



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
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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 property is bounded by Falaise Road (formerly Lennox Avenue) to the north and Warnswick Road to the west. The plan includes a north arrow, a scale bar, and various dimensions and bearings. Key features include:

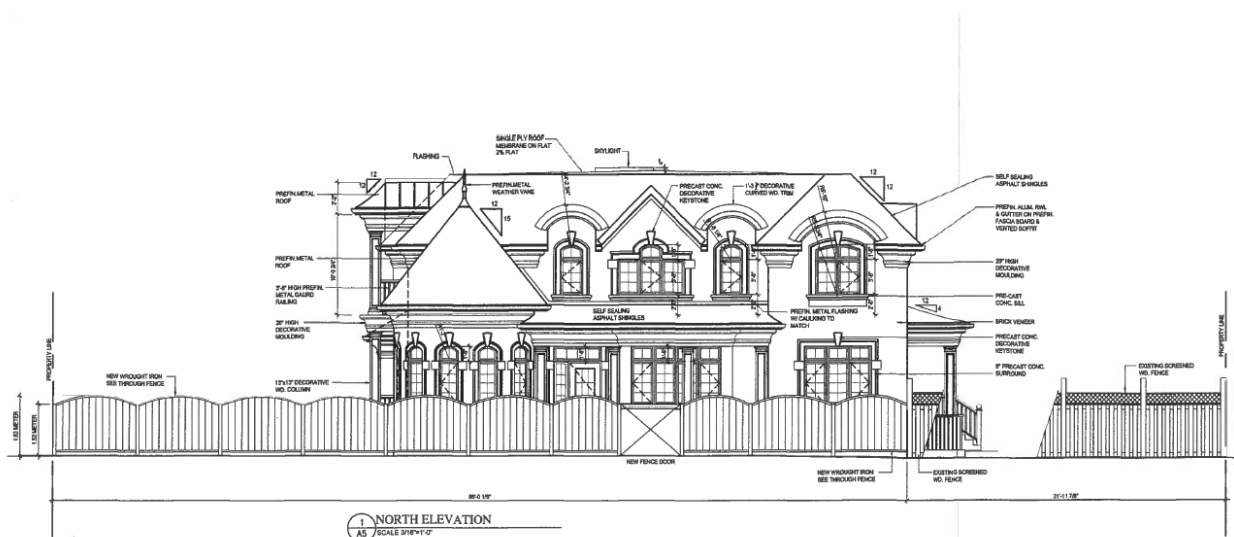
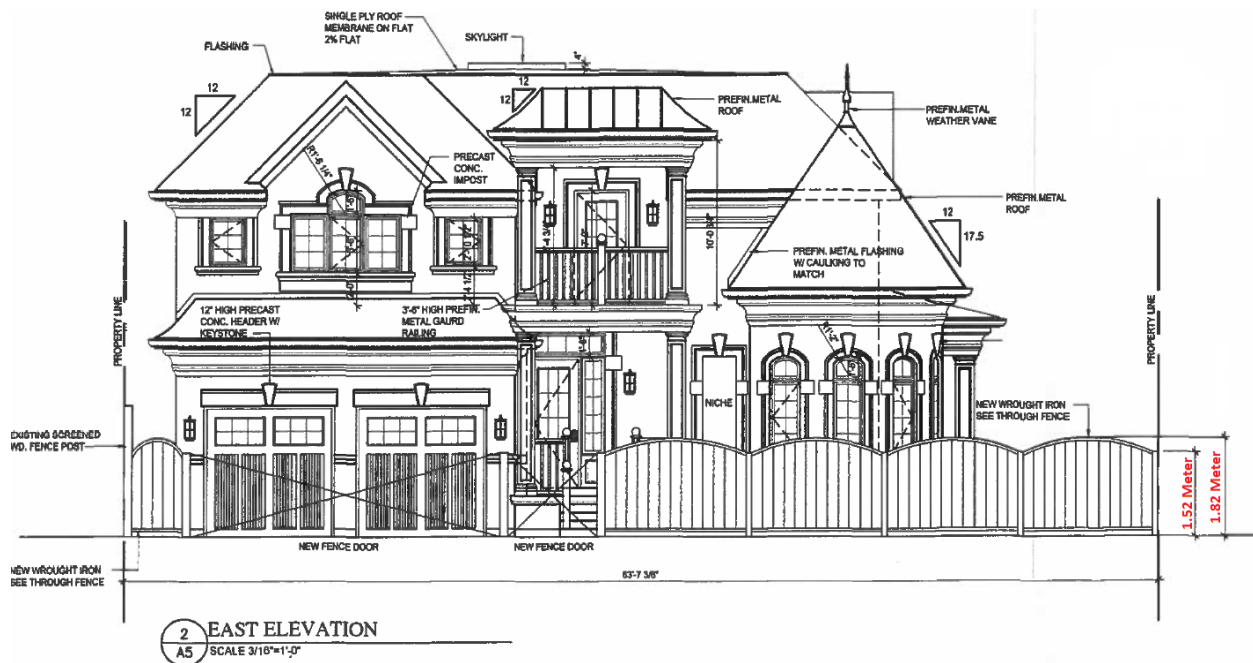
- Proposed Fences:** A yellow line indicates the location of a new wrought iron fence along the western boundary. A red line indicates the location of a new fence in the front yard, extending from the western boundary to the driveway.
- Landscaping:** Numerous trees and shrubs are shown with their dimensions and bearings. For example, a tree with a bearing of N16°49'00"W and a dimension of 19.39 is located near the front fence.
- Structures:** The existing 2 Storey Brick & Stone Dwelling No. 70 is shown with a 2 Car Garage. A concrete pad and a porch are also indicated.
- Driveway:** A driveway is shown leading from the front of the property to the garage.
- Dimensions and Bearings:** Various dimensions and bearings are provided for the boundaries and internal features. For example, the western boundary has a bearing of N70°43'55"E and a dimension of 12.45.

Attachment 3 – East Elevation Photo Falaise Road Frontage



North Elevation photo Road Warnsworth Road Frontage





Attachment 5 – Proposed Driveway Gate

