

**Request for a Fence Exemption – Rear yard Swimming
Pool Enclosure
28 Forestbrook Cres- Ward 40**

| | |
|------------------------------|---|
| Date: | October 5, 2016 |
| To: | Scarborough Community Council |
| From: | Elena Sangiuliano, Acting District Manager Municipal Licensing & Standards, Scarborough District |
| Wards: | Ward 40 – Scarborough Agincourt |
| Reference Number: | IBMS No. 16-138953 |

SUMMARY

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

The purpose of this report is to advise Council concerning an application by the property owner of 28 Forestbrook Cres for a site-specific Fence Exemption, pursuant to Section 447-2 of Toronto Municipal Code, Chapter 447- Fences. The property owner is seeking Council's permission to install a proposed fence which does not comply with the minimum standards for construction restrictions contrary to Section 447-3E(d) of the bylaw.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the property owner of 28 Forestbrook Cres, for a proposed fence that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences. Under minimum standards for construction.

OR

2. Grant the application for a fence exemption permit, by the owner of 28 Forestbrook Cress, without conditions, thereby allowing the fence to be constructed as proposed. 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 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

The property owner submitted a fence exemption application, in writing, on April 11, 2016, for a proposed glass panel fence enclosure in the rear yard which separates the dwelling from the swimming pool. The proposed construction installation does not meet the requirements of the by-law and in accordance with Section 447-5(C) of Toronto Municipal Code, Chapter 447- Fences as reasons for the application.

As required by Section 447-5(C), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for Scarborough Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Scarborough Community Council will consider the application.

ISSUE BACKGROUND

The subject property, 28 Forestbrook Cres, is located in Ward 40, in a residential area. The owner has received a permit from Toronto Buildings for a swimming pool enclosure. Upon inspection of the enclosure from Municipal Licensing and Standards the proposed 4th enclosure fence construction of glass panels will not be installed in accordance with the by-law.

Municipal Licensing Standards' review of the proposed fence installation has determined that it will not comply with minimum standards for construction for fences provided by Section 447-3 of Toronto Municipal Code, Chapter 447- Fences-swimming pool enclosures, as detailed in the following chart:

| GENERAL LOCATION | SPECIFIC LOCATION | PROPOSED CONSTRUCTION & DEFICIENCY | BY-LAW SECTION & REQUIREMENT* |
|------------------|--|--|---|
| Rear Yard | 1. 4 th fence between pool and dwelling located on existing wood deck | 1. Support rails for glass fastened to existing deck | Section 447-3(2)(d) Horizontal elements shall be supported on substantial post spaced not more than 2.4 metres apart and embedded in concrete to a minimum depth of 900mm below grad |

COMMENTS

While the proposed fence violates Toronto Municipal Code, Chapter 447- Fences requirements, it does not contravene any other provisions of the bylaw.

CONTACT

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SIGNATURE

Elena Sanguiliano
Acting Manager, Scarborough District

APPENDICES

Appendix 1 – Location of 28 Forestbrook Cres. iView Map

Appendix 2 – Proposed Fence Location Site Plan .

Appendix 3 – Elevation drawing 1/A2

Appendix 4-photo 1

Appendix 5-photo 2

Appendix 6-photo 3

Appendix 7-photo 4

Appendix 8-photo 5

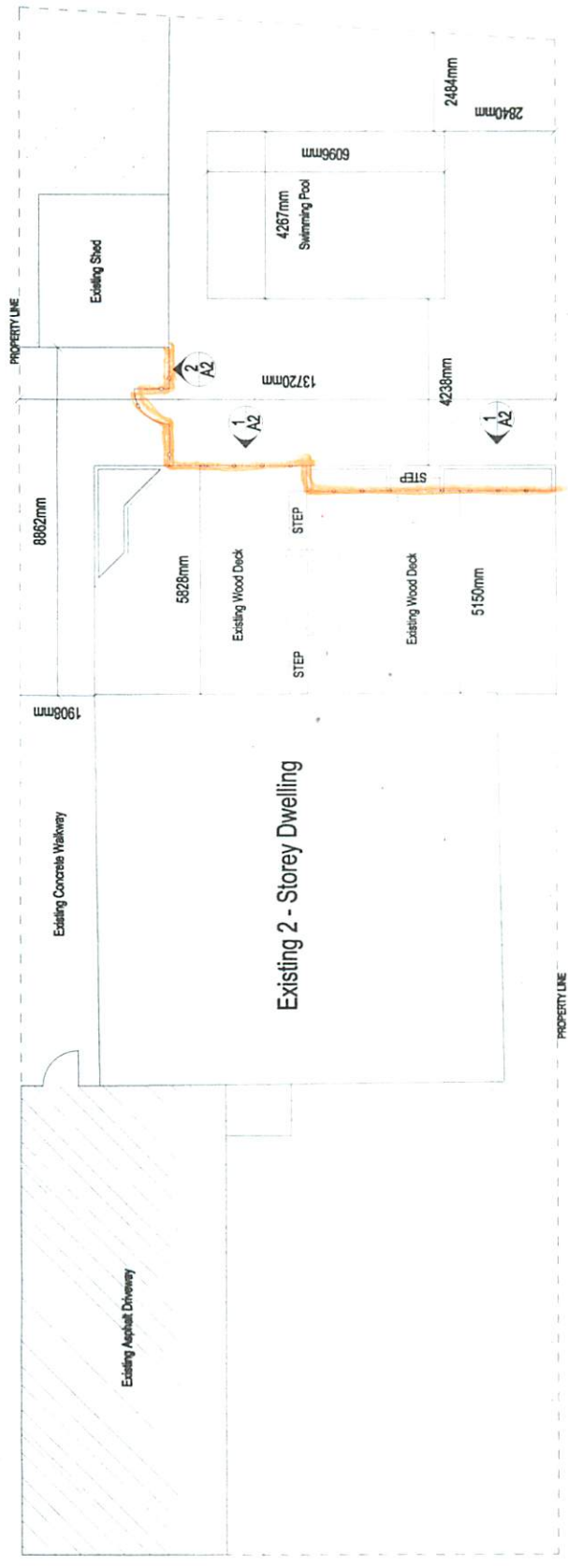
Appendix 9-manufactures detail of base

Legend:

- DENOTES EXISTING WOOD DECK
- DENOTES EXISTING SOD
- DENOTES CONCRETE PAVING
- DENOTES EXISTING TOPSOIL
- DENOTES TEMPERED GLASS FENCE ENCLOSURE

PROPERTY DATA
 LOT AREA 540.28 SQ.M. 5815.50 SQ.FT.
 EXISTING COVERAGE HOUSE COVERAGE 103.35 SQ.M. 1112.50 SQ.FT.
 LOT COVERAGE 116.18 SQ.M. 1250.55 SQ.FT.

PLAN OF SURVEY OF LOT 156, REGISTERED PLAN M-969
CITY OF SCARBOROUGH



PROPOSED SITE PLAN
SCALE AS NOTED IN TITLE BLOCK

Project Name: **28 FORESTBROOK CRES**
 Drawing Title: **PROPOSED POOL ENCLOSURE SITE PLAN**
 Original: [] Title: [] Drawing No.: []
 Date of Drawing: 15 MAY 2018
 Scale: 1:100
 Job No.: A1

Appendix 2



Appendix 4



Appendix 3



Appendix 6



Appendix E



8 X 12 PM 2004

CRL GRS GLASS RAILING BASE SHOE

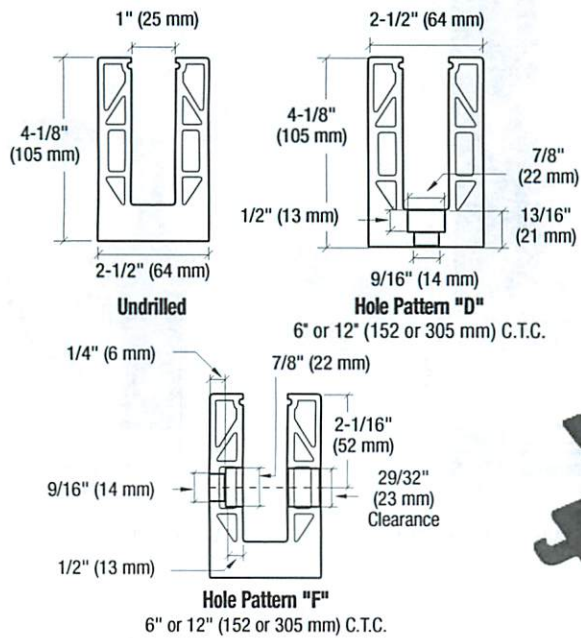
go to:
crlaurence.com/base-shoe

CRL 8B Series Square Base Shoe

- For 1/2" (12 mm) Monolithic Tempered Glass
- Environmentally Friendly (Green Product)
- 30% Lighter than CRL's Traditional B5S Series Base Shoe
- Typically Used as the Base Channel for Glass Railing Systems or Windscreens
- Drilled and Counter Bored, or We Will Custom Drill to Your Specifications
- Custom Cutting and Mitering Service Available

NEW! **CRL GREEN PRODUCT**  USE MONOLITHIC TEMPERED GLASS

MORE INFORMATION crlaurence.com



• 6063 Alloy, T52 Temper



Gasket Retention Groove Secures the Top Rubber Gasket in the Base Shoe



U.S. Patents 8,122,654 and 8,201,366.
Commonwealth of Australia
Patent No. 2008207524



TL5X10 TAPER-LOC® Standard Taper Sets

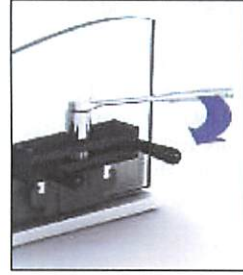


TLXATSM TAPER-LOC® Adjustable Taper Sets

CRL 8B Series Square Base Shoe is used as the base channel for glass railing systems. It can be clad in six choices of architectural finishes (see page HR021). The most critical component in a railing system is the proper attachment of the Base Shoe to the substrate. CRL has engineered and tested a variety of attachment methods, and has developed an acceptable combination of drilling patterns and fasteners. The five tested methods of attachment can be found on pages HR004 to HR005, and associated fasteners are shown on page HR277.

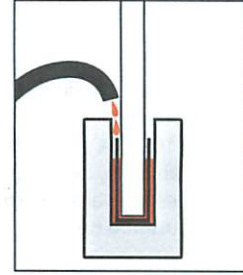
GLASS SPECIFICATIONS:
1/2" (12 mm) Thick Glass when using TAPER-LOC® Dry Glaze System and Wet Glaze System.

TAPER-LOC® DRY GLAZE SYSTEM



For Use with TL5X10 and TLXATSM TAPER-LOC® Taper Sets for 1/2" (12 mm) Monolithic Tempered Glass

WET GLAZE SYSTEM



For Use with 1/2" (12 mm) Monolithic Tempered Glass
For Test Results and Drilling Recommendations, Visit crlaurence.com/test-reports.

8B SERIES SQUARE BASE SHOE

| CAT. NO. | STOCK LENGTH* | HOLE SIZE | COUNTER BORE X DEPTH | WEIGHT |
|----------|---------------|---------------|----------------------------------|--------------------|
| 8B10D** | 120" (3.05 m) | 9/16" (14 mm) | 7/8" (22 mm) x 1/2" (13 mm) | 60 pounds (27 kg) |
| 8B20D** | 240" (6.10 m) | 9/16" (14 mm) | 7/8" (22 mm) x 1/2" (13 mm) | 120 pounds (54 kg) |
| 8B10F | 120" (3.05 m) | 9/16" (14 mm) | 7/8" (22 mm) x 1/2" (13 mm) | 60 pounds (27 kg) |
| 8B20F | 240" (6.10 m) | 9/16" (14 mm) | 7/8" (22 mm) x 1/2" (13 mm) | 120 pounds (54 kg) |
| 8B10 | 120" (3.05 m) | --- | Δ Extrusion Only (Without Holes) | 60 pounds (27 kg) |
| 8B20 | 240" (6.10 m) | --- | Δ Extrusion Only (Without Holes) | 120 pounds (54 kg) |

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Δ NOTE: 120" (3.05 m) and 240" (6.10 m) Extrusion Only (without holes) cannot be used for the TAPER-LOC® Dry Glaze System unless the Base Shoe is fabricated to the above tested and approved hole and counter bore pattern. The TAPER-LOC® Dry Glaze System requires that the attachment holes be counter bored so that no part of the fastener protrudes above the base of the channel opening.

SHIPPING NOTE: Due to the difficulty in packaging and handling 240" (6.10 m) stock lengths, it is suggested that you take delivery of these at any of our distribution centers. If requiring shipment, all packaging and handling concerns must be agreed to by CRL and the customer prior to shipping. All shipping arrangements will be documented on your quotation for your signed approval.

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HR019

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Appendix 9