

1 FAIRWAY DR - Fence Exemption Report

Date: April 8, 2024

To: Scarborough Community Council

From: District Manager, Municipal Licensing and Standards, East District

Wards: Ward 21 Scarborough Centre

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 1 Fairway Dr to maintain an existing fence in the rear yard. The rear and side yard fence height of 2.4 metres in height.

This is contrary to the Toronto Municipal Code, Chapter 447-1.2 B

RECOMMENDATIONS

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

Scarborough Community Council refuse to grant the application for an exemption permit, by the owner(s) of 1 Fairway Dr to maintain a fence in the rear yard and side yard of the property for a fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to direct staff to issue a notice to the property owner to bring the fence into compliance.

FINANCIAL IMPACT

There is no financial impact anticipated 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 existing fence violates Toronto Municipal Code, Chapter 447 – Fences requirements:

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard and Side yard	The existing fence in the side and rear yard.	Height of the fence exceeds the height permitted by the Chapter., namely, The fence height is approximately 2.4 Meters in height. The maximum height permitted is 2 Meters.	Chapter 447 Section 1.2 B (1) Fence height exceeds maximum height requirement of 2 meters.

Municipal Licensing and Standards recommends Scarborough Community Council refuse to grant the application for an exemption by the property owner of 1 Fairway Dr. 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 a fence exemption by the property owner 1 Fairway Dr. thereby allowing the maintain the existing fence to exist. At such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, Fences or its successor by-law.

CONTACT

Mark Freemantle, Supervisor
Municipal Licensing & Standards Division
East District
Tel. # 416-392-3076
E-mail: Mark.Freemantle@toronto.ca

SIGNATURE

Jean Paul Nadeau (Acting) Manager,
Municipal Licensing and Standards
Tel: #416-396-7311
E-Mail: jeanpaul.nadeau@toronto.ca

List the attachments.

- Attachment 1: iView Map of Property – 1 Fairway Dr - City of Toronto.
- Attachment 2: Municipal Standards Officer's Photo - 1 Fairway Dr - Side and Rear Yard
- Attachment 3: Homeowners Photo - Side and Rear Yard Showing neighbours windows facing their side and rear yard.

ATTACHMENTS

iView Map of Property – 1 Fairway Dr - City of Toronto.



Municipal Standards Officer's Photo - 1 Fairway Dr - Side and Rear Yard



Homeowners Photo- - 1 Fairway Dr - Side and Rear Yard Showing neighbours windows facing their side and rear yard.

