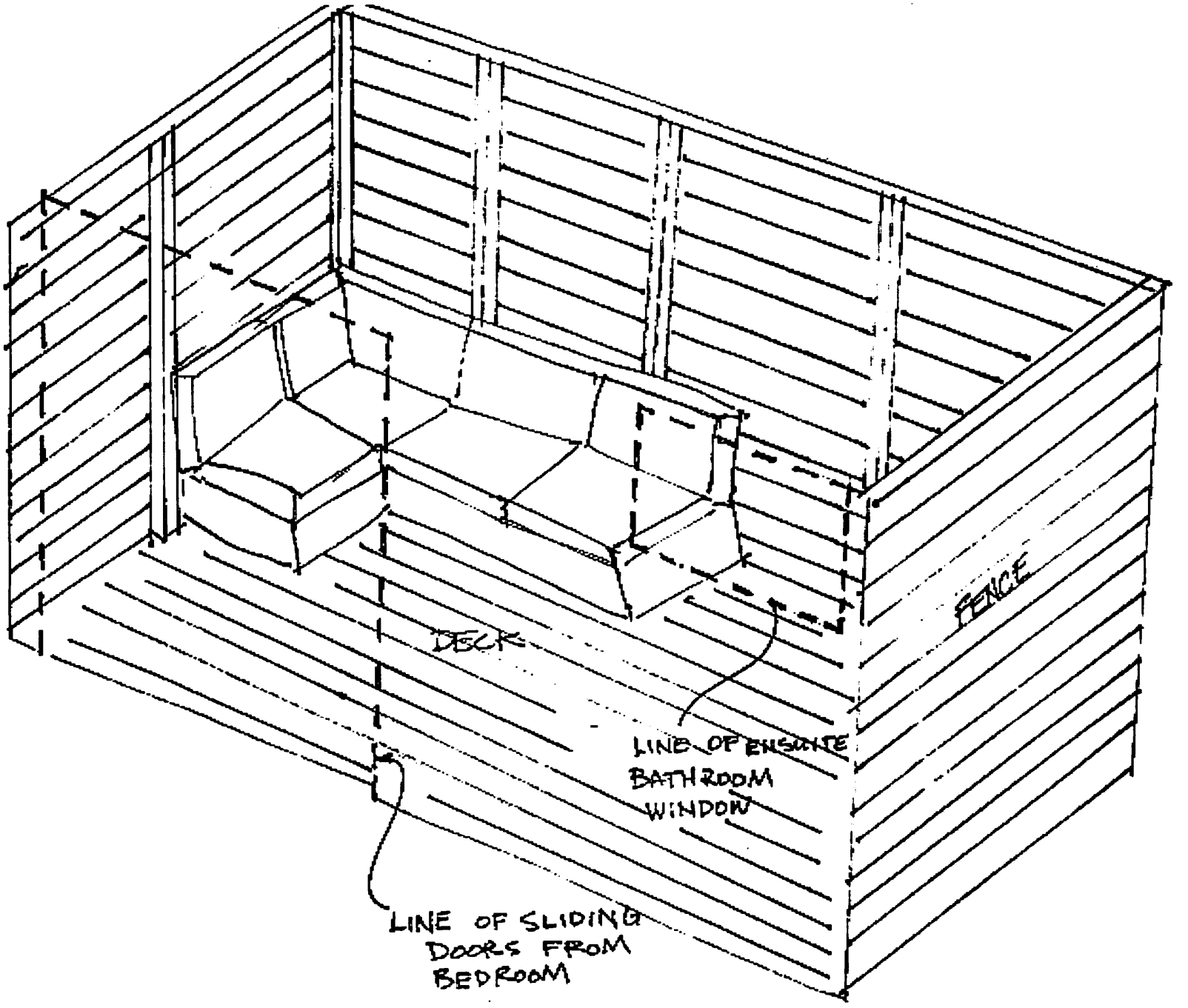
Project PROPOSED ACCESSORY STRUCTURE 34 WOOSTER WOOD CITY OF TORONTO	r.u. ELEVATIONS 3/16" = 1'-0"	JOHN BALTAZAR	Orowing Number A3

FEBRUARY 06, 2016



2 to 6 Pages

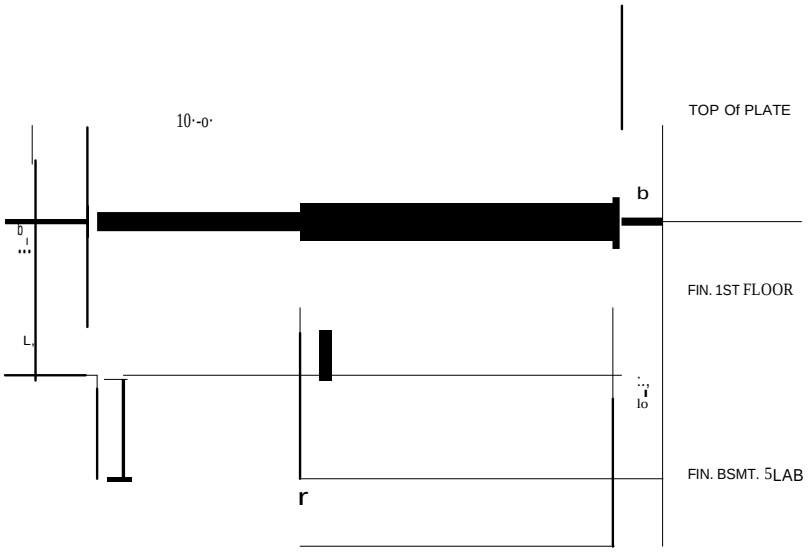
Proposed



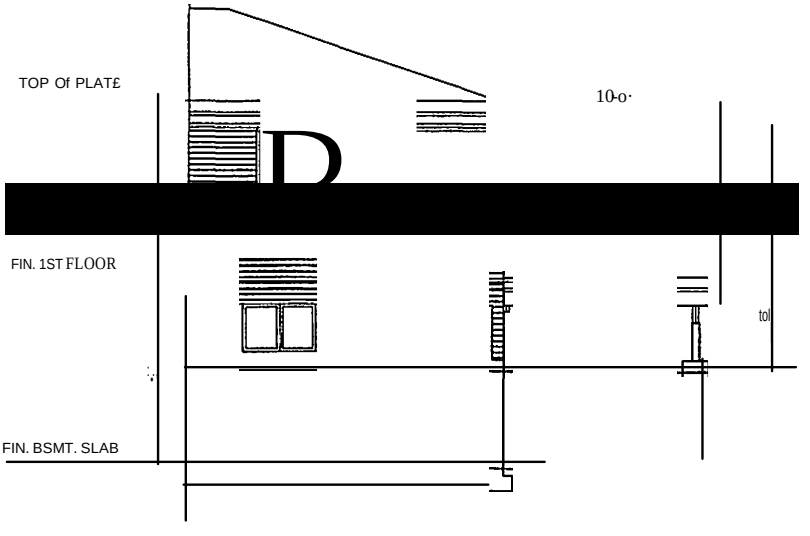
3 to 6 Pages

Proposed

4 to 6 Pages EXISTING.



EAST ELEVATION



WEST ELEVATION

Project PROPOSED ACCESSOR Y STRUCTURE 34 WOOSTER WOOD CITY OF TORONTO	9-t na. PROPOSED ELEVATIONS		Crowing Number A1
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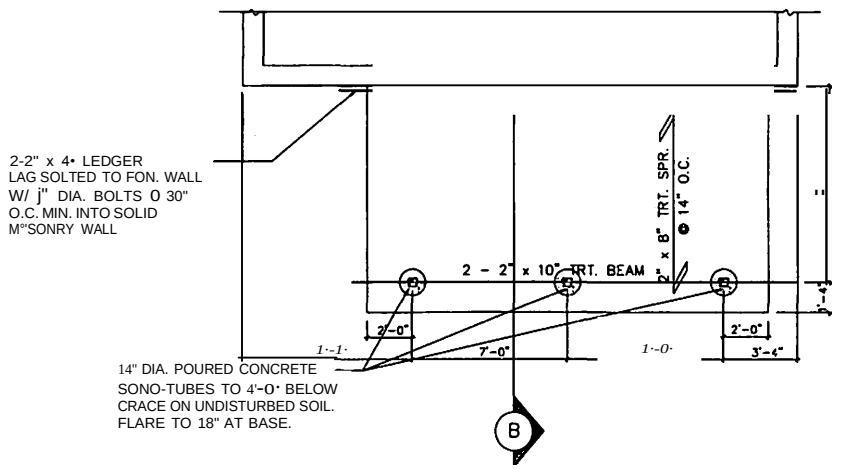
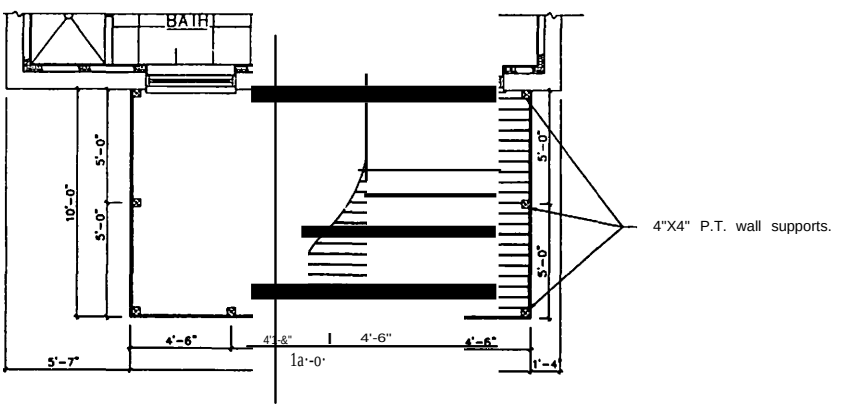
	Oat. FEBRUARY 06, 2016		



PLAN A



PLAN B

Projeel PROPOSED ACCESSORY STRUCTURE 34 WOOSTER WOOD CITY OF TORONTO	Sheol Tille PLAN VIEWS		Drawlng Numbor A2
	5cde 3/16" = 1'-0"	OnNn by JOHN BALTAZAR	
	Dalo FEBRUARY 06, 2016		