

Application for Fence Exemption – 120 DONSIDE DRIVE

Date: November 10, 2022

To: Scarborough Community Council
From: Manager Municipal Licensing & Standards, East District
Wards: WARD 20 – Scarborough Southwest

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 120 DONSIDE DRIVE to maintain a wood fence located on the east side of the back yard. Beside sidewalk. From north the fence is attached to the garage and from south is also attached to the house. Rear Yard Fence not in front yard and within 2.4 m of public highway exceeds 2.0 metres, as specified in the Toronto Municipal Code, Chapter 447.1.2B(1). The house is located on a Corner Lot.

A Notice of Violation was issued on October 18, 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 120 DONSIDE DRIVE, to allow them to maintain the wood link fence in the rear yard and within 2.4 m of public highway exceeds 2.0 metres, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.2B(1)
OR
2. Grant the application for an exemption permit, by the owner(s) of 120 DONSIDE DRIVE, to allow them to maintain the wood fence with a height greater than 2 meters in height. 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 in relation to Public Highway and Driveway.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear yard North, South and East Lot Lines	Current Height of Fence is over 2.4 metres	447-1.2B(1) Fence not in a front yard; and within 2.4 metres of a side lot line abutting a public highway (public highway does not include a public lane); and within 2.4 metres of a driveway

CONTACT

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SIGNATURE

Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property –120 DONSDIE DRIVE

Attachment 2: Photos of Fence – 120 DONSDIE DRIVE

Attachment 3: Photo of Fence – 120 DONSDIE DRIVE

Attachment 4: Photo of Fence – 120 DONSDIE DRIVE



Attachment 1



Attachment 2



Attachment 3



Attachment 4