

Application for Fence Exemption – 31 Benlight Cres

Date: October 3, 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 31 Benlight Cres to maintain a wooden fence in the front yard on the south side of the property that measures 2.37 meters (7.7 feet) and a wooden fence on the east side rear yard that measures 2.2 meters (7.2 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 rear 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 March 17, 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 31 Benlight Cres, to allow them to maintain the wooden fence in the front yard on the south side of the property that measures 2.37 meters (7.7 feet) and a wooden fence on the east side rear yard that measures 2.2 meters (7.2 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 rear 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 31 Benlight Cres, to allow them to wooden fence in the front yard on the south side of the property that measures 2.37 meters (7.7 feet) and a wooden fence on the east side rear yard that measures 2.2 meters (7.2 feet). 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 & Rear Yard	Front Yard – South Side Rear Yard – East Side	Front Yard fence – measures 2.37 meters (7.7 feet) Rear Yard fence – measures 2.2 meters (7.2 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

Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 31 Benlight Cres
Attachment 2: Front yard fence
Attachment 3: Rear yard fence
Attachment 4: Rear yard fence
Attachment 5: Rear yard fence



Attachment 1: iView Map of Property – 31 Benlight Cres



Attachment 2: Front yard fence



Attachment 3: Rear yard fence



Attachment 4: Rear yard fence



Attachment 5: Rear yard fence