

Request for Fence Exemption – Side Yard 22 Littleleaf Drive

Date: February 7, 2019
To: Scarborough Community Council
From: Manager, Municipal Licensing and Standards, Scarborough District
Ward: Ward 23 - Scarborough North

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 consider an application submitted by the owners of 22 Littleleaf Drive for a site-specific Fence Exemption, pursuant to Toronto Municipal Code, Chapter 447- Fences. The property owners are seeking Community Council's permission to be exempt concerning an existing board on board wood fence located in the side yard of their property, which does not comply with restrictions specified under Section 447-1.2 of the bylaw as detailed below in the following chart:

The subject property 22 Littleleaf Drive is located in Ward 23, in a residential zone property.

GENERAL LOCATION	SPECIFIC LOCATION	EXISTING CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Side Yard	North East Side Yard	2.33 Meter high existing board on board wood fence	Section 447-1.2 (B)(1), Maximum height of a fence located not in a front yard and not within 2.4 meters of a lot line abutting a public highway is 2.0 meters

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Scarborough Community Council give consideration to the exemption application and decide to:

1. Refuse to grant the application for an exemption, by the owners of 22 Littleleaf Drive, to maintain the existing 2.33 meter high board on board wood fence located in the side

yard which does not comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and direct that a second non-appealable Notice of Violation be issued.

OR

2. Grant the application for the proposed exemption by the owners of 22 Littleleaf Drive for the existing 2.33 meter high board on board wood fence located in the side 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

On September 10, 2018 a Notice of Violation was issued to the property owners of 22 Littleleaf Drive. In response to the Notice of Violation, the owners submitted a fence exemption application in writing on September 19, 2018.

As required by Section 447-1.5(5), Municipal Licensing and 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.

COMMENTS

The existing board on board wood fence is located between 22 Littleleaf Drive and 20 Littleleaf Drive. The fence acts as a barrier between the two properties.

The existing fence located in the side yard of the property contravenes Toronto Municipal Code, Chapter 447-Fences in regards to the requirements for Chapter 447-1.2. Section B(1) with respect to maximum height of a fence.

CONTACT

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SIGNATURE

Scott Sullivan
Manager, Municipal Licensing and Standards, Scarborough District

ATTACHMENTS

Appendix 1 – Location of Subject Property. view

Appendix 2 – Inspection photo taken on applicant's property taken from the street

Appendix 3 – Inspection photo of applicant's side yard (North West side)

Appendix 4- Inspection photo of applicant's side yard (North West side)

22 Littleleaf Drive fence exemption application
Folder # 18 228263

Appendix 1- Location of subject property from iView



Appendix 2 –Inspection photo of applicant's property taken from the street



Appendix 3- Inspection photo of applicant's property side yard
(North West Side)



**Appendix 4- Inspection photo taken of applicant's property in side yard
(North West Side Yard)**

