



STAFF REPORT ACTION REQUIRED

Fence Exemption Request 174 Teddington Park Avenue

Date:	May 12, 2010
To:	North York Community Council
From:	District Manager, Municipal Licensing & Standards – North York District
Wards:	Ward 25 Don Valley West
Reference Number:	IBMS No. 10-162690

SUMMARY

This staff report is about a matter for which the Community Council has delegated authority from City Council to make a final decision, provided that it is not amended so that it varies with City Policy or by-laws.

The subject matter is an application for fence exemption to Chapter 447 of the Toronto Municipal Code - Fences, to permit the use of tempered safety glass as a material in the required swimming pool fence enclosure in non-conformance with the Fence By-Law.

RECOMMENDATIONS

Municipal Licensing and Standards, North York District, recommends that:

- 1. The North York Community Council refuse the exemption from Chapter 447 – Fences, for the property at 174 Teddington Park Avenue.**

FINANCIAL IMPACT

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

DECISION HISTORY

The owner(s) agent submitted plans and received a building permit to install a swimming pool fence enclosure in August 2009, with the approved plans indicating a wrought iron fence (*Attachment 1*). An application for a fence exemption was subsequently received in April 2010.

ISSUE BACKGROUND

The property is a detached single-family dwelling located east of Yonge Street abutting the Rosedale Golf Club.

The owners are requesting that an exemption be granted to permit the construction of a swimming pool enclosure utilizing tempered glass as a fencing material (*Attachment 2*). The proposed design incorporates glass panels 1.39 metres by 1.09 metres affixed to metal frame sections 1.2 metres on center.

In their application, the owners indicate that tempered glass is non-climbable and conducive to monitoring so as to ensure enhanced safety.

Should the recommendation not be accepted and the request approved, a condition of approval should include that if and portion of the fence is replaced; it should be constructed in compliance with any revised Chapter 447 or any successor by-law.

COMMENTS

Chapter 447 of the Toronto Municipal Code provides for three types of materials for use in a swimming pool enclosure including wood, chain link and metal picket.

CONTACT

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SIGNATURE

Bryan Byng, District Manager
Municipal Licensing & Standards
North York District

ATTACHMENTS

1. Pool enclosure Building Permit site plan issued under IBMS folder #09-154453.
2. Proposed fence design.