



REPORT FOR ACTION

Request for Fence Exemption – 18 Fulham Street

Date: June 18, 2020
To: Scarborough Community Council
From: District Manager, Municipal Licensing and Standards, East District
Wards: 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 advise Scarborough Community Council concerning an application submitted by the owner of 18 Fulham Street for a site-specific Fence Exemption, pursuant to Section 447- 1.5 B. (1) of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Scarborough Community Council's permission to be exempt concerning a proposed height of wrought iron fence and gate to be located in the front which will not comply with restrictions under Section 447-1.2. of the bylaw as detailed below in the following chart:

The subject property is on the west side of Fulham Street, with a two story detached residential dwelling. It is located in Ward 23, in a Residential Zoned Area, south of Sheppard Avenue and west of Brimley Road.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front yard	Fence located in the front yard	Propose Gate 2.5m Exceeds Permitted Height- of 2.0m	Section 447-1.2. B., Table 1 Fence in a front yard; and not within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane)

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the owners of 18 Fulham St., for a proposed fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for the proposed fence thereby to be constructed. 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 April 8, 2014 Scarborough Community Council:

1. Granted the application for exemption from Chapter 447-2 Fences, of the Toronto Municipal Code, to allow the existing 1.8 metre wrought iron and stucco base/pillars fence in the front yard of 18 Fulham Street.
2. Directed that the applicant be required to remove the two swing gates and the hinges from the pillars from the front yard of 18 Fulham Street.

On April 28, 2014 the property complied with the Scarborough Community Council Decision.

On May 24, 2018 the City of Toronto Council adopted the current Fence Bylaw, which permits fences in the front yard not within 2.4m of the front lot line to be 2.0m high.

The property owner submitted a fence exemption application, in writing, on February 28 2020, to permit the proposed fence and gates in the front yard in accordance with Section 447- 1.5 B.(1) of Toronto Municipal Code, Chapter 447- Fences, listing "privacy, security, and safety" as the reason for the application.

As required by Section 447- 1.5 B.(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 proposed fence will be in non-compliance with provisions pertaining to height of the gate in the front yard.

CONTACT

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SIGNATURE

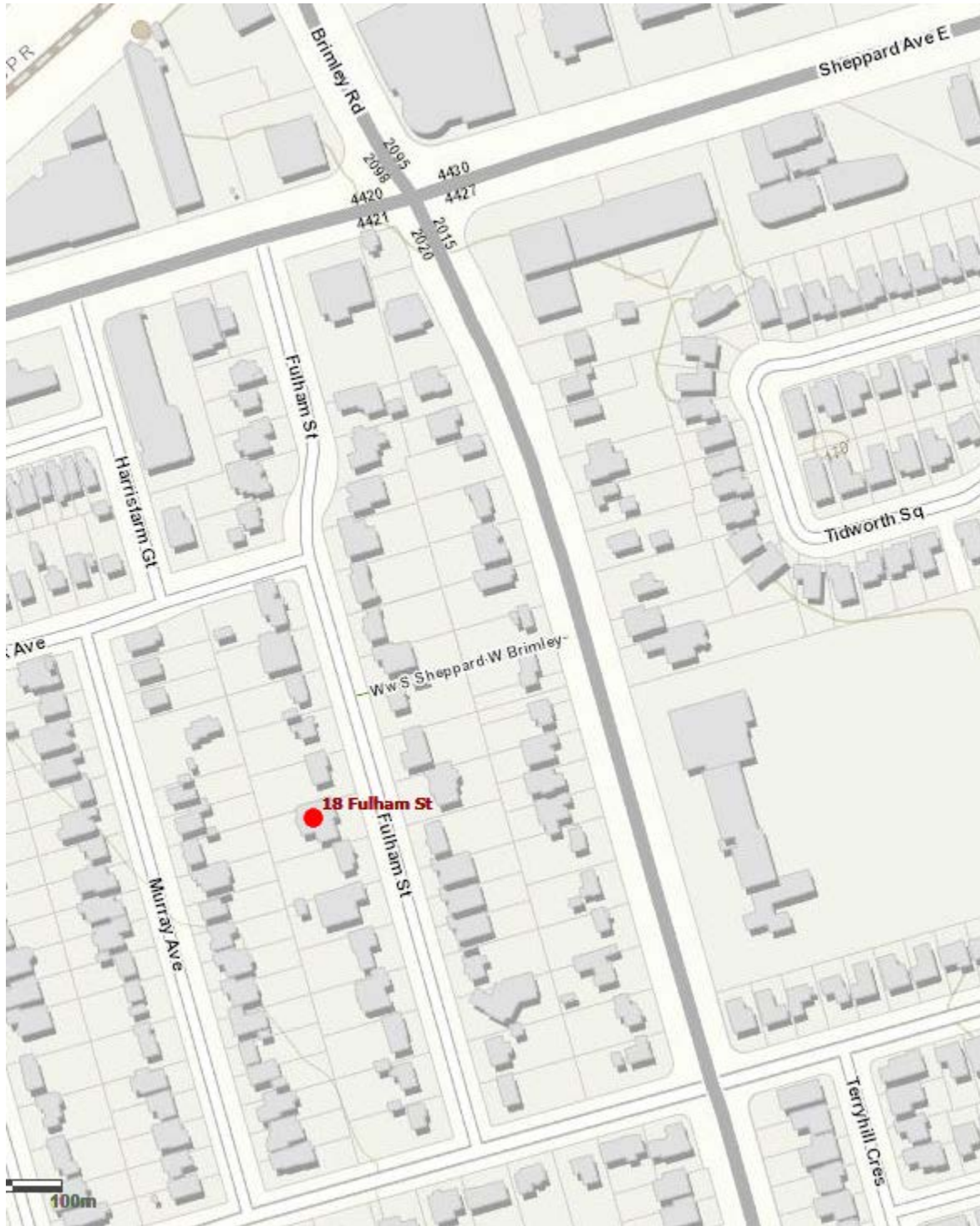
Elena Sangiuliano
Manager, East District Municipal Licensing & Standards

ATTACHMENTS

Attachment 1 – Location of 18 Fulham St. iView Map

Attachment 2 – East Elevation photo.

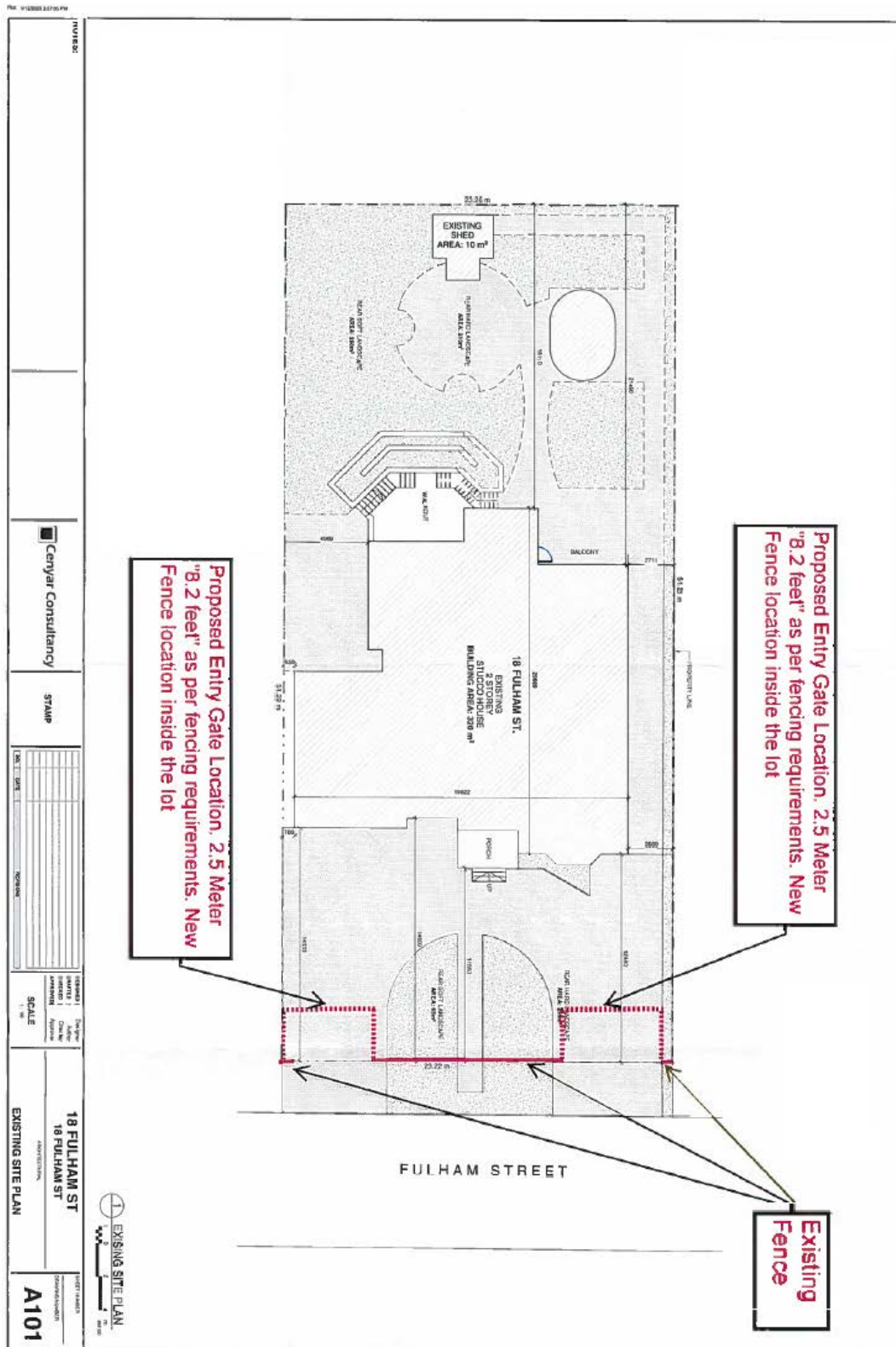
Attachment 3 – Site Plan



Attachment 1- Location of 18 Fulham St. iView Map



Attachment 2 – East Elevation Photo



Attachment 3 – Site Plan