

Request for Fence Exemption- 119 Lilian Drive

Date:	May 16, 2013
To:	Scarborough Community Council
From:	Bill Blakes, Manager, Municipal Licensing and Standards, Scarborough District
Wards:	Ward 37-Scarborough Centre
Reference Number:	IBMS No. 12 206780

SUMMARY

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 119 Lilian Drive to be exempted from 2 sections of Chapter 447-Fences:

- Section 3(C). A swimming pool enclosure shall be designed and constructed so that all entrances to any buildings are located outside the enclosed area.
- Section 2(C). Any fence within 2.4 metres of any driveway shall be an open mesh chain-link fence or equivalent open fence construction as not to obstruct the view of the boulevard or highway.

RECOMMENDATIONS

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

1. Refuse the application for exemption from Chapter 447-Fences, of the Toronto Municipal Code:
 - For not having the entrances of the build located outside the enclosure.
 - For having a solid wood fence located within 2.4 metres of a driveway.

2. Confirm the notice and direct that a second notice be given under this article.

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 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

The owner(s) of 119 Lilian Drive has submitted an application for a Fence Exemption under Chapter 447 Fences and was received by Municipal Licensing and Standards on April 12, 2013. A Notice of Violation was issued April 5, 2013 during an inspection for a pool permit for not having the dwellings separated from the swimming pool enclosure, and having a solid wood fence located within 2.4 metres of a driveway. A Building Permit to construct a swimming pool was issued from Toronto Buildings on August 1, 2012.

CONTACT

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SIGNATURE

Bill Blakes, Manager
Municipal Licensing & Standards, Scarborough District

ATTACHMENTS

1. Photographs
2. Letter from Owner
3. Proposed fence drawing
4. Survey