



**STAFF REPORT
ACTION REQUIRED**

**Application for Fence Exemption
46 Wimbleton Road**

Date:	February 4, 2013
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 4, Etobicoke Centre
Reference Number:	Municipal Licensing and Standards Folder No. 12 288384 FEN

SUMMARY

This report is in regard to an application submitted by Gib-San Pools Ltd. on behalf of the property owners at 46 Wimbleton Road for a Fence Exemption to construct an alternative pool enclosure at the rear of the property, which does not comply with the requirements set out within Municipal Code, Chapter 447, Fences; and is a matter for which the Etobicoke York Community Council has been given delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommend that the Etobicoke York Community Council:

1. Refuse the application submitted by Gib-San Pools Ltd. on behalf of the property owners of 46 Wimbleton Road for the Fence Exemption to construct an alternative pool enclosure at the rear of the property, on the basis that the proposed enclosure does not comply with the requirements set out in Chapter 447 of the Municipal Code, Fences.

Financial Impact

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

ISSUE BACKGROUND

A Swimming Pool Enclosure Permit was applied for by the property owners at 46 Wimbleton Road and issued on November 19, 2012, Attachment 1.

On December 3, 2012 an application for a Fence Exemption was filed with Municipal Licensing and Standards by Gib-San Pools Ltd. on behalf of the owner of the property, to construct an alternative pool enclosure at the rear of the property, Attachments 2 and 3.

COMMENTS

A review of the application submitted by Gib-San Pools Ltd. found the alternative design proposal is not in compliance with Chapter 447, Fences in the following area:

1. The south side of the pool enclosure is constructed as a retaining wall and does not have the necessary 1.2 metre setback for the pool edge to the enclosure as required under Section 447-3.E.

CONTACT

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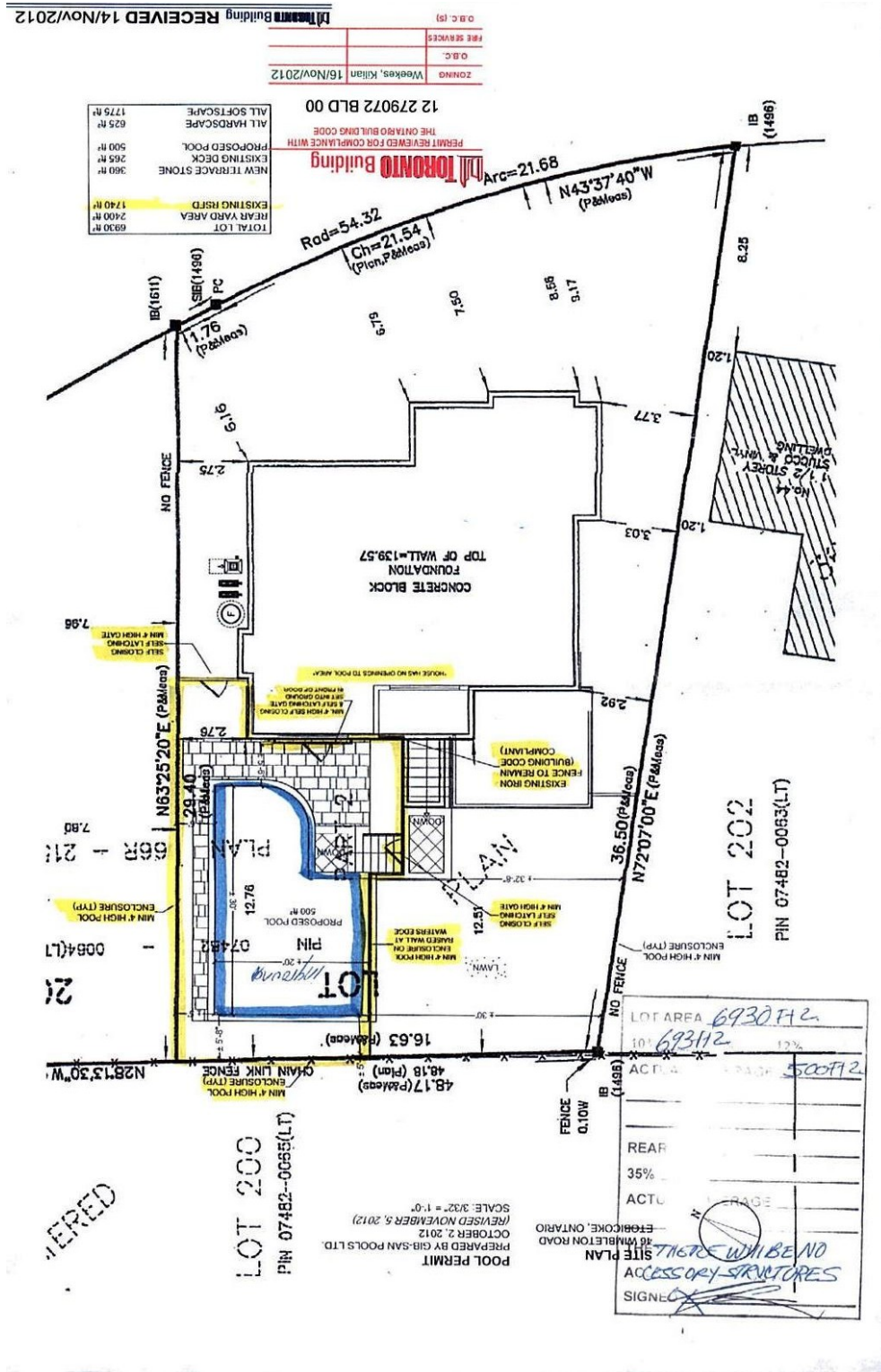
SIGNATURE

Curtis Sealock, District Manager

ATTACHMENTS

Attachment 1: Swimming Pool Permit Drawing
Attachment 2: Pool Enclosure Rendering
Attachment 3: Pool Enclosure Detail

Swimming Pool Permit Drawing



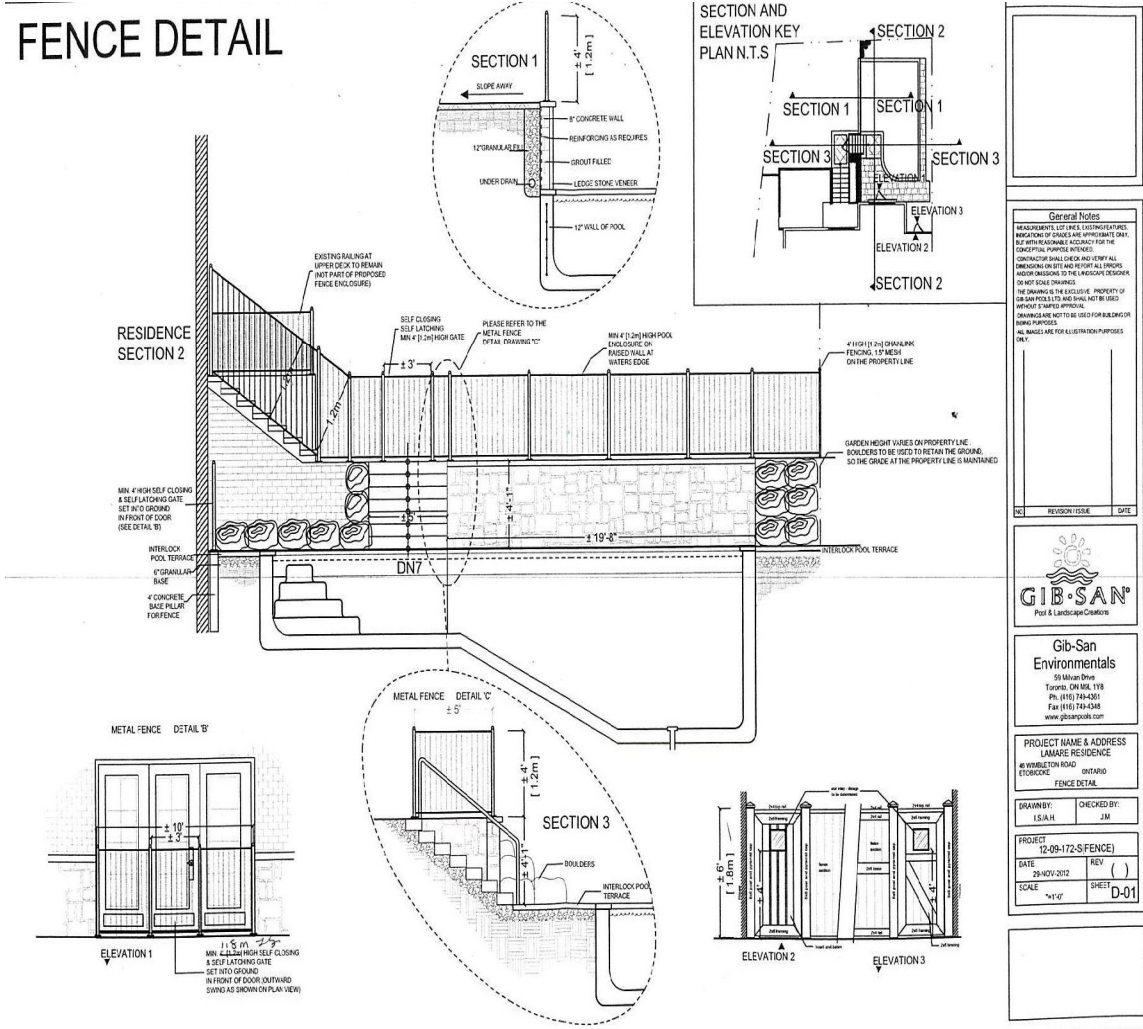
Attachment 1

Proposed Enclosure Rendering



Attachment 2

Proposed Pool Enclosure Detail



Attachment 3