



REPORT FOR ACTION

Request for Fence Exemption – Front Yard 70 Falaise Road

Date: May 31, 2019
To: Scarborough Community Council
From: District Manager, Municipal Licensing and Standards, Scarborough District
Wards: Ward 24 – Scarborough-Guildwood

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 advise Council concerning an application by the owner(s) of 70 Falaise Road for a site-specific Fence Exemption, pursuant to Section 447-1.5 of Toronto Municipal Code, Chapter 447- Fences. The property owners are seeking Council's permission to be exempt concerning a proposed wrought iron fence to be located in the front of the property, which does not comply with restrictions contrary to Section 447- Section 447-1.2. B. (1) of the bylaw as detailed below in the following chart:

The subject property on the west side of Falaise Road, is a corner lot, with a two story detached residential dwelling. It is located in Ward 24, in a Residential Zoned Area, north of Kingston Road and west of Morningside Avenue.

GENERAL LOCATION	SPECIFIC LOCATION	DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front and Side yards	Fence located in the front yard	Exceeds Permitted Height- of 1.2m	Section 447-1.2. B. (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)

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the owners of 70 Falaise Road, for a proposed fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application for the proposed fence thereby to be constructed. Direct and require that at such time as replacement of the fence is required that such installation will comply with Municipal Code Chapter 447, or its successor by-law.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

The property owner submitted a fence exemption application, in writing, on May 22, 2019, to permit the proposed fence in the front yard, in accordance with Section 447-1.5 of Toronto Municipal Code, Chapter 447- Fences, listing "privacy, security and aesthetics" as the reason for the application.

As required by Section 447- 1.5 B.(1), Municipal Licensing and 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 will be in non-compliance with provisions pertaining to height in the front yard. As the proposed fence is of open design and there are no sidewalks on either Falaise Road or Warnsworth Street, MLS has no site line safety concerns.

CONTACT

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SIGNATURE

Scott Sullivan
Manager, Municipal Licensing and Standards, Scarborough District

ATTACHMENTS

Attachment 1 – Location of 70 Falaise Road iView Map

Attachment 2 – Site Plan

Attachment 3 – East Elevation and North Elevation photos

Attachment 4 – Proposed Fence East and North Elevations

Attachment 5 – Proposed Driveway Gate

Attachment 1- Location of 70 Falaise Road iView Map



The site plan shows Lot 35, a 2 Storey Brick & Stone Dwelling, No. 70, with a finished ground level of 130.65. The lot is bounded by Falaise Road to the north, Warnsway Road to the west, and Lot 35 to the east. The plan includes a 2-car garage, a concrete pad, and a porch. A yellow line indicates the proposed fence line, with a red arrow pointing to it from the text 'Location of fence in side yard'. Another red arrow points to a location on the north boundary from the text 'Location of fence in front yard'. The plan also shows existing and proposed curbs, a driveway, and various dimensions and bearings. A north arrow is located in the top left corner.

Location of fence in side yard

Location of fence in front yard

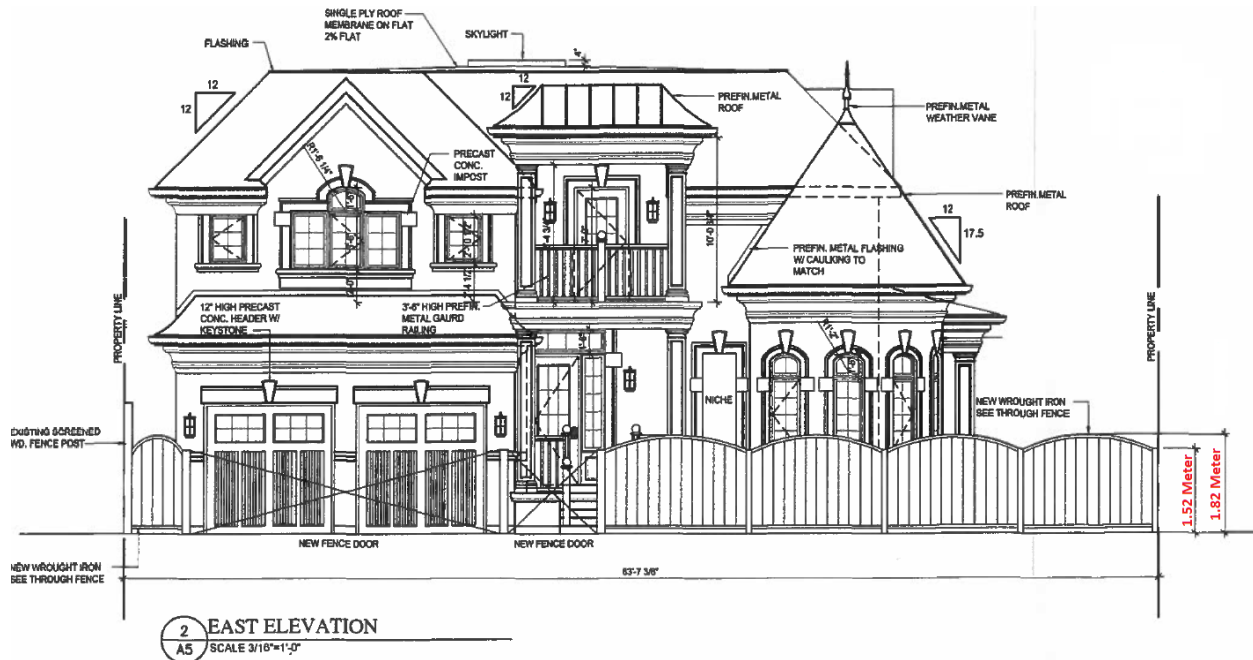
Attachment 3 – East Elevation Photo Falaise Road Frontage



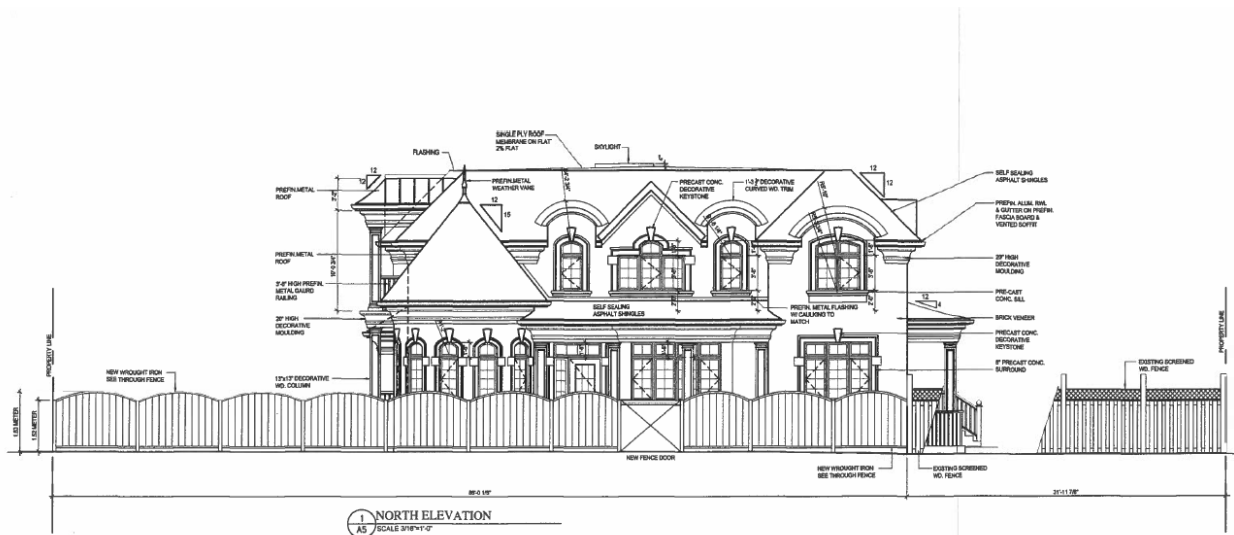
North Elevation photo Road Warnsworth Road Frontage



Attachment 4 – Proposed Fence East Elevation Falaise Road Frontage



Proposed Fence North Elevation Warnsworth Street Frontage



Attachment 5 – Proposed Driveway Gate

