

## **Request for Fence Exemption- 60 Castlemere Cres**

<b>Date:</b>	May 3, 2010
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
<b>Wards:</b>	Ward 40- Scarborough-Agincourt
<b>Reference Number:</b>	IBMS No. 09 125679

### **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 60 Castlemere Cres. to be exempted from Chapter 447-Fences section (3) of the Toronto Municipal Code.

This section states that:

The minimum height of a swimming pool enclosure above the highest outside grade within one metre of the enclosure shall be 1.2 metres on Single Residential Property when measured at any point along the enclosure.

A chain-link fence when used as a swimming pool enclosure shall be constructed in a good, workmanlike manner and for a pool on Single Residential Property shall have a mesh size of 38 millimetres maximum.

That every gate in a swimming pool enclosure shall be self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 metres above grade.

### **RECOMMENDATIONS**

**Municipal Licensing and Standards, Scarborough District, recommends that Scarborough Community Council:**

1. Refuse the proposal to accept the pool enclosure as is at 60 Castlemere Cres.

**Financial Impact**

There is no financial implication.

**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 pools 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**

On April 19, 2010, Municipal Licensing and Standards received a request from the owner of 60 Castlemere Cres. for an exemption to the requirements of Chapter 447-Fences section (3) of the Toronto Municipal Code. The property has a well established cedar hedge surrounding a majority of the enclosure. Fence height and mesh size do not comply with the by-law requirements. The Area Officer has met with owners to discuss options.

**CONTACT**

Bruce Schneller  
Supervisor  
Municipal Licensing and Standards  
Scarborough District  
416-396-7731

**SIGNATURE**

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

**ATTACHMENTS**

1. Photograph