

Application for Fence Exemption – 48 Khartoum Avenue

Date: April 4, 2022

To: Scarborough Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 21 – Scarborough Centre

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 48 Khartoum Avenue for a site-specific Fence Exemption, pursuant to Section 447-1.2(C).1 of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Community Council's permission to keep a fence that does not provide open construction within 2.4metres in any direction of the point a driveway intersects the lot line. A Notice of Violation was issued on October 21, 2019.

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 48 Khartoum Avenue, to allow them to maintain the existing fence, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447.1.2(C).1 Any fence within 2.4meters of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway.

OR

2. Grant the application for an exemption permit, by the owner(s) of 48 Khartoum Avenue, thereby allowing the fence within 2.4meters of the driveway to not be open mesh chain-link fencing or of an equivalent open-fence construction for at least 2.4metres from the lot line. Direct and require that the installation be maintained in good repair without alteration. 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.

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 fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with respect to open mesh construction of fence.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
West side yard and front yard	West side front yard	Fence is made with pressure treated wood. Fence must contain open mesh chain-link or an equivalent open-face construction for at least 2.4 metres from the lot line.	447.1.2(C).1 Any fence within 2.4meters of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway.

CONTACT

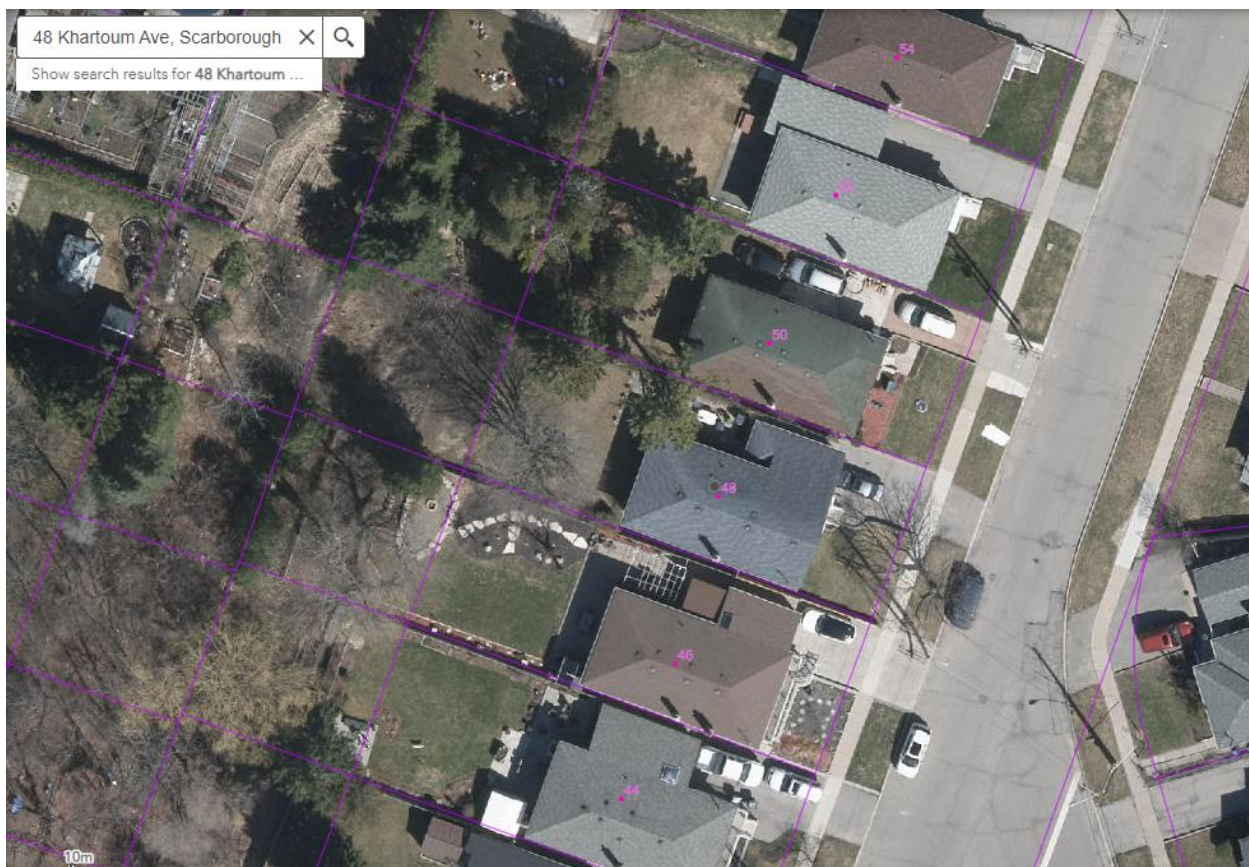
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SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView of property – 48 Khartoum Avenue
Attachment 2: West facing photo of fence
Attachment 3: Photo of the fence from the sidewalk
Attachment 4: Photo of fence from neighbouring property



Attachment 1: iView of property – 48 Khartoum Avenue



Attachment 2: West facing photo of fence



Attachment 3: Photo of the fence from the sidewalk



Attachment 4: Photo of fence from neighbouring property