

11 Warbler Circle - Application for Fence Exemption – Supplementary Report

Date: May 31, 2024.

To: Scarborough Community Council

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

Wards: Ward 25, Rouge Park

SUMMARY

This Supplementary Report replaces the original fence exemption in its entirety dated April 2, 2024, for 11 Warbler Circle as there were several errors and omissions contained in that report. The information contained in this supplementary report is accurate and complete.

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 fence in the rear yard on the north side measures a maximum height of 3.96 meters (13ft). This is more than the maximum height allowed under the bylaw of 2.0m.

The wooden fence in the rear yard on the south side measures a maximum height of 4.27 meters (14ft). This is more than the maximum height allowed under the bylaw of 2.0m.

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

RECOMMENDATIONS

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

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 fence height.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear Yard	The rear north side yard property line fencing is measured at 3.96m (13ft)	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)
Rear Yard	The rear north side yard property line fencing is measured at 4.27m (14ft)	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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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: 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

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



Attachment 2: Municipal Standards Officer's Photo – 11 Warbler Circle - Rear Yard (North Side)



Attachment 3: Applicant's Photo 11 Warbler Circle - Rear Yard (North Side)



Attachment 4: Municipal Standards Officer's Photo – 11 Warbler Circle - Rear Yard (South Side)



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

