

36 Springbank Avenue - Application for Fence Exemption

Date: September 8, 2023

To: Scarborough Community Council

From: District 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 36 Springbank Avenue to maintain a wood fence in the front yard on the southwest side of the property which has a height that exceeds 2 Metres.

This is contrary to the Toronto Municipal Code, Chapter 447-1.2. B(1) TABLE 1 MAXIMUM HEIGHT OF FENCES - Item 2. A Notice of Violation was issued on July 6, 2023.

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, East District recommends that:

1. Scarborough Community Council refuse to grant the application for an exemption permit, by the owner(s) of 36 Springbank Avenue, to allow them to maintain a wood fence in the front yard in excess of 2 metres in height, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.2. B(1) Table1 Maximum Height of Fences.

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

As required by Toronto Municipal Code, Chapter 447 Section -1.2. B(1)

TABLE 1 - Item 2 – Fences requirements with fence height as detailed in the following chart:

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front yard	Front yard (Southwest Side of Property)	Current Height of Fence 2.57 metres	Chapter 447-1.2. B(1) TABLE 1 - Item 2 MAXIMUM HEIGHT OF FENCES.

The property owner(s) seek this exemption for privacy.

Municipal Licensing and Standards recommends Scarborough Community Council refuse to grant the application for an exemption by the property owner of 36 Springbank Avenue. Should Scarborough Community Council grant the application for a fence exemption, the following recommendation may be adopted, in accordance with Municipal Code Chapter 447:

1. Grant the application for an exemption permit, by the owner(s) of 36 Springbank Avenue, to allow them to maintain a wood fence in the front yard in excess of 2 metres 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.

CONTACT

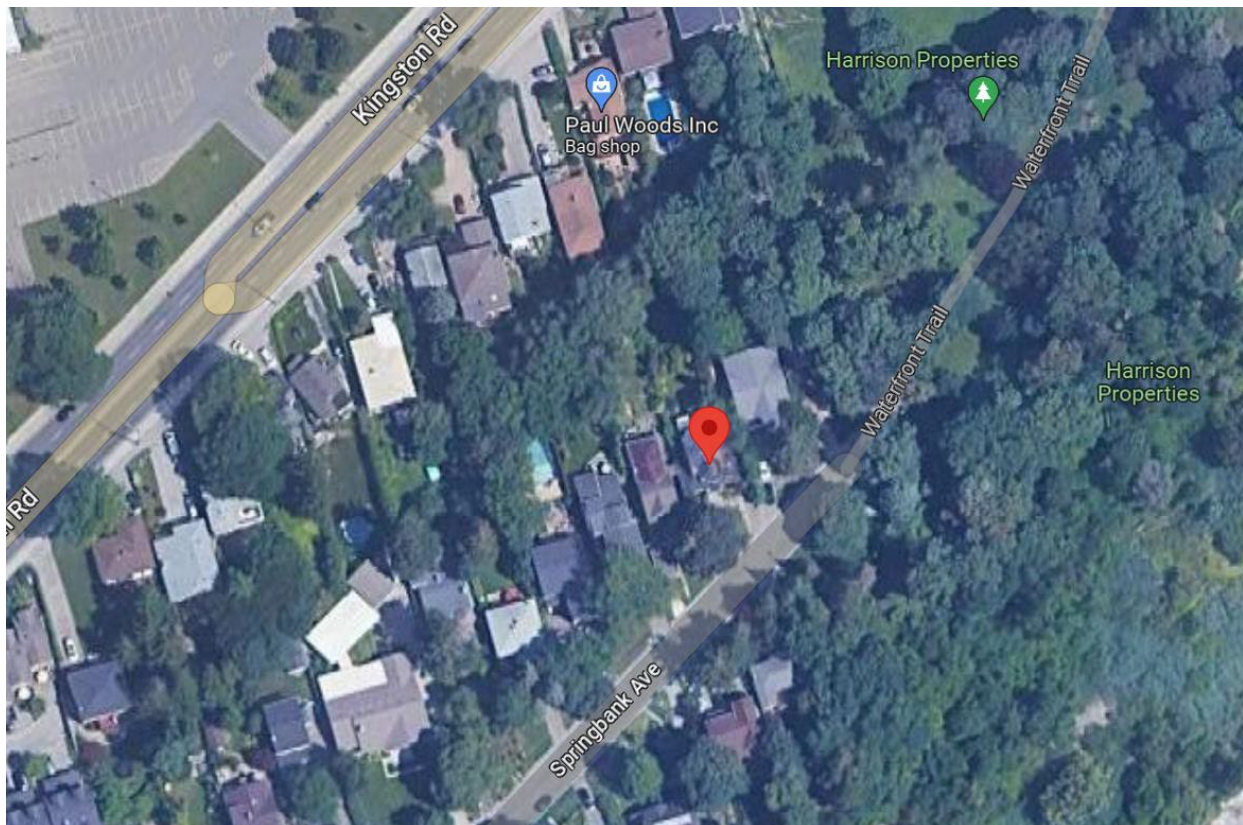
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ATTACHMENTS

Attachment 1: iView Map of Property – 36 Springbank Avenue
Attachment 2: 3 Photos of fence taken by Officer M. Gusev – 36 Springbank Avenue
Attachment 3: NOV issued to Owners of Exemption Property – 36 Springbank Avenue

Attachment 1: iView Map of Property – 36 Springbank Avenue



Attachment 2: 3 Photos of fence taken by Officer M. Gusev – 36 Springbank Avenue





BEO MGUSEV #6216, Samsung Galaxy S20+, S/N R5CN80QWH2D
43.6936, -79.25957, 86.9m
Jul 6, 2023 13:06:58



NOTICE OF VIOLATION

July 6, 2023

Re: 36 SPRINGBANK AVE

Legal Description: PLAN 975 PT LOT 24

Roll Number: 1901011340030000000

City of Toronto

An inspection of the above location has revealed that the **Toronto Municipal Code, Chapter 447, Fences, as amended**, is being contravened. You are hereby required to correct the following violation(s) on or before the compliance date(s) listed next to each contravention.

The item(s) listed herein are in violation of the Toronto Municipal Code, Chapter 447, Fences.

Item #	Bylaw Section	Location and Description	Required Action	Compliance Date
1	1.2B(1)	Front Yard: Fence (single or multiple residential) in front yard and not within 2.4 m public highway exceeds 2.0 metres.	Repair, maintain, replace privacy screen in front yard to comply with Toronto Municipal Code, Chapter 447	27-Jul-2023

It is an offence to violate the requirements of the Toronto Municipal Code Chapter 447-Fences. Please be advised that, if the above property is not brought into compliance with the requirements of the Toronto Municipal Code Chapter 447-Fences by the compliance date(s) listed next to each contravention, you may be charged with an offence, and upon conviction, you are liable to a fine or penalty.