

Application for Fence Exemption 56 Glengrove Avenue West

Date: October 2, 2017

To: North York Community Council

From: Elena Sangiuliano, North York District Manager, Municipal Licensing and Standards

Wards: 16 Eglinton-Lawrence

SUMMARY

This staff report concerns a matter for which the North York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to advise Community Council concerning an application by the property owner for a site-specific Fence Exemption, pursuant to Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Community Council's permission to keep the existing panel and garage as part of the swimming pool enclosure contrary of bylaw Chapter 447-3 (3).

RECOMMENDATIONS

The North York District Manager recommends that the North York Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 56 Glengrove Ave for the existing panel and garage, as part of the swimming pool enclosure, in lieu of complying with the requirements for material stipulated in City of Toronto Municipal Code Chapter 447-3 (3).

OR

2. Grant the application for the material exemption, without conditions, thereby allowing the swimming pool enclosure fence to be maintained, as constructed and permit the panel and garage, as existing. Direct and require that the installation be maintained in good repair without alteration. Direct and require that at such time as replacement of the fence enclosure is required that such installation will comply with Municipal Code Chapter 447, or its successor by-law.

FINANCIAL IMPACT

There is no financial impact anticipated in this report.

DECISION HISTORY

ML&S received a permit for a swimming pool enclosure on June 8, 2017. Subsequent inspections were performed. An inspection on August 30, 2017 revealed that the garage and a yellow panel are restricting visibility to the pool area. Solda pools was notified and subsequently applied for a fence exemption for the swimming pool enclosure on September 20, 2017.

COMMENTS

The subject property, 56 Glengrove Ave West is located in Ward 16. It is located in a RD Zone. (Attachment #1)

Municipal Licensing Standards' review of the proposed swimming pool fence enclosure has determined that it does not comply with Toronto Municipal Code, Chapter 447- Fences, as detailed in the following chart:

GENERAL LOCATION	SPECIFIC LOCATION	DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
West side of property adjacent to 54 Glengrove Ave West (Attachment #2)	Adjacent to West lot lines; flankage yard	Proposed pool enclosure restricts visibility to the pool area. Attachment(#3 and #4)	Section 447-3 (3) " Every fence and gate used as part of a swimming pool enclosure which forms the part of the enclosure that separates the pool from any residential building on the same property shall be constructed of open mesh chain link fence or equivalent open fence construction that does not restrict the visibility of the pool from any door or

			<p>window that is located on the access level of the building, and which has a line of sight to the pool, and materials used must comply with the provisions of this chapter"</p>
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CONTACT

Gabor Fazekas, North District Supervisor
Municipal Licensing & Standards Division
Tel. (416) 395-1013
Fax (416) 395-7056
E-mail: gfazeka@toronto.ca

SIGNATURE

Elena Sangiuliano, North District Manager
Municipal Licensing & Standards Division

ATTACHMENTS

Attachment #1- Over head view of 56 Glengrove Ave located in RD zone
Attachment #2- Over head view of property depicting approximate location of pool
Attachment #3- 56 Glengrove Ave- View of pool from sliding door located at the rear of building.
Attachment #4- 56 Glengrove Ave- Rear yard looking North towards back of building
Attachment #5- 56 Glengrove Ave- view of pool looking East to West