

Application for Fence Exemption – 55 Westcroft Drive

Date: July 28, 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 55 Westcroft Drive, to maintain a wooden fence in the rear yard on the south, east and north side of the property that measures between 2.0 meters (6.5ft) to 2.4 meters (7.8ft) 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 June 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 55 Westcroft Drive 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 55 Westcroft Drive, 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*
Rear yard	Rear yard (East, north and south facing lot lines)	Current height of fences ranges from 2.0 meters (6.5ft) to 2.4 meters (7.8ft)	447-1.2B(1) Table 1 - Maximum Height of Fences. Any other fence – 2.0 meters.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: iView Map of Property – 55 Westcroft Drive
Attachment 2: Photo of height of fence with posts
Attachment 3: Photo of height of fence with posts
Attachment 4: Photo shows space between ground and fence
Attachment 5: Height of fence with posts and space between ground and fence
Attachment 6: Height of fence with posts and space between ground and fence
Attachment 7: Photo shows space between ground and fence
Attachment 8: Height of fence with posts and space between ground and fence



Attachment 1: iView Map of Property – 55 Westcroft Drive



Attachment 2: Photo of height of fence with posts



Attachment 3: Photo of height of fence with posts



Attachment 4: Photo shows space between ground and fence



Attachment 5: Height of fence with posts and space between ground and fence



Attachment 6: Height of fence with posts and space between ground and fence



Attachment 7: Photo shows space between ground and fence



Attachment 8: Height of fence with posts and space between ground and fence