

Application for Fence Exemption – 314 Jaybell Grove

Date: April 12, 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 314 Jaybell Grove to maintain a wooden fence in the rear yard on the south and east side of the property which measures 2.54 meters (8.4 feet) in height on the south side and 3m (10 feet) on the east side. As specified in the Toronto Municipal Code, Chapter 447-1.2(B) Table 1 – Maximum Height of Fences, the maximum height for this fence is 2.0 meters. A Notice of Violation was issued on April 8, 2022

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 314 Jaybell Grove, to allow them to maintain the wooden fence that measures 2.54 meters (8.4ft) on the south side and 3 meters (10ft) on the east side which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.2B Table 1 - Maximum Height of Fences.

OR

2. Grant the application for an exemption permit, by the owner(s) of 314 Jaybell Grove, to allow them to maintain the wooden fence that measures 2.54 meters (8.4ft) on the south side and 3 meters (10ft) on the east side. 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	South and east property lines.	Existing wood fence measuring 2.54 meters (8.4 feet) in height on the south side and 3.0m (10ft) on the east side. Wood privacy board on board fence	447-1.2B Table 1 Item 9 – Any other fence. 2.0 meters

CONTACT

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SIGNATURE

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Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1 – 314 Jaybell Grove Dr. I View
Attachment 2 – Photo of east and south property line fences
Attachment 3 – Photo of south property line fence



Attachment 1 – 314 Jaybell Grove Dr. IView



Attachment 2 – Photo of east and south property line fences.



Attachment 3 – Photo of south property line fence