

## **11 Warbler Circle - Application for Fence Exemption**

**Date:** April 2, 2024.

**To:** Scarborough Community Council

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

**Wards:** Ward 25, Rouge Park

### **SUMMARY**

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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 11 Warbler Circle to maintain existing fencing at the property.

The wooden fencing (Facing Warnsworth Street) measures a maximum height of 1.98 meters and the light fixtures attached to it's posts measure 2.8 meters in height.

The metal fencing around the exterior of the property measures a maximum of 1.48 meters and its post measure 2.13 meters in height.

The metal fence on the driveway measures 2.21 meters in height. The metal post on the north side of driveway measures 2.4 meters in height.

The wooden fence running from the main wall of the house along the property line (Adjacent to 68 Falaise Road) down the driveway, measures 2.1 meters in height and the light fixtures attached to its posts measure 2.6 Meters in height.

This is contrary to the Toronto Municipal Code, Chapter 447-1.2 C (1)

### **RECOMMENDATIONS**

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

1. Scarborough Community Council refuse to grant the application for an exemption, by the property owner(s) of 11 Warbler Circle for a fence that fails to comply with the

provisions of Toronto Municipal Code, Chapter 447, Fences and to direct the issuance of a notice to the property owner(s) to bring the fence into compliance.

## **FINANCIAL IMPACT**

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There is no financial impact anticipated in this report.

## **DECISION HISTORY**

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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**

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The proposed fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear Yards	Side yard property line fencing adjacent to 68 Falaise Rd Warnsworth Street	Side yard fencing has been built higher than 2 meters.	Chapter 447 Section 1.5(B)(1) Item 9.  MAXIMUM HEIGHT OF FENCES. (2 Meters)

The property owner(s) seek this exemption for aesthetics purposes.

Municipal Licensing and Standards recommends Scarborough Community Council refuse to grant the application for an exemption by the property owner of 11 Warbler Circle.

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(s) of 11 Warbler Circle thereby allowing the existing fence to be maintained as constructed. 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**

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## **SIGNATURE**

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(Acting)Manager,  
Municipal Licensing and Standards East District  
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List the attachments.

Attachment 1: iView Map of Property – 11 Warbler Circle - City of Toronto.  
Attachment 2: Municipal Standards Officer's Photo - 11 Warbler Circle - Side Yard  
Attachment 3: Applicant's Photo 70 Falaise Road - Rear Yard  
Attachment 4: Municipal Standards Officer's Photo - 11 Warbler Circle – Front  
Yard  
Attachment 5: Applicant's Sketch of Rear Yard – 11 Warbler Circle –

## ATTACHMENTS

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Attachment 1: iView Map of Property – 11 Warbler Circle - City of Toronto.



Attachment 2: Municipal Standards Officer's Photo - 70 Falaise Road - Rear Yard



Attachment 3: Applicant's Photo 70 Falaise Road - Rear Yard



Attachment 4: Municipal Standards Officer's Photo – 70 Falaise Road – Front Yard



Attachment 5: Applicant's Sketch of Rear Yard – 11 Warbler Circle –

