

## **64 Larwood Blvd- Application for Fence Exemption**

Date: October 20, 2023

To: Scarborough Community Council

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

Wards: Ward 20 – Scarborough Southwest

### **SUMMARY**

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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 64 Larwood Blvd to maintain a wood fence in the rear yard on the southwest side of the property which has a height of 2 meters and is not of an open fence construction within 2.4 metres of a driveway.

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

### **RECOMMENDATIONS**

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The District Manager, Municipal Licensing and Standards, East District recommends that:

1. Scarborough Community Council refuse to grant the application for an exemption permit, by the owner(s) of 64 Larwood Blvd to maintain a wood fence in the rear yard on the southwest side of the property which has a height of 2 meters and is not of an open fence construction within 2.4 metres of a driveway.

### **FINANCIAL IMPACT**

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There is no financial impact anticipated in this report.

### **DECISION HISTORY**

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As required by Section 447-1.5(B)(1), Municipal Licensing & Standards has responded  
64 Larwood Blvd FENCE EXEMPTION FILE # 23 215405

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**

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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        | Rear yard facing/parallel to Brimley Road South | Rear yard fence is not of an open fence construction within 2.4 metres of a driveway | Chapter 447 Section 1.5(B)(1) |

### **Reason for request**

City Transportation Services, in partnership with the Toronto and Region Conservation Authority (TRCA), acting on behalf of the property owner at 64 Larwood Blvd., are requesting exemption to Fence ByLaw 447-1.2 to seek allowance for entire wooden fencing and gate to ensure consistent design and replacement requirements as part of the Brimley Road Multi-Use Trail (MUT).

The Brimley Road South MUT is a component of the broader Scarborough Waterfront Project (SWP) that the City and TRCA are completing in partnership to provide safe cyclist and pedestrian access into Bluffer's Park, following Ministry approval of a comprehensive Environmental Assessment in 2019. The MUT, which is currently in the detailed design phase, will be located along the east side of Brimely Road South (from Barkdene Hills to Bluffers Park), and is an important safety and access project for the City to the waterfront.

In consultation with neighbouring residents, the area Councillor's office and relevant city divisions, it was decided that the design for the MUT would accommodate existing pedestrian and vehicular access for the residents of Larwood Blvd. whose properties back onto Brimley Road South.

Many of the properties backing onto Brimley Road have existing wooden or chain link fencing and gates that stand 6ft+ in height. In principle, the project's approach to accommodation of existing access is to replace with like-for-like treatment of fencing and access type (pedestrian or vehicular), with height of 6ft across the properties to ensure a consistent frontage. 64 Larwood Blvd. is one of the properties with existing wooden fencing and gate.

The City's bylaw (Chapter 447, Fences, Section C) pertaining to fences requires an open mesh chain-link fence (and presumably gate) within 2.4m of a driveway. This provision does

not align with the project team's approach to a like-for-like replacement of existing conditions. Additionally, the proposed rear yard accesses are secondary in nature and limited in use. Therefore, the City Transportation Services and TRCA request an exemption to this provision.

Municipal Licensing and Standards recommends Scarborough Community Council refuse to grant the application for an exemption by the property owner of 64 Larwood Blvd. 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 an exemption permit, by the owner(s) of 64 Larwood Blvd, to allow them to maintain a wood fence in the rear yard 2 metres in height. Direct and require that the existing fence be maintained in good repair without alteration. Direct and require that at such time as a 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

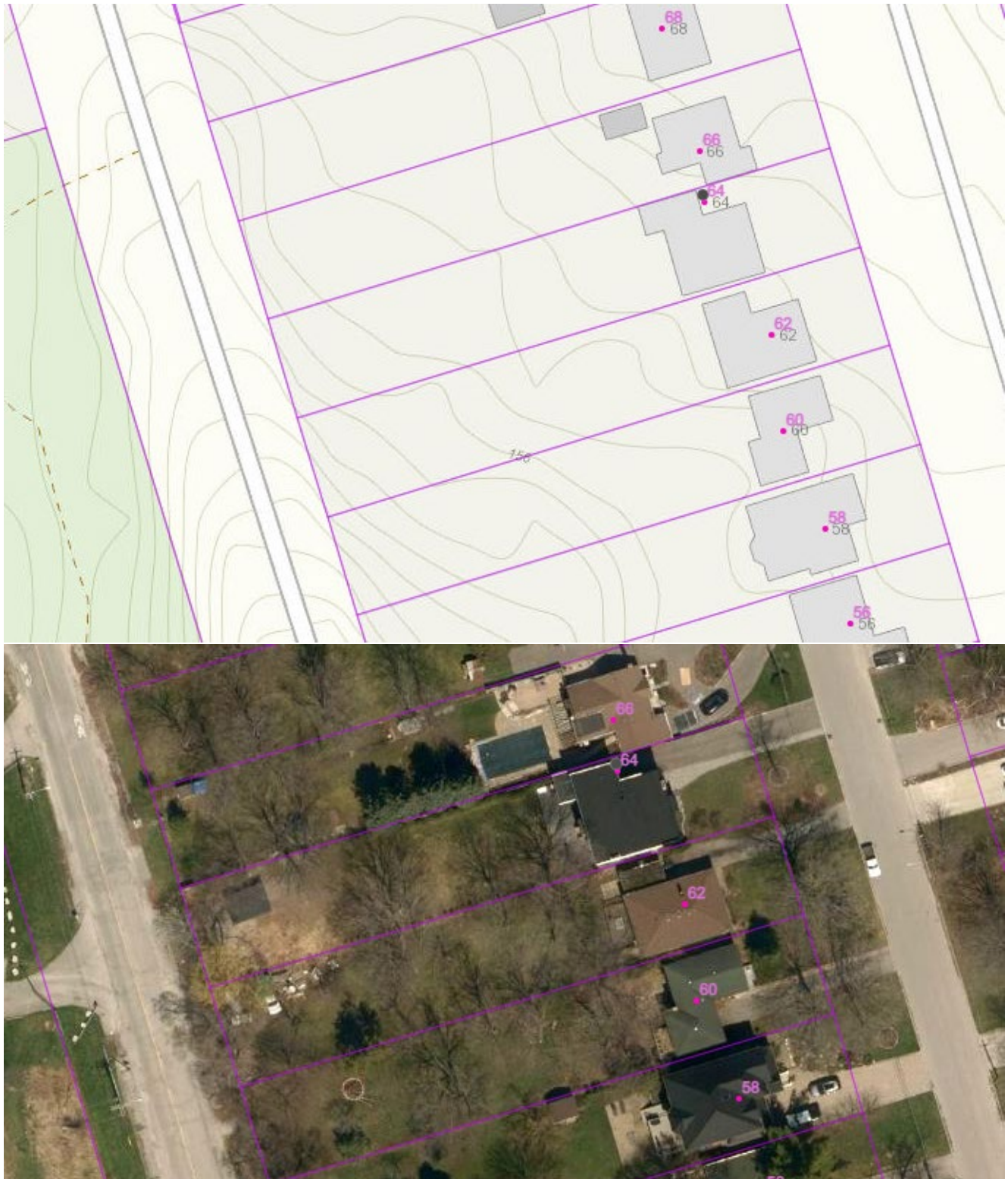


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## ATTACHMENTS

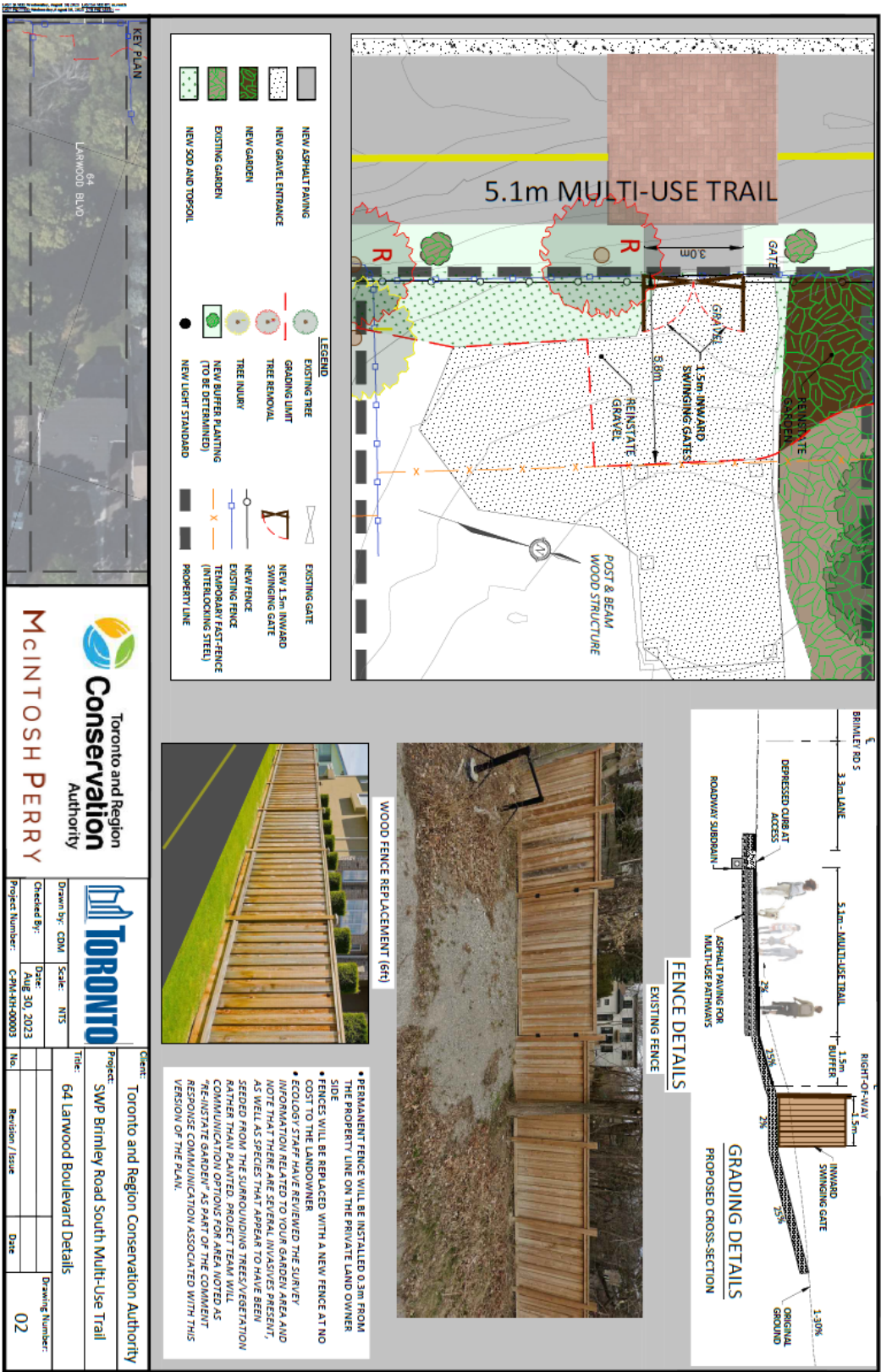
- Attachment 1: iView Map of Property – 64 Larwood Blvd
- Attachment 2: Overview of the project provided by the agent of the applicant.
- Attachment 3: Photos of Area Facing North and South of Brimley Rd

## Attachment 1: iView Map of Property – 64 Larwood Blvd





Attachment 2: Overview of the project provided by the agent of the applicant.



**Attachment 3: Photos of Area Facing North and South of Brimley Rd**

