



**STAFF REPORT  
ACTION REQUIRED**

**Request for a Fence Exemption – Front Yard  
2 Porchester Drive**

<b>Date:</b>	September 16, 2016
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Elena Sangiuliano, Acting District Manager Municipal Licensing & Standards, Scarborough District
<b>Wards:</b>	Ward 38 – Scarborough Centre
<b>Reference Number:</b>	IBMS No. 15 -192723

**SUMMARY**

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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 2 Porchester Drive for a site-specific Fence Exemption, pursuant to Section 447-5.C of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Council's permission to exempt a proposed 2.0m high wood fence located in the front yard which does not comply with maximum fence height restrictions contrary to Section 447-2 of the bylaw.

**RECOMMENDATIONS**

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Municipal Licensing & Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 2 Porchester Drive, for a proposed 1.8m high wood fence located in the front yard that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for a fence exemption permit at 2 Porchester Drive, for a proposed 1.8m high wood fence located in the front yard. Direct and require 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 Fences, or its successor by-law.

## Financial Impact

There is no financial impact anticipated in this report.

## DECISION HISTORY

A Transportation Services Right-of-Way Enforcement Officer attended 2 Porchester Drive in November 2104 and required the property owner to remove the 8 foot cedar hedge that boarded the sidewalk along the Bellamy Road and Porchester Drive frontages.

After consulting with Municipal Licensing and Standards the property owner submitted a fence exemption application, in writing, on July 17, 2015, for a proposed fence in the front yard, in accordance with Section 447-5(C) of Toronto Municipal Code, Chapter 447- Fences, listing "privacy" due to the lot being on a corner having a small rear yard.

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, 2 Porchester Drive, is a one story single family residential dwelling. It's located in Ward 38 south of Ellesmere Rd. east of Scarborough Golf Club Rd. in a Residential Zoned Area of Woburn Community.

Municipal Licensing Standards' review of the proposed fence installation has determined that it will not comply with maximum height restrictions for residential 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	DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	Front and flankage yards	1. Height- 1.8 m (6' ft.)	Section 447-2 (B)(1)  Maximum height of 1.2 metres, measured at any point along its length.

## **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**

Dave Klie, Acting Supervisor,  
Municipal Licensing & Standards Division  
Scarborough District  
Tel. (416) 396-7691  
Fax (416) 396-5650  
E-mail: [dklie@toronto.ca](mailto:dklie@toronto.ca)

## **SIGNATURE**

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Elena Sangiuliano  
Acting Manager, Scarborough District

## **APPENDICES**

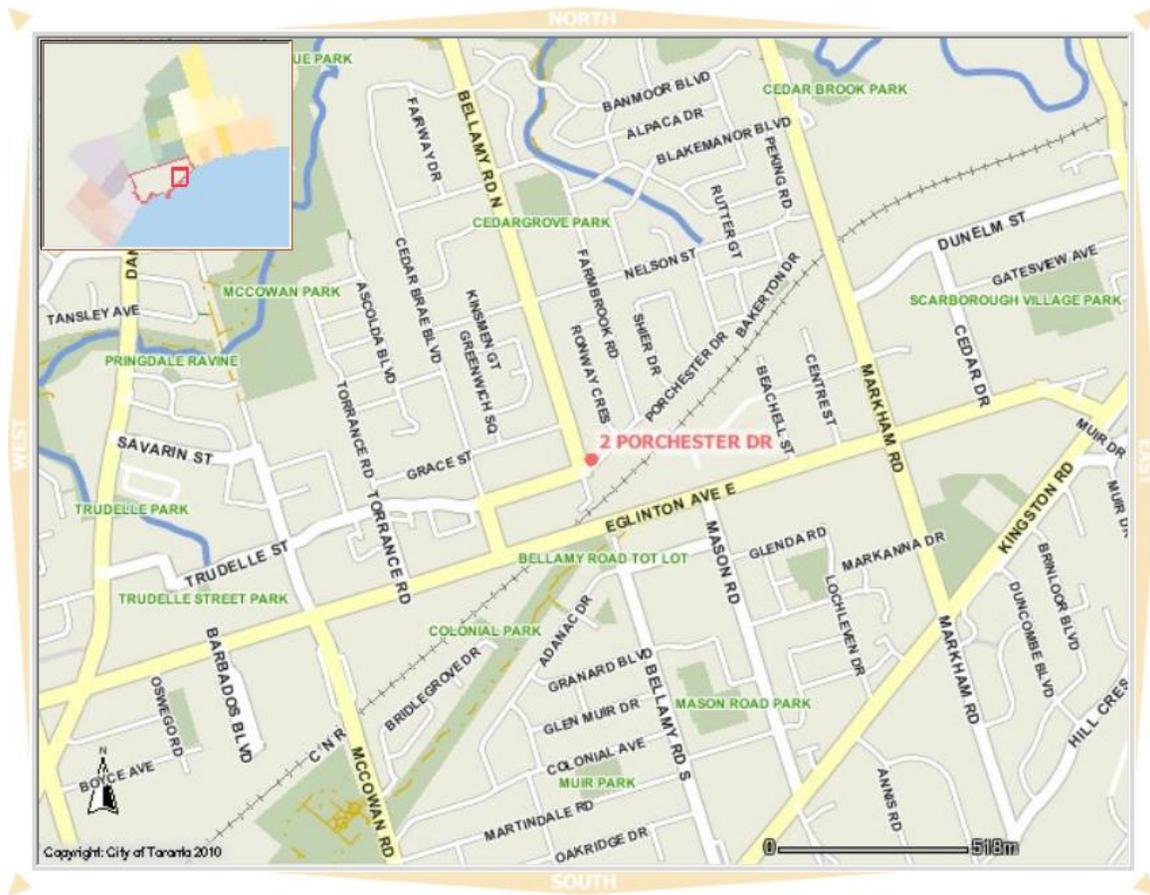
Appendix 1 - Location of 2 Porchester Drive, iView Map

Appendix 2 - Site Plan of Proposed Fence location.

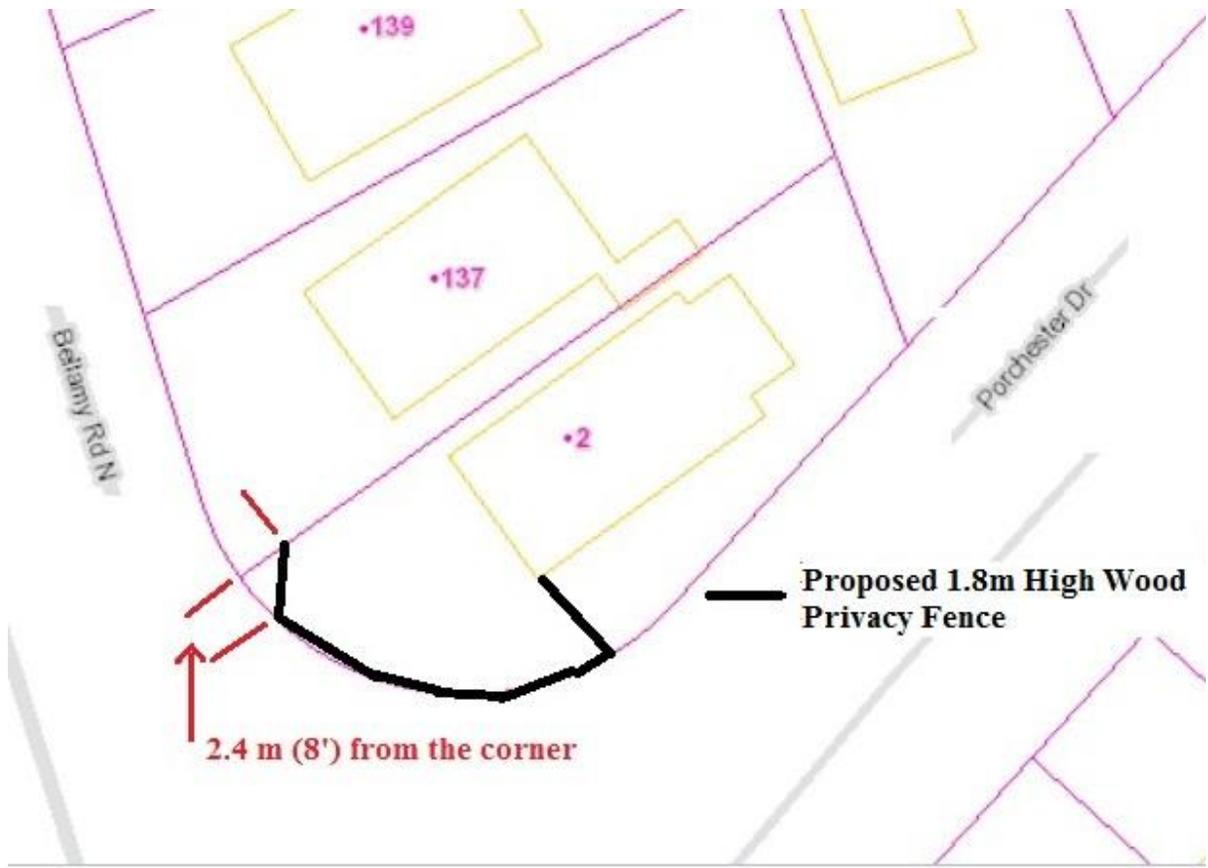
Appendix 3 - Photo looking east of the front yard of 2 Porchester Drive.

Appendix 4 - Photo looking north of the front yard of 2 Porchester Drive.

Appendix 5 – Proposed Fence Styles all comply with Fence Bylaw.



Address	Postal Code	Former Municipality	Ward
2 PORCHESTER DR	M1J 2R3	SCARBOROUGH	Scarborough Centre (38)



Proposed 1.8m High Wood Privacy Fence location 2 Porchester Drive



Photo looking east of the front yard of 2 Porchester Drive

Appendix #3

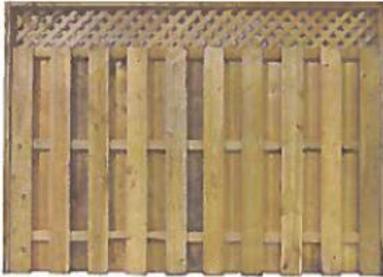


Photo looking north of the front yard of 2 Porchester Drive

Appendix #4



**Option #1**



Treated wood 6 x 8 ft privacy fence panel with alternating boards and lattice topper. 2 x 3 in crossers. 1 in x 6 in x 5 ft boards with 1 x 8 ft lattice topper. Panel finished both sides. Green wood.

**Option #2**



Treated wood privacy panel with alternating shadow box style and flat top, total length 96", 3- 2x3 crossers for added support, 1x6x6 fence boards, finished on both sides, double nail construction.

**Option #3**



Treated wood 6 x 8 ft privacy fence panel with 2 x 3 in crossers. 1 in x 6 in x 6 ft boards Panel finished both sides.

Done Right Handyman Services

Georgetown, Ontario  
647-620-4909

Proposed Fence Styles all comply with Fence Bylaw

Appendix #5