

Application for Fence Exemption 21 Carrera Boulevard

Date: August 16, 2021
To: Scarborough Community Council
From: District Manager, Municipal Licensing and Standards
Wards: Ward 21 - Scarborough Centre

SUMMARY

This staff report is in regards to 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 owner of 21 Carrera Boulevard to maintain an existing privacy fence in the front and side yards. The existing privacy fence does not meet the height requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

RECOMMENDATIONS

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

1. Refuse the application for an exemption submitted by the property owner of 21 Carrera Boulevard, to maintain an existing privacy fence in the front and side yards, which does not comply with provisions of City of Toronto Municipal Code, Chapter 447, Fences, and direct that an unappealable Notice of Violation be issued under City of Toronto Municipal Code, Chapter 447, Fences; or
2. Grant the exemption to the property owners of 21 Carrera Boulevard to maintain the existing privacy fence in the front and side yards in the same condition without alteration. At such time as replacement of the fence is required that the replacement fence will comply with Municipal Code Chapter 447, Fences, or its successor by-law.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

An application for a fence exemption was submitted by the property owner based on the By-law violation with the existing privacy fence in the front and side yards. In the same manner, all required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office the application for exemption will be considered by The Scarborough Community Council. (Attachment 1)

COMMENTS

It was determined by the Officer that the subject property's existing privacy fence in the front and side yards does not comply with the height provisions of Toronto Municipal Code Chapter 447- Fences. As a result of an inspection a Notice of Violation was issued to the property owners.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Front and side yards	West side of property	The existing privacy fence is 2.45 meters in height. The permitted height is 2.0 meters	1.2B.(1)

In response to the Notice Of violation the property owners of 21 Carrera Boulevard submitted a Fence Exemption Application, on the grounds that the fence provides privacy, security and is aesthetically pleasing. There are no health and safety issues with the fence that would cause concern for public safety.

However, should The Scarborough Community Council decide to grant the owner the exemption, the owner will be subject to the conditions for compliance as set out in recommendation 2.

CONTACT

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SIGNATURE

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ATTACHMENTS:

1. View of properties adjacent to 21 Carrera Boulevard
2. Front view of 21 Carrera Boulevard
3. West view of fence at 21 Carrera Boulevard
4. South view of privacy fence
5. Privacy fence between the adjoining properties

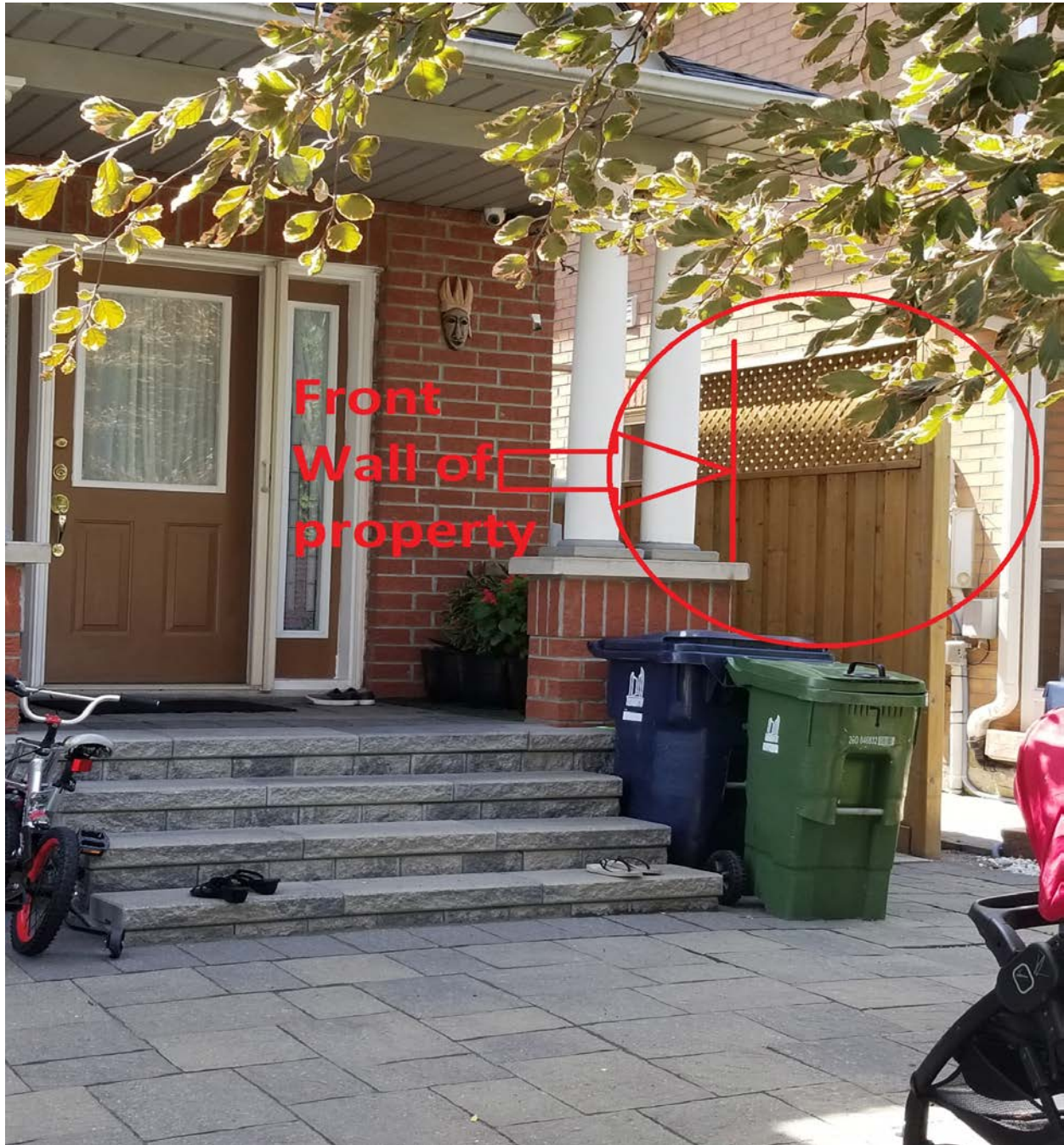
Attachment 1: View of properties adjacent to 21 Carrera Boulevard



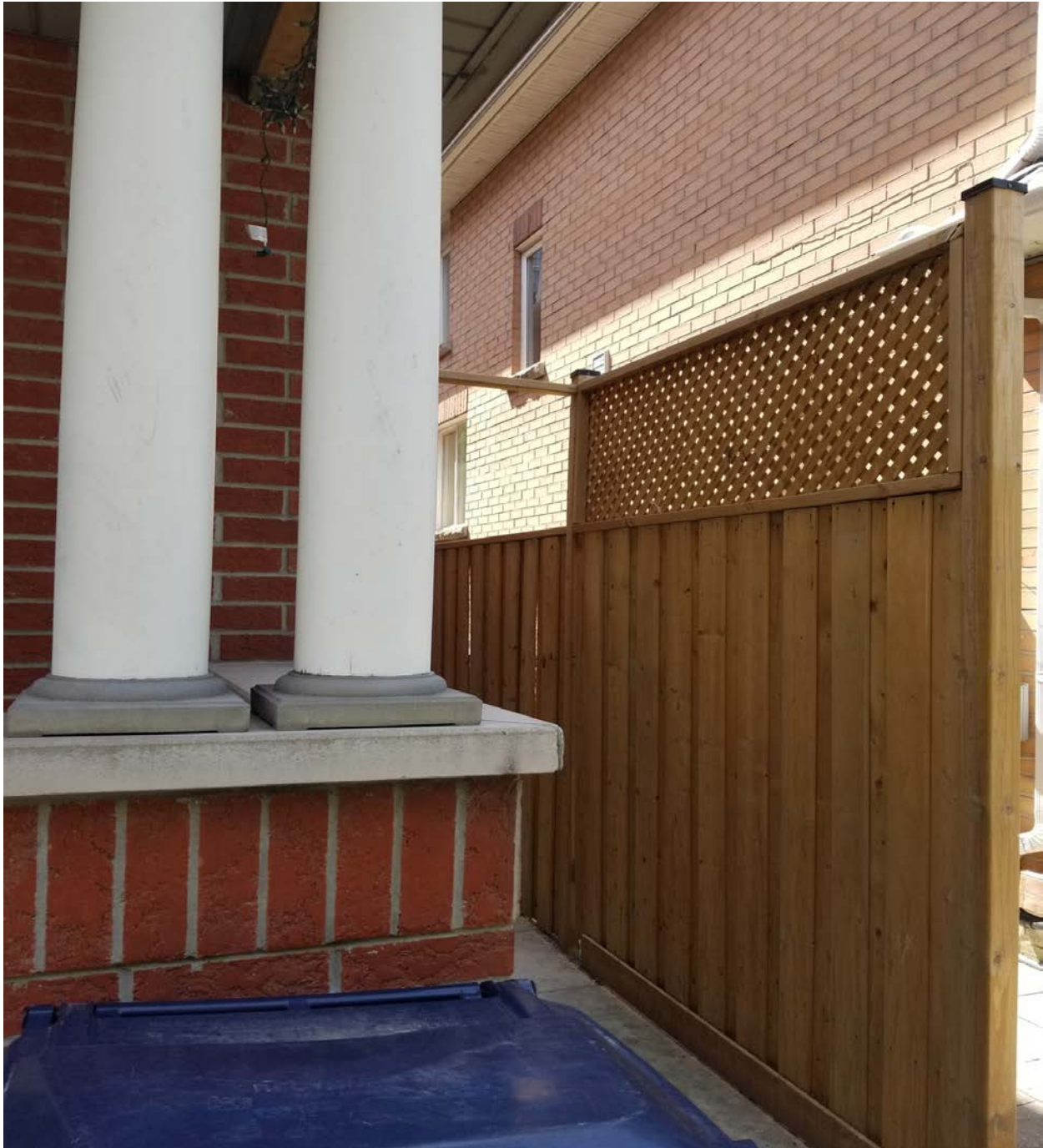
Attachment 2: Front view of 21 Carrera Boulevard



Attachment 3: West view of fence at 21 Carrera Boulevard



Attachment 4: South view of privacy fence



Attachment 5: Privacy fence between the adjoining properties

