

**Request for Fence Exemption and Waiving of Fee – 25 Conference Boulevard**

**Date:** March 7, 2021  
**To:** Scarborough Community Council  
**From:** Manager Municipal Licensing and Standards, Scarborough District  
**Wards:** Ward 25

**SUMMARY**

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Scarborough Community Council has delegated authority from City Council to make a final decision on requests for exemptions to Chapter 447- Fences.

The purpose of this report is to advise Scarborough Community Council concerning an application by the owner(s) of 25 Conference Blvd for a site-specific Fence Exemption, pursuant to Section 447-2 of Toronto Municipal Code, Chapter 447- Fences. The property owner(s) is seeking Scarborough Community Council's permission to be exempt concerning a proposed rear yard fence which will not comply with restrictions contrary to Section 447-1.3 of the bylaw as detailed below in the following chart:

The subject property 25 Conference Blvd is located in Ward 25, in a residential zone property.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear Yard	Rear Yard (all boarding Side yards)	Proposed PVC Composite fence with lattice measuring 2.0 meters (6.5 feet) in height	447-1.3. E Swimming pool enclosures (B) (C) (D) and (E) A swimming pool enclosure shall be constructed of wood, glass, open mesh and/or masonry.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear Yard	Rear Yard	Proposed PVC composite fence with lattice measuring 1.2 meters (4 feet) in height with glass panels be install on the existing deck within one year of pool installation. Note: Pool equipped with secured weight bearing pool cover (when not in season)	447-1.3. C (3) If the wall of any building, or any portion of it, forms part of the pool enclosure, there shall be no access to the enclosed pool area through the wall.

Due to miscommunication that was provided to the applicant during the fence exemption application process, Municipal Licensing and Standards respectfully requests City Council to waive the required application fee under Section 447-1.3.B (2) of Toronto Municipal Code, Chapter 447- Fences.

**RECOMMENDATIONS**

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The Manager Municipal Licensing and Standards, Scarborough District recommends that:

1. Scarborough Community Council refuse to grant the application for an exemption permit, by the owner(s) of 25 Conference Boulevard, for a proposed PVC composite fence with lattice measuring 2.0 meters, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Scarborough Community Council grant the application for an exemption permit, by the owner(s) of 25 Conference Boulevard, for a proposed PVC composite fence with lattice measuring 2.0 meters and the proposed PVC composite fence with lattice measuring 1.2 metres (4 feet) in height with glass panels to be install in accordance with the restrictions of Section 447-1.3 of the bylaw, within one year of pool installation. 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, Fences or its successor by-law.

3. City Council waive the required application fee under Section 447-1.3.B (2) of Toronto Municipal Code, Chapter 447- Fences.

## **FINANCIAL IMPACT**

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There is no financial impact anticipated in this report.

## **DECISION HISTORY**

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The owner(s) submitted a fence exemption application, in writing, on February 11, 2021 for a proposed rear yard fence Section 447-5(C) of Toronto Municipal Code, Chapter 447- Fences for privacy, security and safety and aesthetics 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.

## **COMMENTS**

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The proposed fence violates Toronto Municipal Code, Chapter 447- Fences requirements with respect to the required building material and the requirements that there shall be no access to the enclosed pool area through the wall, it does not contravene any other provisions of the by- law.

## **CONTACT**

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## **SIGNATURE**

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Elena Sangiuliano  
Manager, Municipal Licensing and Standards, East District

## **ATTACHMENTS**

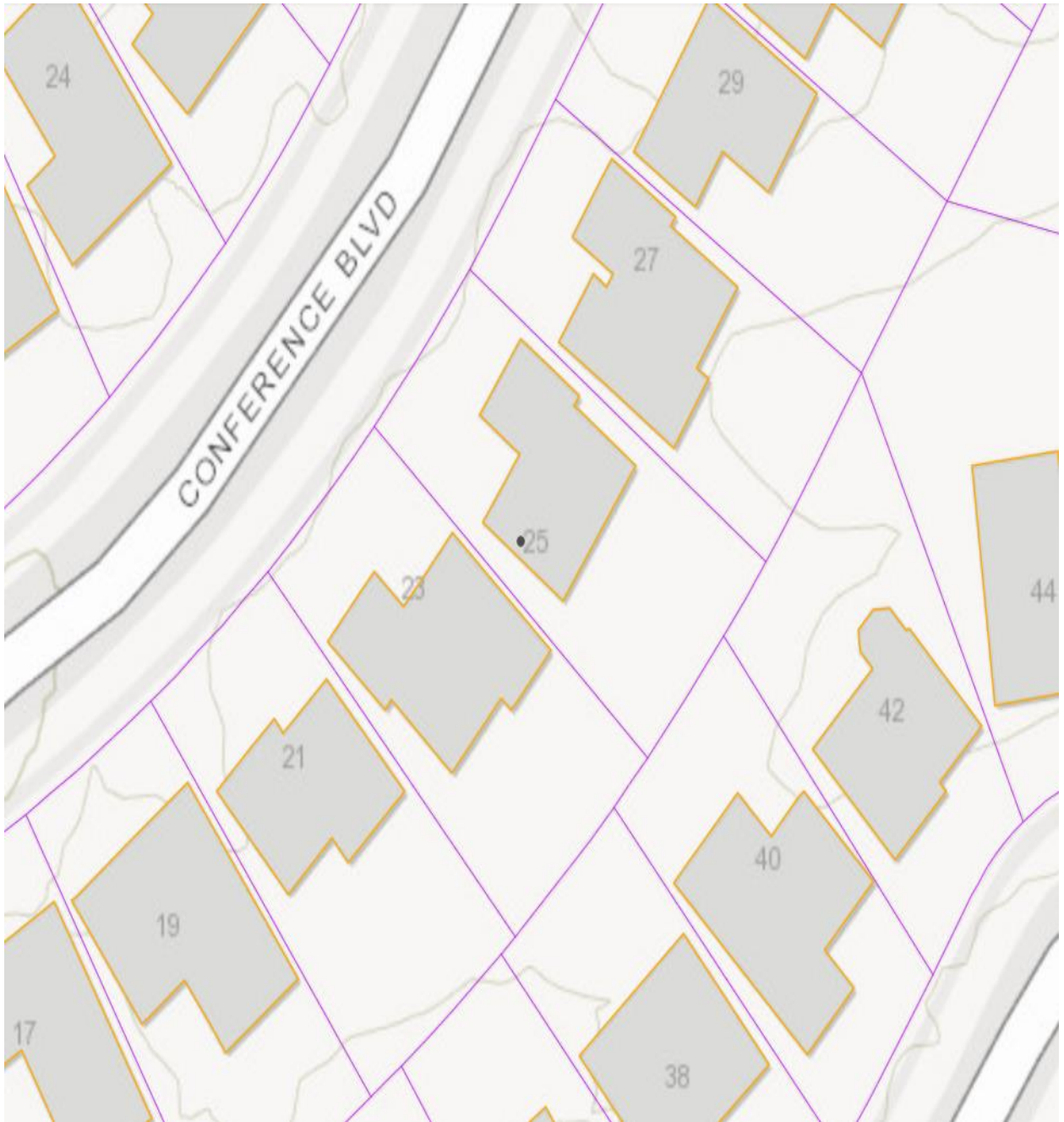
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Appendix 1 – 25 Conference Blvd IView

Appendix 2 – Elevation photo taken of 25 Conference Blvd rear yard

Appendix 3 – Height of existing PVC composite fence at 25 Conference Blvd rear yard

Appendix 4 – Existing PVC composite fence at 25 Conference Blvd rear yard



Appendix #1 - 25 Conference Blvd IView



Appendix #2 - Elevation photo taken of 25 Conference Blvd rear yard.



Appendix #3 - Height of existing PVC composite fence at 25 Conference Blvd rear yard.



Appendix #4 - Existing PVC composite fence at 25 Conference Blvd rear yard