

Application for Fence Exemption – 191 Hupfield Trail

Date: August 5, 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 191 Hupfield Trail, to maintain a wooden fence in the rear yard on west side yard of the property that measures between 2.2 meters (7.2ft) which exceeds the requirements 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 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 191 Hupfield Trail, to allow them to maintain the wooden fence with a height greater than 2.0 meters, 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 191 Hupfield Trail, to allow them to maintain the wooden fence with a height greater than 2.0 meters. 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 respect to fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Side yard	West side – side yard	Current height of fence is 2.2 meters (7.2ft)	447-1.2B(1) Table 1 - Maximum Height of Fences. Any other fence – 2.0 meters (6.5ft)

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: iView Map of Property – 191 Hupfield Trail
Attachment 2: View of side yard fence from driveway of neighbouring property
Attachment 3: View of side yard fence from front yard





Attachment 2: View of side yard fence from driveway of neighbouring property



Attachment 3: View of side yard fence from front yard