Fence Exemption Request
131 Hanna Road

Date: September 18, 2013
To: North York Community Council
From: District Manager, Municipal Licensing and Standards, North York District
Wards: Ward 26 – Don Valley West
Reference Number: IBMS No. 13-219221

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision, provided that it is not amended so that it varies with City policy or by-laws. The subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to permit a proposed double gate for a pool enclosure which is in violation of the By-law.

RECOMMENDATIONS

Municipal Licensing and Standards, North York District, recommends that:

1. The North York Community Council refuse the exemption from Chapter 447 – Fences, for the property at 131 Hanna Road.

FINANCIAL IMPACT

There is no financial impact anticipated in this report

DECISION HISTORY

The owner(s) obtained a pool permit with the Toronto Building Division. The owner(s) were advised of the by-law requirements and subsequently applied for a fence exemption.
ISSUE BACKGROUND

This is a single family detached home located in the former Borough of East York (Attachment 1 and 2).

The requirements for any gate forming part of a pool enclosure require that they be self-closing, self-latching, supported on substantial hinges and constructed in accordance with the construction standards pursuant to Section 447-3.C(4) and E(2), Chapter 447, Fences, of the Toronto Municipal Code.

The owner(s) wish to maintain the double gate into the enclosure on the north side of the rear yard access to the pool area (Attachments 3, 4 and 5). The secondary gate has a lockable, removable centre pin. Each metal picket gate is 0.95 metres wide and 1.3 metres high. In this configuration, when the centre pin is removed, the access gate to the pool enclosure area will not be able to self-close or self-latch.

COMMENTS

The purpose of these gates is to facilitate moving equipment and furniture into the pool area and to increase accessibility for elderly parents. The owners have provided an architectural drawing showing the location of the double gates (Attachment 6).

Should the recommendation not be accepted and the request approved, the following conditions of approval should include that when the fence is replaced it should be constructed in compliance with Chapter 447 or its successor by-law.

CONTACT

Bruce Quick, Municipal Standards Officer,
Municipal Licensing and Standards, North York District
Tel: 416-395-7054, Fax: 416-395-7056, E-mail: bquick@toronto.ca

SIGNATURE

___________________________
Michael Carey, Acting District Manager,
Municipal Licensing and Standards
North York District

ATTACHMENTS

1. iView of 131 Hanna Road and surrounding area
2. close-up iView of 131 Hanna Road
3. Photo of double gate – exterior view
4. Photo of double gate – interior view
5. Photo of centre pin with lock on gate
6. Architectural Drawing of location of double gates