

17 Bellehaven Crescent - Fence Exemption Report

Date: August 26, 2024

To: Scarborough Community Council

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

Wards: Ward 20 – Scarborough South West

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 17 Bellehaven Crescent to allow the current north property line fence/gates to remain at a height between 1.91 meters (6.2 feet) and 2.3 meters (7.54 feet) which exceeds the maximum height requirements of 1.2m (4ft).

This is contrary to the City of Toronto Municipal Code Chapter 447 1.2(b) Fence Height - Table 1, Item 1.

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 17 Bellehaven Crescent to use the existing fence at it's current heights.

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

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front Yard	North Side of front yard on property line	<ul style="list-style-type: none">- Pillars (4) along north property line measure between 2.1 meters (7.11 feet) and 2.3 meters (7.54 feet) which exceeds 1.2 meters in height maximum.- East Gate measures 2.08 meters (6.82 feet) which exceeds the 1.2 meter (4ft) maximum- West Gate measures 1.91 meters (6.2 feet) which exceeds the 1.2 meter (4 feet) maximum- Fence between the 2 gates measures 1.98 meters (6.5 feet) which exceeds the 1.2 meters in height maximum	City of Toronto Municipal Code Chapter 447-1.2(b) Table 1 - Item 1: Fence in a front yard; and within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane) - Maximum Height 1.2 meters (4 feet)

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

Municipal Licensing and Standards recommends Scarborough Community Council refuse to grant the application for an exemption by the property owner of 17 Bellehaven Crescent. 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 of 17 Bellehaven Crescent. Thereby allowing the proposed fence to remain as is. 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.

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ATTACHMENTS

Attachment 1: iView Map of Property – 17 Bellehaven Crescent

Attachment 2: North Property Line Gates with Pillars

Attachment 3: Pillar Measurement

Attachment 4: Pillar Measurement

Attachment 5: Pillar Measurement

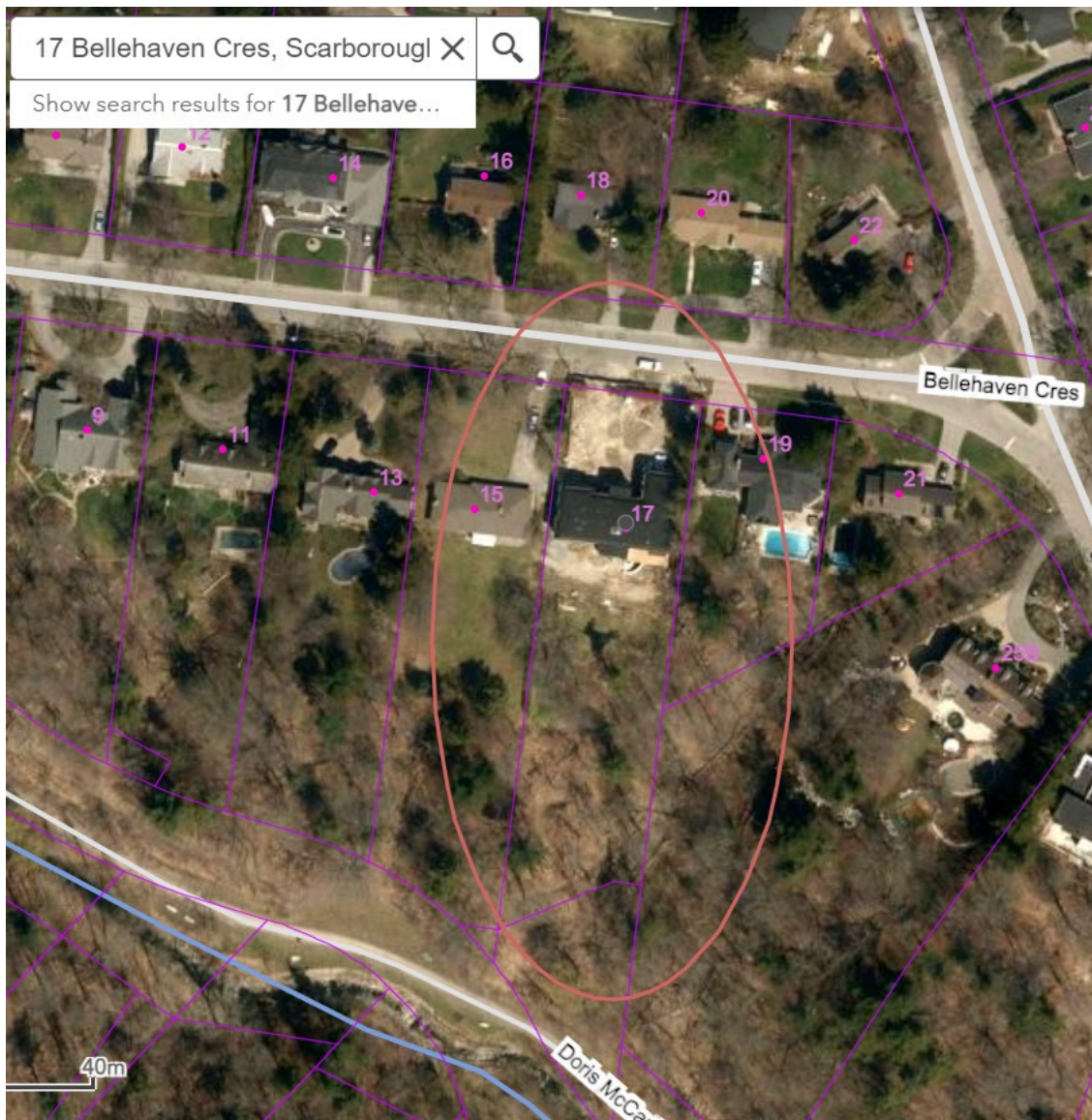
Attachment 6: Pillar Measurement

Attachment 7: Fence between Gates

Attachment 8: Measurement of Fence between the Gates

Attachment 8: East End Gate Measurement

Attachment 9: West End Gate Measurement



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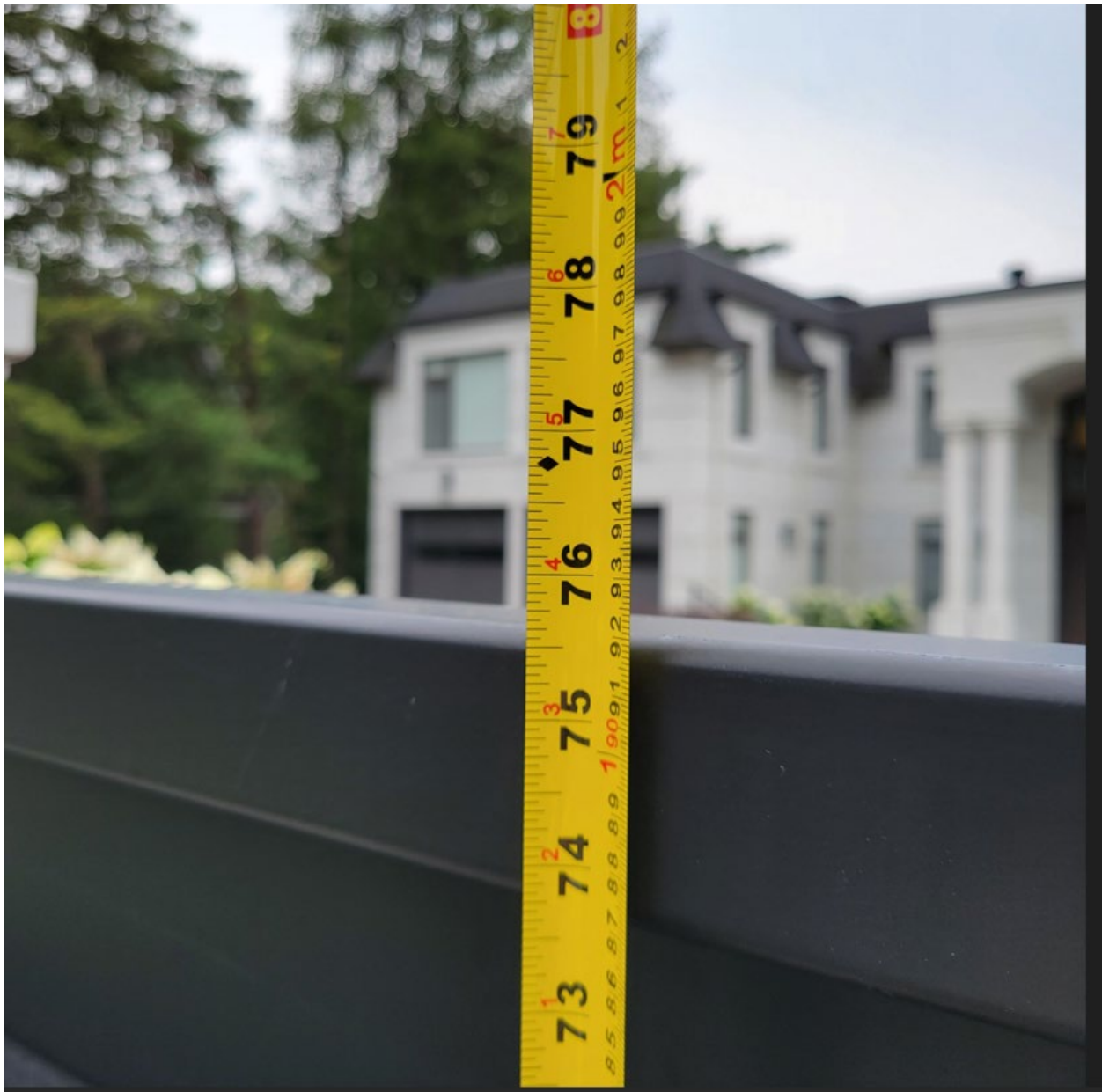
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