

Request for Fence Exemption – 28 Ilfracombe Crescent

Date: May 5, 2021

To: Scarborough Community Council

From: Manager Municipal Licensing and Standards, Scarborough District

Wards: Ward 21

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 28 Ilfracombe Cres for a site-specific Fence Exemption, pursuant to Section 447-1.2. of the Toronto Municipal Code, Chapter 447- Fences. The property owner(s) is seeking Council's permission for a fence exemption concerning a proposed front and rear yard fence which will not comply with Section 447-1.2, Fences, namely Section 447-1.2 C. (1.) Open-fence construction requirements and Section 447-1.3. D. (2.) Swimming pool Enclosures restrictions on fences height.

As detailed below in the following chart:

The subject property 28 Ilfracombe Cres is located in Ward 21, in a residential zone property.

GENERAL LOCATION	SPECIFIC LOCATION	PROPOSED CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Front and Rear Yards	Front Yard	Proposed wood fence with lattice measuring 2.4 meters (8.0 feet) in height. (Wood privacy board on board fence)	Fence in a front yard; and not within 2.4 metres of a lot line abutting a public highway shall not exceed 2.0 metres

Front and Rear Yards	Front Yard	Proposed wood fence with lattice measuring 2.4 meters (8.0 feet) in height. (Wood privacy board on board fence)	Any fence within 2.4 metres of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 metres from the lot line.
Front and Rear Yards	Rear Yard	Proposed wood pool enclosure fence in rear yard measuring 2.4 meters (8.0 feet) in height. (Wood privacy board on board fence)	Any other fence 2.0 metres

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 28 Ilfracombe Cres, for a proposed wood fence in the front and rear yards measuring 2.4 meters (8.0 feet) in height, for failing to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

OR

2. Grant the application of 28 Ilfracombe Crescent for a proposed wood fence in the front and rear yards measuring 2.4 meters (8.0 feet) in height. Direct and require that the installation be maintained in good repair without alteration. Direct and require that 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.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

The owner(s) submitted a fence exemption application, in writing, on March 31, 2021 for a proposed front and rear yards Section 447-1.2. of the Toronto Municipal Code, Chapter 447- Fences for privacy and security as reasons for the application. The fence exemption request is for the entire pool enclosure to be installed and completed in increments measuring 2.4 meters (8.0 feet) in height.

As required by Section 447-5(C), 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 with respect to the height requirements that it exceeds the 2.0 meter and does not contravene any other provisions of the by-law.

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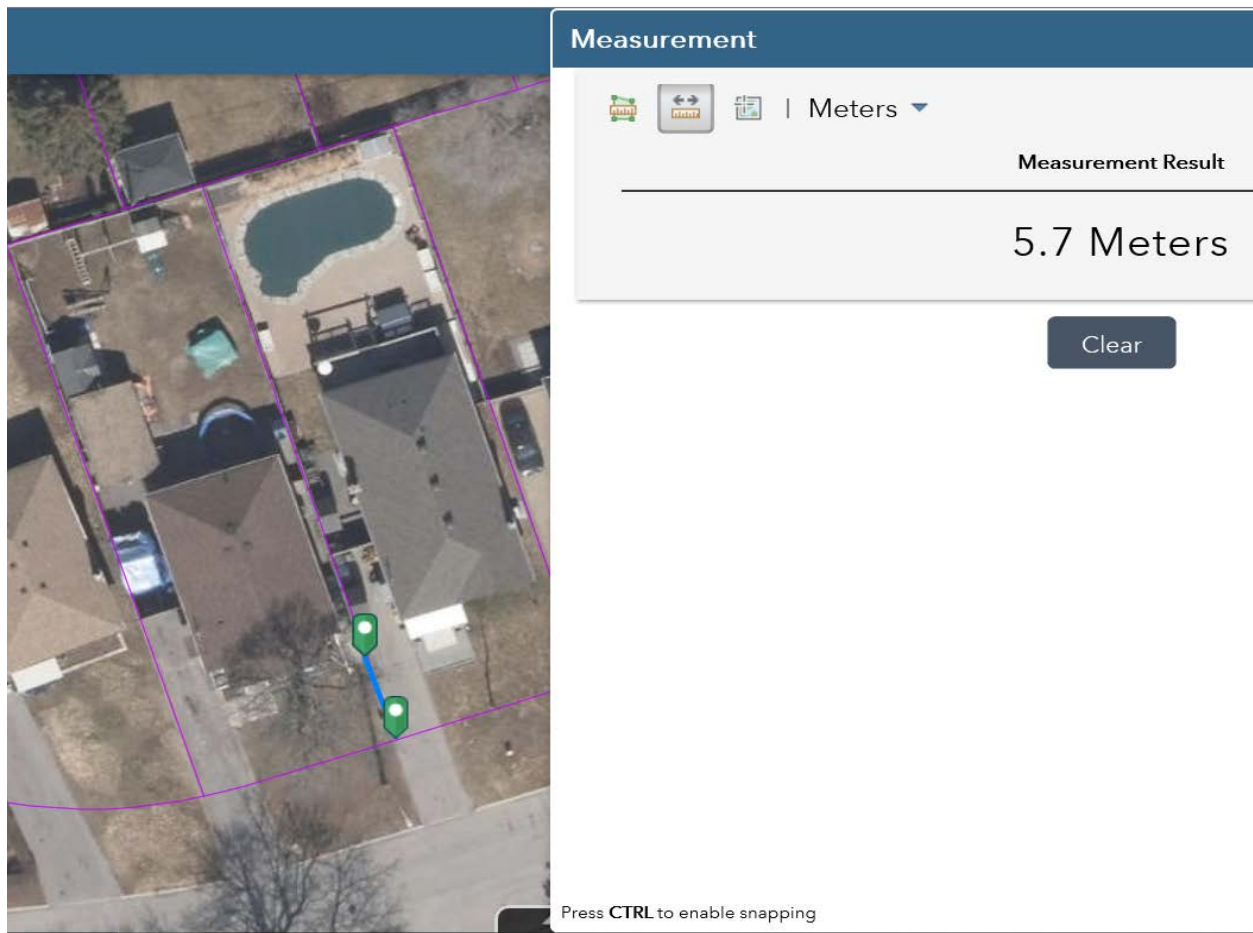
ATTACHMENTS

Appendix 1 – 28 Ilfracombe Cres View and proposed setback from property line

Appendix 2 – Elevation photo taken of 28 Ilfracombe Cres front yard.

Appendix 3 – Elevation photo taken of 28 Ilfracombe Cres rear yard.

Appendix 4 – Elevation photo taken of 28 Ilfracombe Cres rear yard



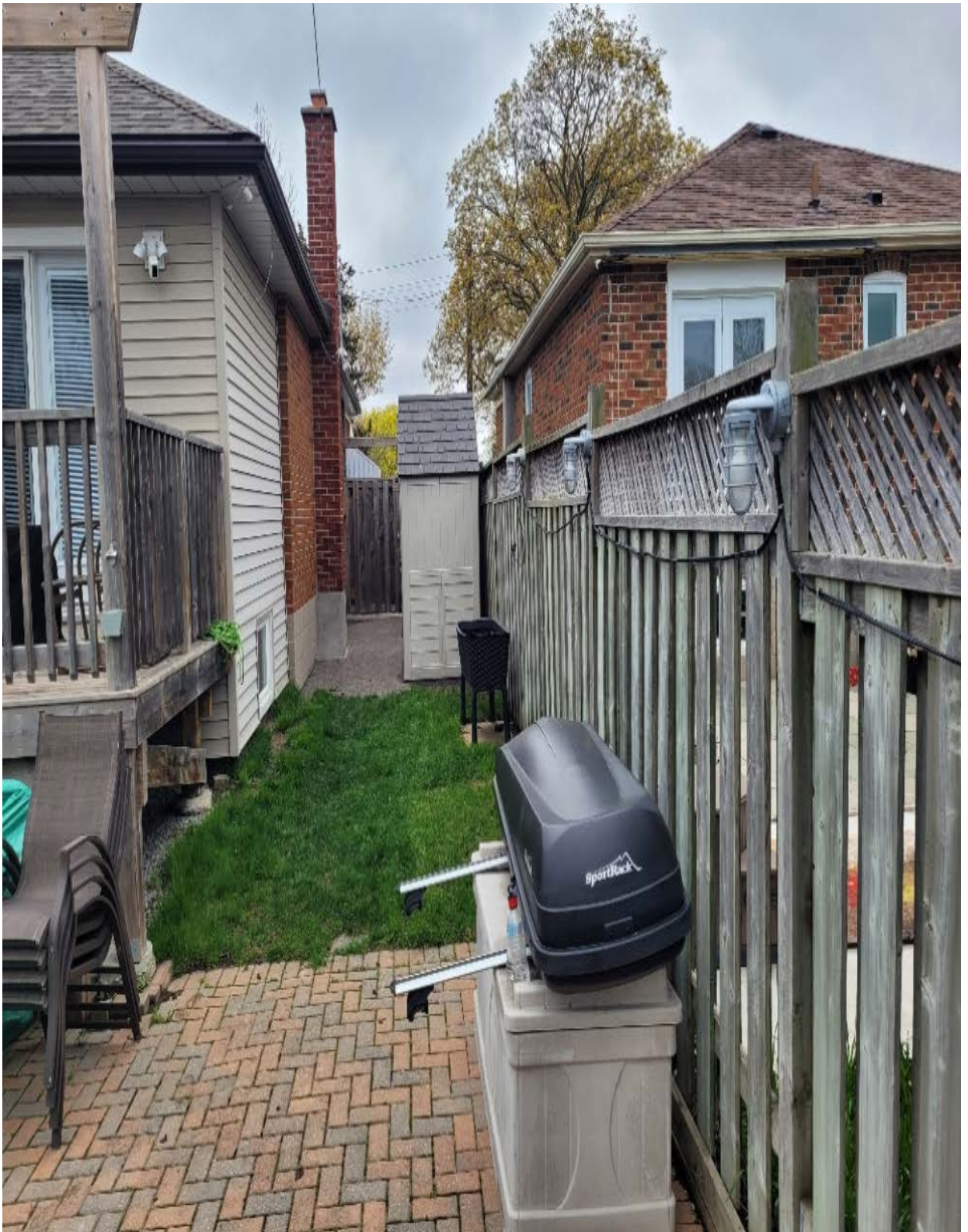
28 Ifracombe Cres IView and proposed setback from property line.

Appendix 3 – 28 Ifracombe Cres IView and proposed setback from property line



Elevation photo taken of 28 Ilfracombe front yard.

Appendix 4 – Elevation photo taken of 28 Ilfracombe Cres front yard.



Elevation photo taken of 28 Ilfracombe rear yard.

Appendix 3 – Elevation photo taken of 28 Ilfracombe Cres rear yard.



Elevation photo taken of 28 Ilfracombe rear yard.

Appendix 4 – Elevation photo taken of 28 Ilfracombe Cres rear yard