



STAFF REPORT ACTION REQUIRED

Application for Fence Exemption 274 Durie Street

Date:	June 3, 2010
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 13, Parkdale-High Park
Reference Number:	Municipal Licensing and Standards File Number 10 184428 FEN

SUMMARY

This report is in response to an application for a fence exemption submitted by Stephen Popovich, Associates Inc., Landscape Architecture, on behalf of the property owner at 274 Durie Street, to request a fence exemption on all fencing materials, including tempered glass and masonry stone work which is associated with the swimming pool enclosure, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommend that:

1. Etobicoke York Community Council refuse the application at 274 Durie Street, as the proposed fence does not comply with the provisions of Toronto Municipal Code, Chapter 447, Fences.

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

An application for a Fence Exemption was submitted by Stephen Popovich, Associates Inc., Landscape Architecture, on behalf of the property owner at 274 Durie Street to request a fence exemption on all fencing materials, including tempered glass and

masonry stone work for a raised concrete porch, which is associated with the swimming pool enclosure, Attachment 1.

COMMENTS

Toronto Municipal Code, Chapter 447- Fences, Section 2A (5) states, “No person shall erect, own or maintain, or cause or permit the erection or maintenance of any fence that uses materials not usually intended for use in permanent fencing, unless specifically permitted by this or another by-law”. Both the tempered glass and masonry construction fall outside the scope of materials accepted.

Should the Etobicoke York Community Council decide to grant the fence exemption, the owner must comply with the following conditions:

1. The new fence to comply with all the safety requirements for a pool enclosure in accordance the Toronto Municipal Code, Chapter 447, Fences.
2. The installation of tempered glass shall be installed in accordance with the manufactures’ installation requirements.
3. The owner shall be required to apply for and obtain the necessary permit for a pool enclosure from Toronto Building Services.

CONTACT

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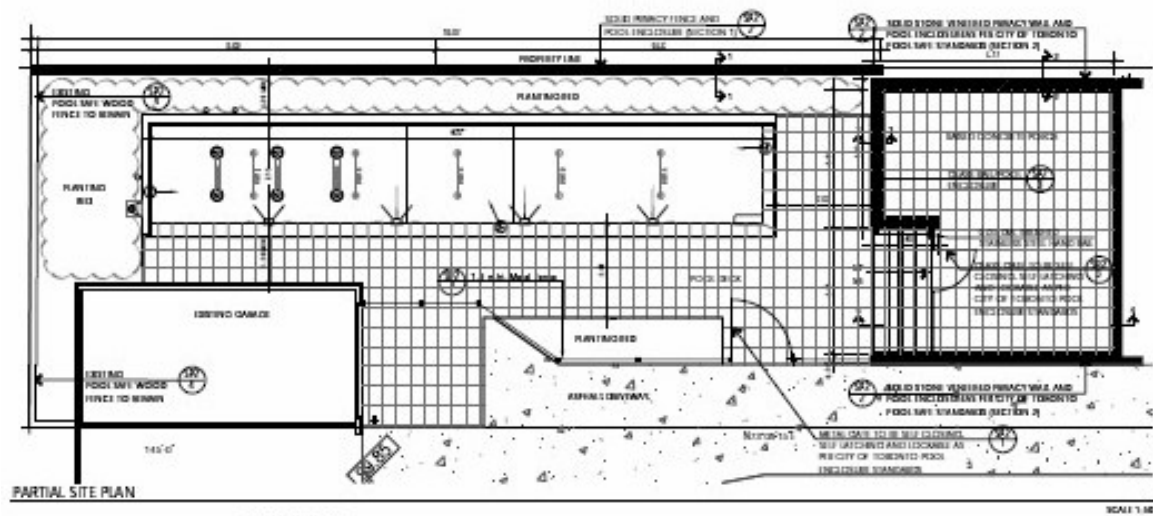
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Curtis Sealock, District Manager

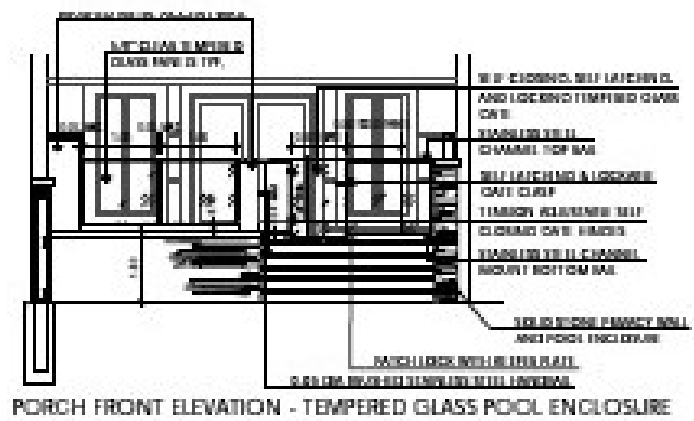
ATTACHMENTS

Attachment 1: Pool Site Plan, Porch Front Tempered Glass Elevation, Privacy Stone Wall Section

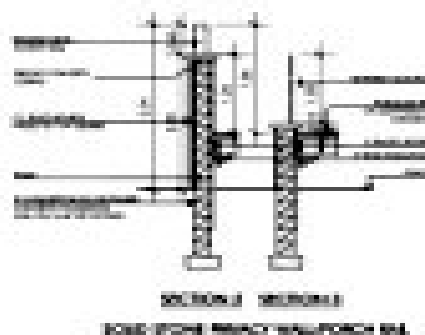
Pool Site Plan



Porch Front Tempered Glass Elevation



Privacy Stone Wall Section



Attachment 1