

Application for Fence Exemption – 17 Benroyal Cres

Date: September 29, 2022

To: Scarborough Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 24 – Scarborough-Guildwood

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 17 Benroyal Cres to maintain a wooden fence in the front yard on the south side of the property that measures 1.9 meters (6.2 feet) and a wooden fence on the west side flankage yard that measures 2.1 meters (6.8 feet) which exceed the maximum allowable height of 1.2 meters (3.9 feet) for a front yard fence and 2.0 meters (6.5 feet) on the flankage yard. as specified in the Toronto Municipal Code, Chapter 447-1.2B(1) Table 1 - Maximum Height of Fences. A Notice of Violation was issued on September 6, 2022.

The applicant has requested this exemption for security and privacy for his young children.

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 17 Benroyal Cres, to allow them to maintain the wooden fence in the front yard on the south side of the property that measures 1.9 meters (6.2 feet) and a wooden fence on the west side flankage yard that measures 2.1 meters (6.8 feet) which exceed the maximum allowable height of 1.2 meters (3.9 feet) for a front yard fence and 2.0 meters (6.5 feet) on the flankage yard, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.2B(1) Table 1 – Maximum Height of Fences

OR

2. Grant the application for an exemption permit, by the owner(s) of 17 Benroyal Cres, to allow them to maintain the wooden fence in the front yard on the south side of the property that measures 1.9 meters (6.2 feet) and a wooden fence on the west side flankage yard that measures 2.1 meters (6.8 feet) which exceed the maximum allowable height of 1.2 meters (3.9 feet) for a front yard fence and 2.0 meters (6.5 feet) on the flankage yard. 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, 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 proposed fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard & Flankage Yard	Front Yard – South Side Flankage Yard – West Side	Front Yard fence – measures 1.9 meters (6.2 feet) Flankage Yard fence – measures 2.1 meters (6.8 feet)	447-1.2B(1) Table 1 Maximum Height of Fences Front Yard – 1.2 meters (4 feet) Any other fence – 2.0 meters (6.5 feet)

CONTACT

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SIGNATURE

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Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 17 Benroyal Cres
Attachment 2: Photo of front and flankage yard fence
Attachment 3: Photo of front and flankage yard fence
Attachment 4: Photo of front yard fence
Attachment 5: Photo of front yard fence



Attachment 1: iView Map of Property – 17 Benroyal Cres



Attachment 2: Photo of front and flankage yard fence



Attachment 3: Photo of front and flankage yard fence



Attachment 4: Photo of front yard fence



Attachment 5: Photo of front yard fence