

Application for Fence Exemption – 5 WALTONICE RD

Date: January 16, 2023

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 5 WALTONICE RD to maintain a Wood fence with concrete retaining wall the rear yard on the south side of the property. This exceeds the maximum allowable height of a fence between two residential properties as stated in the Toronto Municipal Code, Chapter 4471.2B. (1) Table 1 - Maximum Height of Fences – Item 9 Any Fences

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 5 WALTONICE RD, to allow them to maintain the Wood fence with concrete retaining wall with a height greater than 2 Metres. This does not comply with the Toronto Municipal Code, Chapter 4471.2B. (1) Table 1 - Maximum Height of Fences – Item 9 Any Fences

OR

2. Grant the application for an exemption permit, by the owner(s) of 5 WALTONICE RD, to allow them to maintain the Wood fence with concrete retaining wall with a height greater than 2 Metres. 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 Restrictions on fences/ height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear yard (South facing lot lines)	Current Height of Fence and retaining wall over 2 M	447-1.2B.(1) Restrictions on fences; height. Table 1 Item 9 Any other fence 2 M

CONTACT

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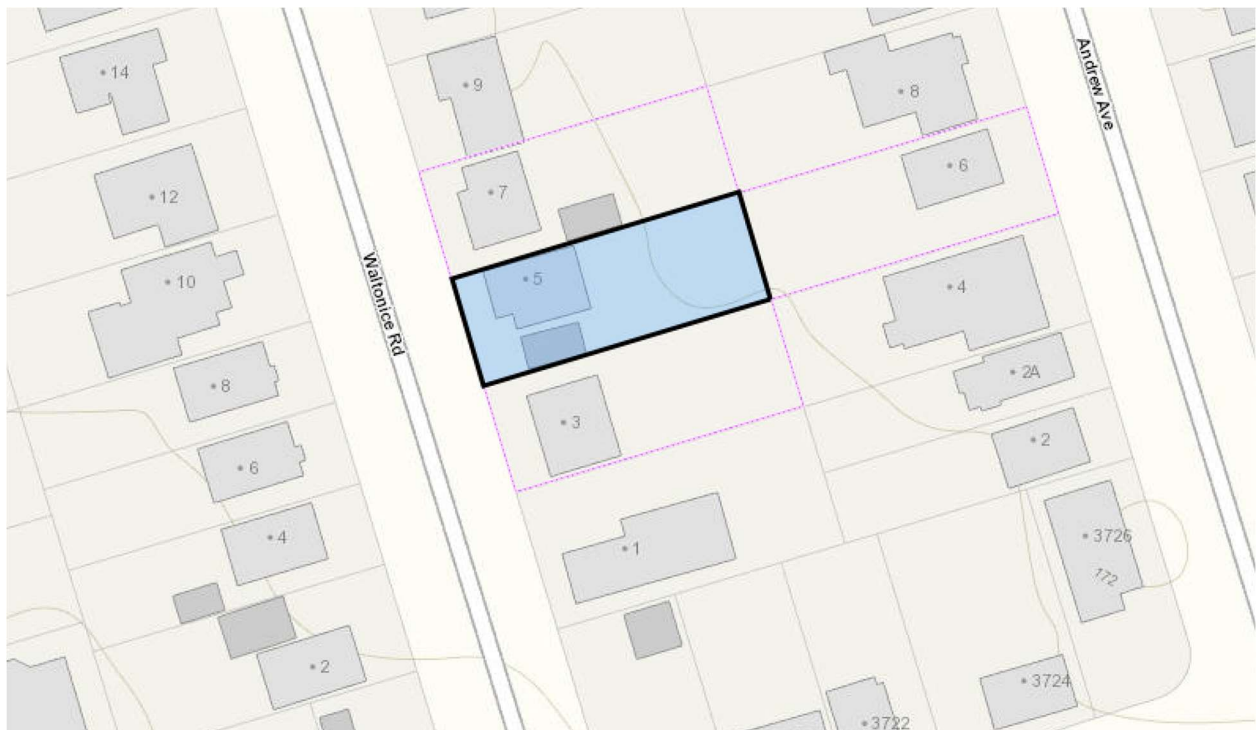
SIGNATURE

Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 5 WALTONICE RD
Attachment 2: 2 Photos of fence – 5 WALTONICE RD
Attachment 3: Photo of fence – 5 WALTONICE RD
Attachment 4: Photo of fence – 5 WALTONICE RD

Attachment 1: iView Map of Property – 5 WALTONICE RD



Attachment 2: (2) Photos of fence and Retaining Wall – 5 WALTONICE RD



Attachment 3: (2) Photos of fence (Owner Submitted) –5 WALTONICE RD



