

## **Request for Fence Exemption for 103 Chine Drive**

<b>Date:</b>	February 12, 2008
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
<b>Wards:</b>	Ward 36 – Scarborough Southwest
<b>Reference Number:</b>	IBMS No. 05-178934

### **SUMMARY**

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This staff report is about a matter for which the Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to consider a request by the owner(s) of 103 Chine Drive to be exempted from Chapter 447-Fences section (2) of the Toronto Municipal Code.

This section states:

1. “Every fence and gate used in a swimming pool enclosure shall be constructed to the following standards:”
  - a chain link fence constructed in a good workmanlike manner.
  - a wood fence constructed in a good workmanlike manner.
  - a metal picket fence in a good workmanlike manner.
2. “Have no element or attachment between 100 millimetres and 1.2 metres above grade that may facilitate climbing the outside of the enclosure.”

## **RECOMMENDATIONS**

It is recommended that this request to permit the proposed 2 metre high synthetic material fence be refused based on the non-compliance with the requirements set out in the Chapter.

### **Financial Impact**

There are no financial implications.

## **DECISION HISTORY**

The City of Toronto Council enacted the amalgamated Fence By-Law on July 6, 2000 to prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pool to erect and maintain fences and gates around swimming pools. This by-law and the amendments are now found in Chapter 447 of the Toronto Municipal Code.

## **ISSUE BACKGROUND**

A swimming pool permit was received by Municipal Licensing and Standards. An inspection revealed a 2 metre high synthetic material fence located in the rear yard south/west corner of the property and also in the rear north/east corner of the property. The fence also has a climbable horizontal rail approx . 6 metre from the ground.

## **CONTACT**

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## **SIGNATURE**

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Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District

## **ATTACHMENTS**

1. Pictures