

Application for Fence Exemption – 130 Holmcrest Trail

Date: March 30, 2022

To: Scarborough Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 25 – Scarborough-Rouge Park

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 by the owner(s) of 130 Holmcrest Trail to maintain a wooden fence in the rear yard on the East and West lot lines that is 2.4 meters (8ft) greater than 2.0 meters, as specified in the Toronto Municipal Code, Chapter 447-1.3 D Height of Swimming Pool Enclosure . A Notice of Violation was issued on March 11, 2020.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 130 Holmcrest Trail, to allow them to maintain a wooden fence in the rear yard on the East and West lot lines that is 2.4 meters (8ft), which does not comply with the Toronto Municipal Code, Chapter 447, specifically section 447-1.3 D Height of Swimming Pool Enclosure Fences.

OR

2. Grant the application for an exemption permit, by the owner(s) of 130 Holmcrest Trail, to allow them to maintain a wooden fence in the rear yard on the East and West lot lines that is 2.4 meters (8ft). Direct and require that the existing fence be maintained in good repair without alteration. Direct and require that at such time as a 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

As required by Section 447-1.5(B)(1), 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

The proposed fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with respect to swimming pool enclosures.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear yard (East & west sides)	Current height of fence is 8ft high (2.4meters)	447-1.3 D Table 2– Maximum height of swimming pool enclosures

CONTACT

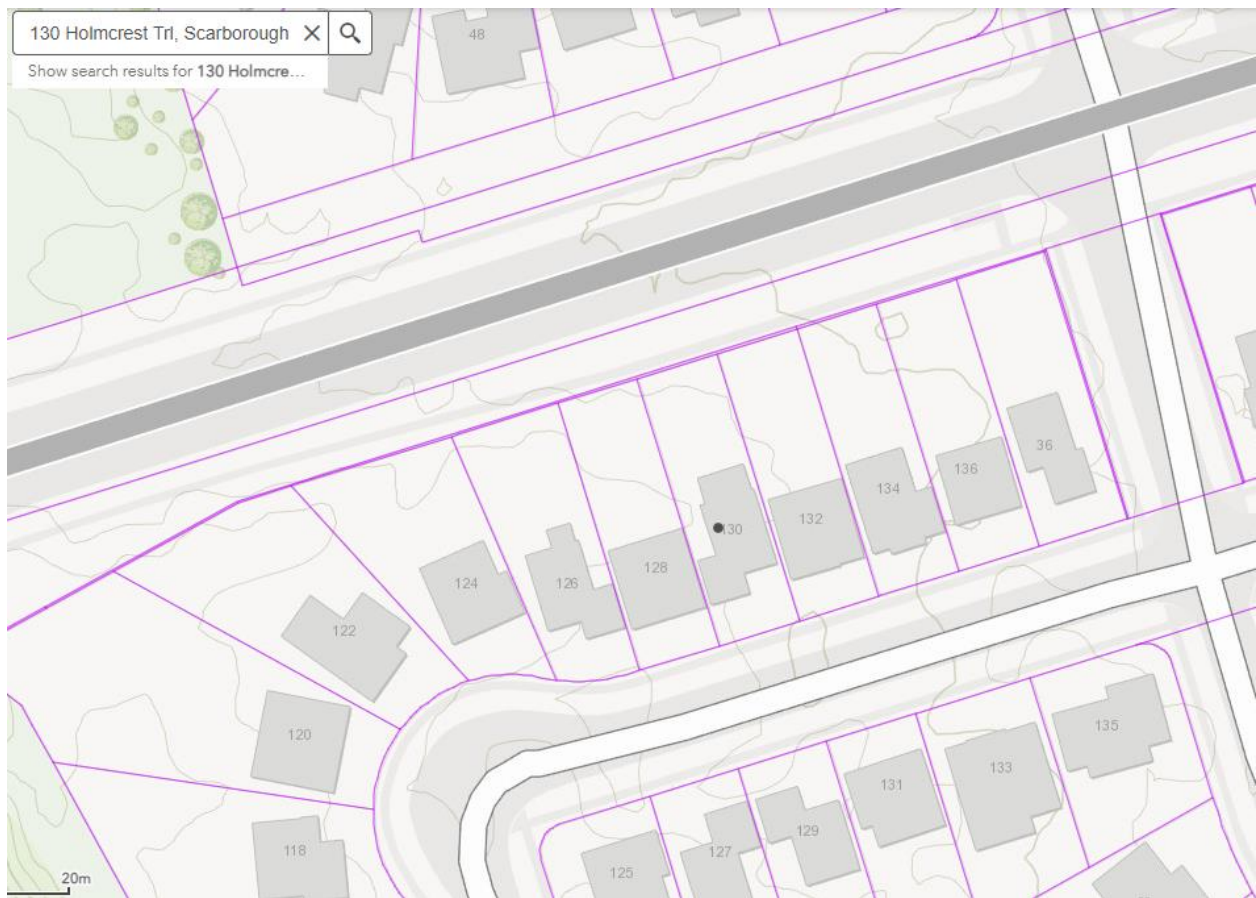
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SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 130 Holmcrest Trail
Attachment 2: Picture of fence in rear yard west side
Attachment 3: Picture of fence in rear yard east side



Attachment 1: iView Map of Property – 130 Holmcrest Trail



Attachment 2: Picture of fence in rear yard west side



Attachment 3: Picture of fence in rear yard east side