



STAFF REPORT ACTION REQUIRED

Request for a Fence Exemption – Rear Yard 95 ½ Victoria Park Ave- Ward 36

Date:	October 5, 2016
To:	Scarborough Community Council
From:	Elena Sangiuliano, Acting District Manager Municipal Licensing & Standards, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	IBMS No. 16 217108

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 owner of 95 ½ Victoria Park Avenue 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 to be exempt concerning an existing 2.5m high wood fence located in the rear east lot line which does not comply with 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 owner of 95 ½ Victoria Park Ave, for a existing 2.5m wood fence located in the rear yard that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for a exemption permit, by the owners of 95 ½ Victoria Park Ave for a existing 2.5m high wood fence located in the rear yard, without conditions. 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 owner submitted a fence exemption application, in writing, on September 2, 2016, for a existing 2.5m high wood fence located in the rear 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, 95 ½ Victoria Park Avenue is located in Ward 36, in a single family residential area. An inspection was conducted and a Notice of Violation was issued on August 18, 2016 concerning the violation.

Municipal Licensing Standards review of the existing 2.5m high wood fences located in the rear yard will not comply with 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*
Rear Yard	1. Rear Yard at East lot line	Height- 2.5 m (8.2 ft.) high	Section 447-2 (B)(1) Maximum height of 2 metres, measured at any point along its length.

COMMENTS

The existing wood fence violates Toronto Municipal Code, Chapter 447- Fences requirements with respect to height, it does not contravene any other provisions of the by-law.

CONTACT

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SIGNATURE

Elena Sanguiliano
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APPENDICES

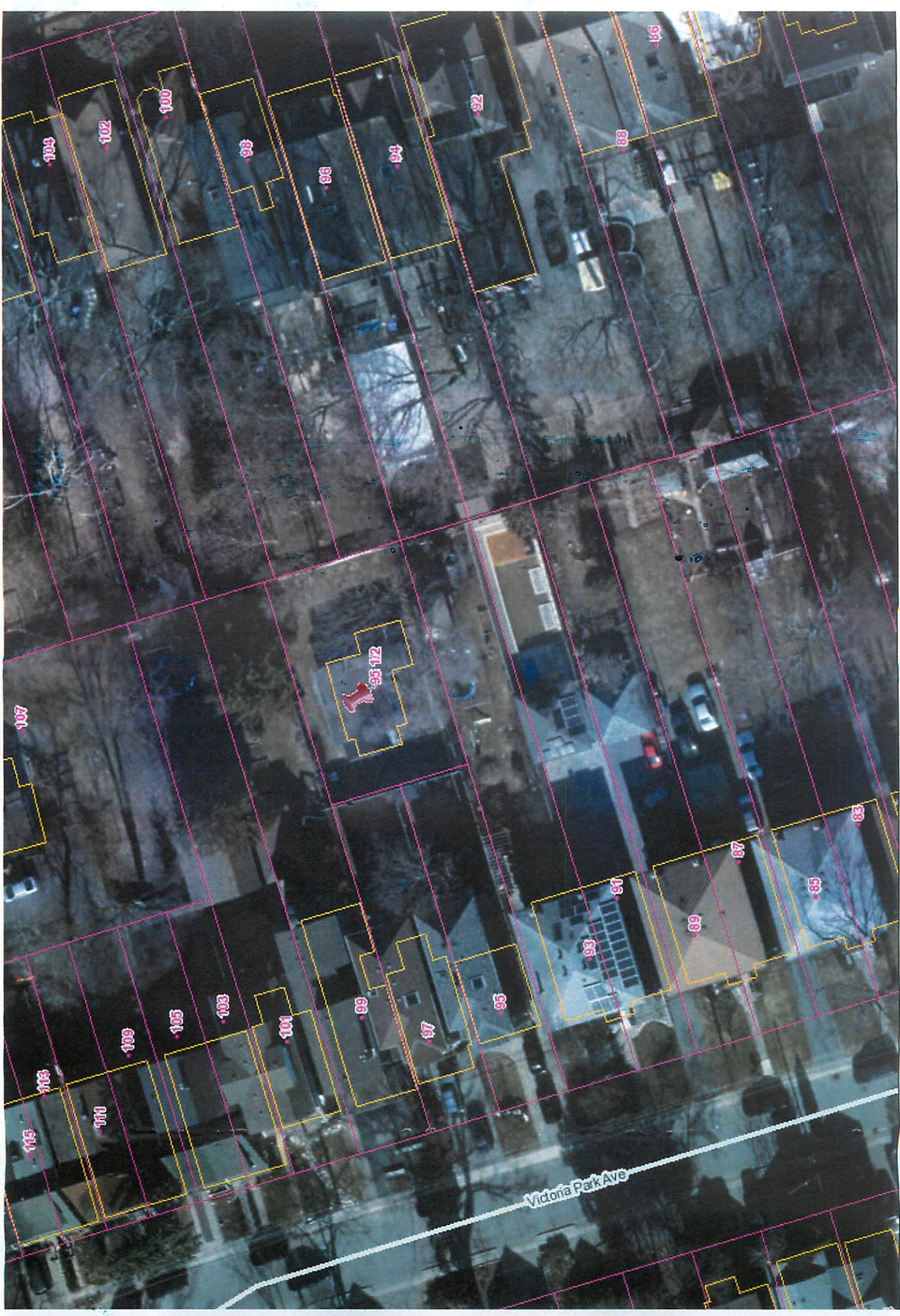
Appendix 1 – Location of 95 ½ Victoria Park Avenue. iView Map

Appendix 2 – iView Site Plan.

Appendix 3 – Photos 1

Appendix 4-Photo 2

Appendix 5-Photo 3



Appendix 1





Appendix 2

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Appendix 3



Appendix 4



Appendix 5