

**Request for a Fence Exemption – Front and Rear Yard
31 Wolfe Ave- Ward 35**

Date:	October 2, 2016
To:	Scarborough Community Council
From:	Elena Sangiuliano, Acting District Manager Municipal Licensing & Standards, Scarborough District
Wards:	Ward 35 – Scarborough Southwest
Reference Number:	IBMS No. 16 201772

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 31 Wolfe Ave 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 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 31 Wolfe Ave, for a 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, by the property owner of 31 Wolfe Ave, without conditions, thereby allowing the existing wood fence to be

maintained . 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 August 4, 2016, for a existing wood privacy fence in the front and 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, 31 Wolfe Ave, is located in Ward 35, in a residential area. The existing wood fence is approx 41.9 metres long and 2.21 metres high on the eastside of the property and approx 14 metres long and 2.1 metre high on the Westside of the property. A Notice of Violation was issued on June 6, 2016 under the Fence By-law Chapter 447.

Municipal Licensing Standards' review of the existing wood fence has determined that it will not comply with maximum height restrictions for fences in the rear yard and 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*
Rear Yard	Near East and West lot line	1. Exceeds Height- 2.21 and 2.1 m (7.2 ft.) high	Section 447-2 (B)(1) Maximum height of 2 metres, measured at any point along its length.

Front Yard	Westside lot line	Exceeds Height- 2.1m(6.8ft) high solid wood	Section 447-2(B)(1) Fence in front yard maximum of 1.2m in height and any fence within 2.4m of a driveway shall be open mesh chain link or equivalent open fence construction for at least 2.4 m from the lot line where the driveway begins.
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COMMENTS

While the existing wood fence violates Toronto Municipal Code, Chapter 447- Fences, it does not contravene any other provisions of the bylaw.

CONTACT

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SIGNATURE

Elena Sanguiliano
Acting Manager, Scarborough District

APPENDICES

Appendix 1 – Location of 31 Wolfe Ave. iView Map

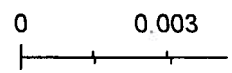
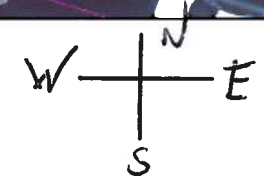
Appendix 2 – Existing Wood Fence Location Plan View.

Appendix 3 to 8 – Photos 1 to 6

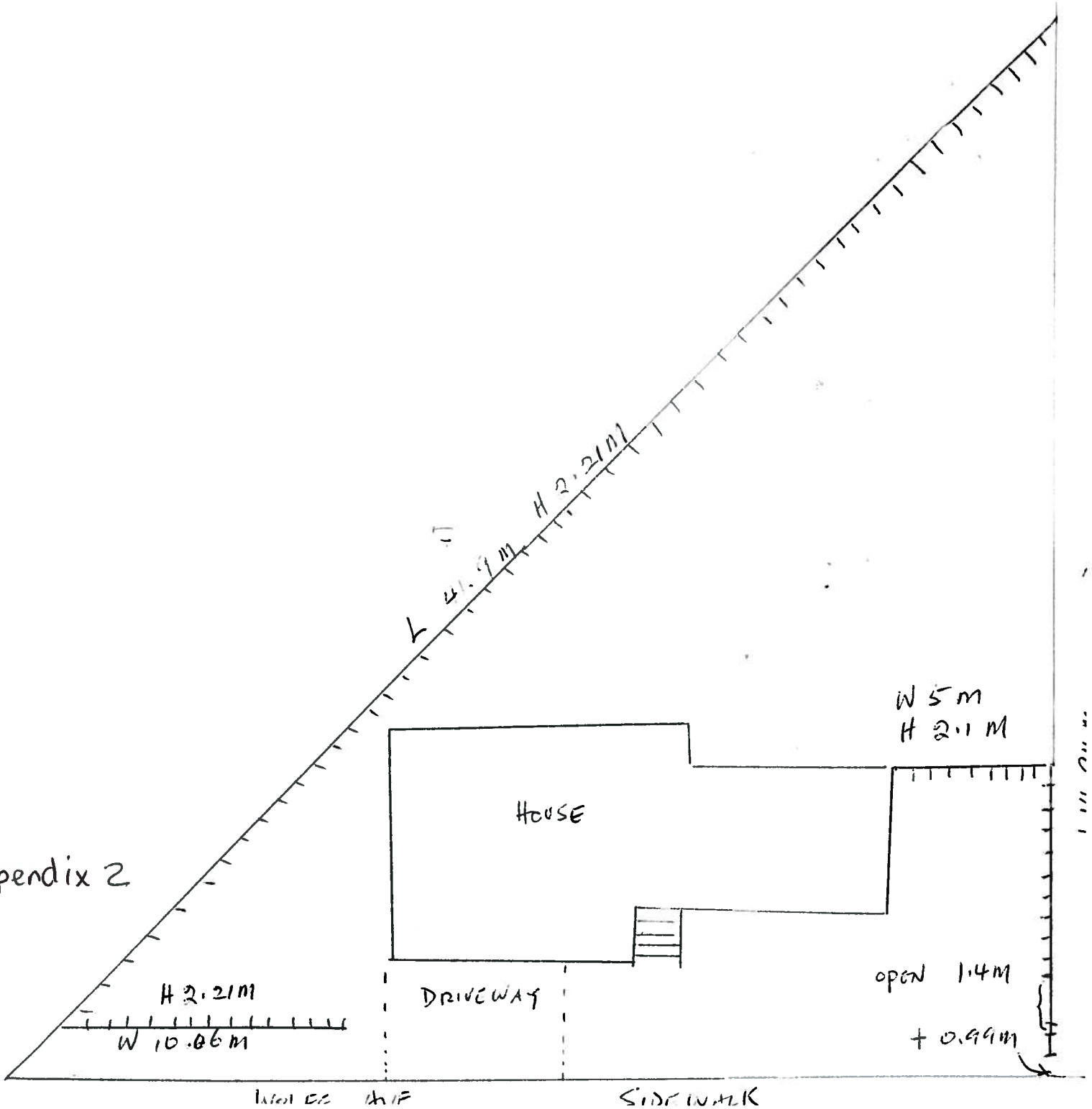


Appendix 1

I view



31, WOLFE AVE., SCARBOROUGH, ON M1K 3M2
NOT TO SCALE





Appendix 3
Photo 1



Appendix 4
Photo 2

Westside



Appendix 5
Photo 3

Westside



Appendix 6
Photo 4

WASTSTAR



Appendix 7
Photo 5



Appendix 8
Photo 6

EASTSIDE