



**STAFF REPORT  
ACTION REQUIRED**

**Application for Fence Exemption  
30 Princeton Road**

<b>Date:</b>	May 27, 2016
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Kimberley Kilburn, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 5, Etobicoke-Lakeshore
<b>Reference Number:</b>	Municipal Licensing and Standards Folder No. 16-138599 FEN

**SUMMARY**

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This staff report is in regards to a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to consider an application submitted by the owner of 30 Princeton Road to maintain a pool enclosure that is not in compliance with the enclosure permit issued by Toronto Building and has been constructed contrary to the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

**RECOMMENDATIONS**

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**Municipal Licensing and Standards recommends that the Etobicoke York Community Council give consideration to the exemption application and decide to:**

1. Refuse the application for an exemption submitted by the owner of 30 Princeton Road to maintain the pool enclosure, which does not comply with provisions of City of Toronto Municipal Code, Chapter 447, Fences, and direct that a second unappealable Notice of Violation be issued under City of Toronto Municipal Code, Chapter 447, Fences.

**Financial Impact**

The recommendations in this report have no financial impact.

## DECISION HISTORY

An application for a fence exemption was submitted by the property owner of 30 Princeton Road. The fence is located in the rear yard of the property. The portion of the enclosure specifically relates to the lack of a fourth side to the enclosure to prevent access directly from the dwelling into the pool area. The rear wall of the dwelling has an opening of a double door over which double gates have been installed. This installation is not the configuration provided by the owner to Toronto Building; the original configuration provided for fencing to separate the rear of the dwelling from the pool area and was approved.

All required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office advising of the date that the application for the exemption will be considered by Etobicoke York Community Council.

## ISSUE BACKGROUND

The property was investigated and it was determined that the fence does not comply with Toronto Municipal Code Chapter 447.

The following chart indicates the violations and relevant sections of Toronto Municipal Code Chapter 447, Fences:

LOCATION	ORIENTATION	DEFECT	SECTION
Rear yard	Along rear wall of dwelling	Installation does not conform to plans submitted to and approved by Toronto Building. As such there is no permit for this installation which is contrary to Municipal Code Chapter 447.	447-3 B
Rear yard	Along rear wall of dwelling	Double gates over French doors do not permit self latching self closing capability and does not provide clear visibility to the pool area as the French doors are fitted with venetian blinds that obstruct visibility. As such this installation does not conform to City of Toronto Municipal Code 447 and presents a safety concern.	447-3 C(4)

## COMMENTS

The subject fences are in violation of City of Toronto Municipal Code Chapter 447- Fences, and as a result staff recommends the application be refused due to the risk associated with the noncompliant features of the installation.

## **CONTACT**

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## **SIGNATURE**

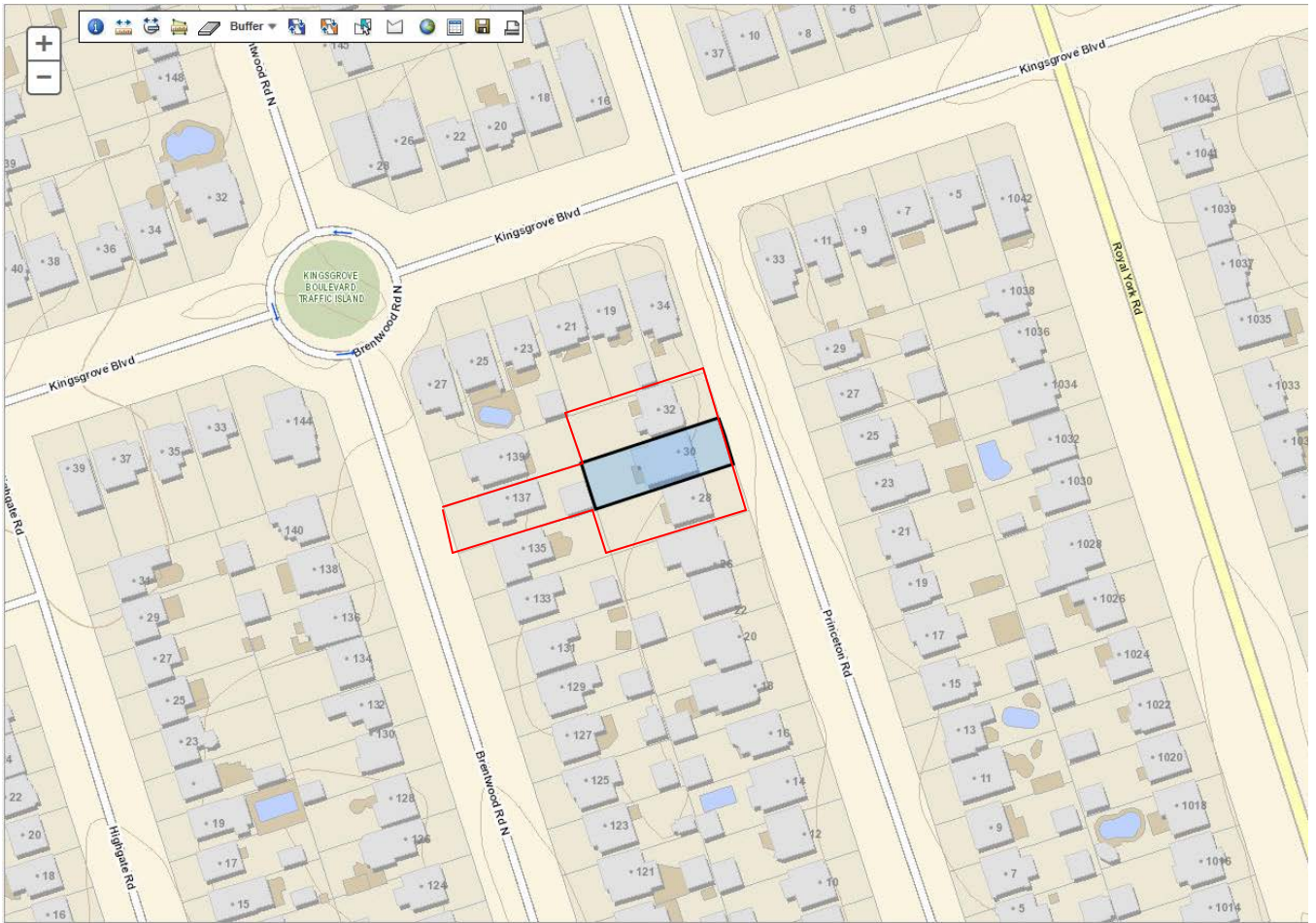
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Kimberley Kilburn, District Manager  
Municipal Licensing and Standards  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Adjacent properties  
Attachment 2: Photo submitted by applicant  
Attachment 3: Plans submitted by applicant

**Attachment 1:**  
View of properties adjacent to 30 Princeton Road



**Attachment 2:**  
Photograph submitted by applicant



**Attachment 3:**  
**Plan of fence at 30 Princeton Road**  
 Submitted by applicant

