

## **Application for Fence Exemption 397 Glengrove Avenue**

**Date:** May 17, 2017  
**To:** North York Community Council  
**From:** Peter Hardisty, District Manager Municipal Licensing and Standards  
**Wards:** Ward 16- Eglinton and Lawrence

### **SUMMARY**

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This staff report is in regards to 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 consider an application submitted by the property owner of 397 Glengrove Avenue for a proposed glass pool enclosure in the rear yard, which does not meet the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences.

### **RECOMMENDATIONS**

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

1. Refuse the application for an exemption submitted by the property owner of 397 Glengrove Avenue, for a proposed glass pool enclosure in the rear yard, 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; or
2. Grant the exemption to erect a proposed glass swimming pool enclosure in the rear yard to be maintained in the same condition without alteration. At such time as replacement of the fence is required that the replacement fence will comply with Municipal Code Chapter 447, or its successor by-law.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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An application for a fence exemption was submitted by the property owners of their own volition. The proposed glass swimming pool enclosure in the rear yard does not comply with the restrictions set out in TMC Chapter 447- Fences. Accordingly, all required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office of the date that the application for exemption will be considered by North York Community Council. (Attachment 1)

## **COMMENTS**

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The property owners submitted the exemption on the grounds; the proposed rear yard swimming pool enclosure fence does not include substantial posts to be embedded into concrete 900mm or 3ft which does not comply with the provisions of Toronto Municipal Code Chapter 447- Fences. ( Attachment 4)

| LOCATION  | ORIENTATION                     | DEFICIENCY   | BY-LAW SECTION* |
|-----------|---------------------------------|--|-----------------|
| Rear Yard | North West side of the property | The proposed fence has does not include substantial posts to be embedded into concrete 900 mm below grade. | 2. (d) (2)      |

The Fence Exemption application was submitted by the owner of 397 Glengrove Avenue on the grounds that the fence will provide the privacy, security and is aesthetically pleasing. There are no health and safety issues with the fence that would cause concern for public safety.

However, should North York Community Council decide to grant the owner the exemption, the owner will be subject to the conditions for compliance as set out in recommendation 2.

## **CONTACT**

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Municipal Licensing and Standards  
North York District  
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## **SIGNATURE**

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Peter Hardisty, District Manager  
Municipal Licensing and Standards  
North York District  
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Email: Peter.Hardisty@toronto.ca

## **ATTACHMENTS:**

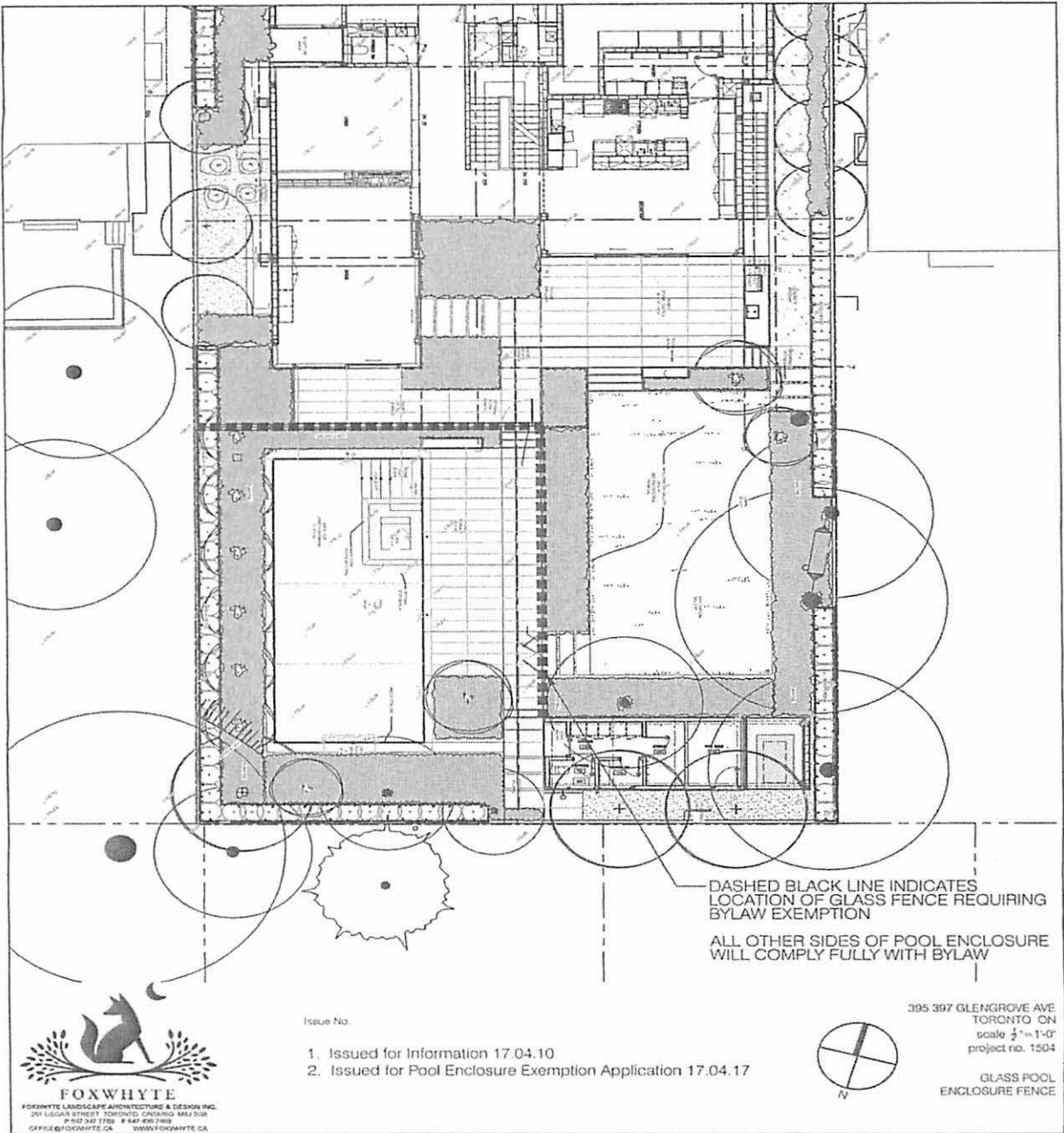
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1. View of notification area in relation to 397 Glengrove Avenue.
2. Site Plan with fence in bold.
3. View from the North West side of the Property
4. View of fence from the North West side of the Property

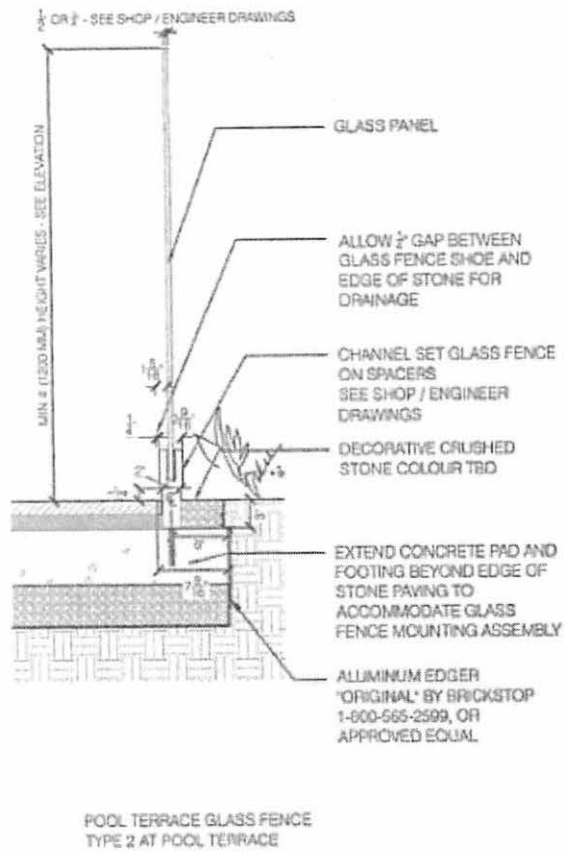
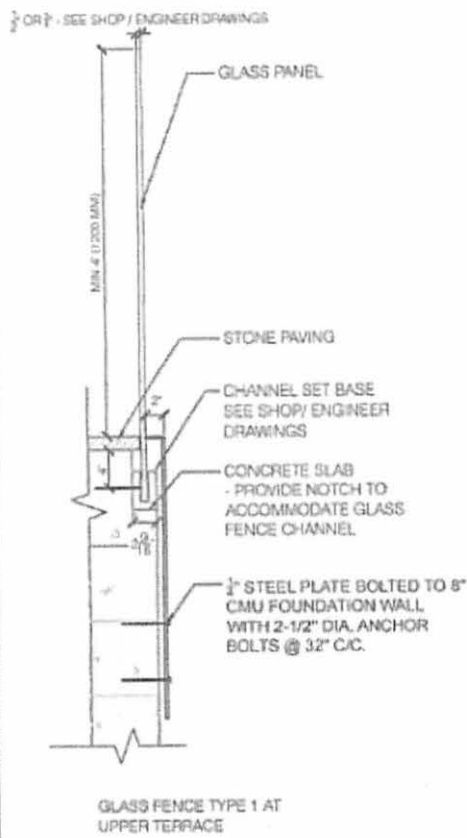
Attachment 1: View of notification area of 397 Glengrove Avenue



Attachment: 2 Site plan with fence in bold.



Attachment 3: View from the North West side of the property.

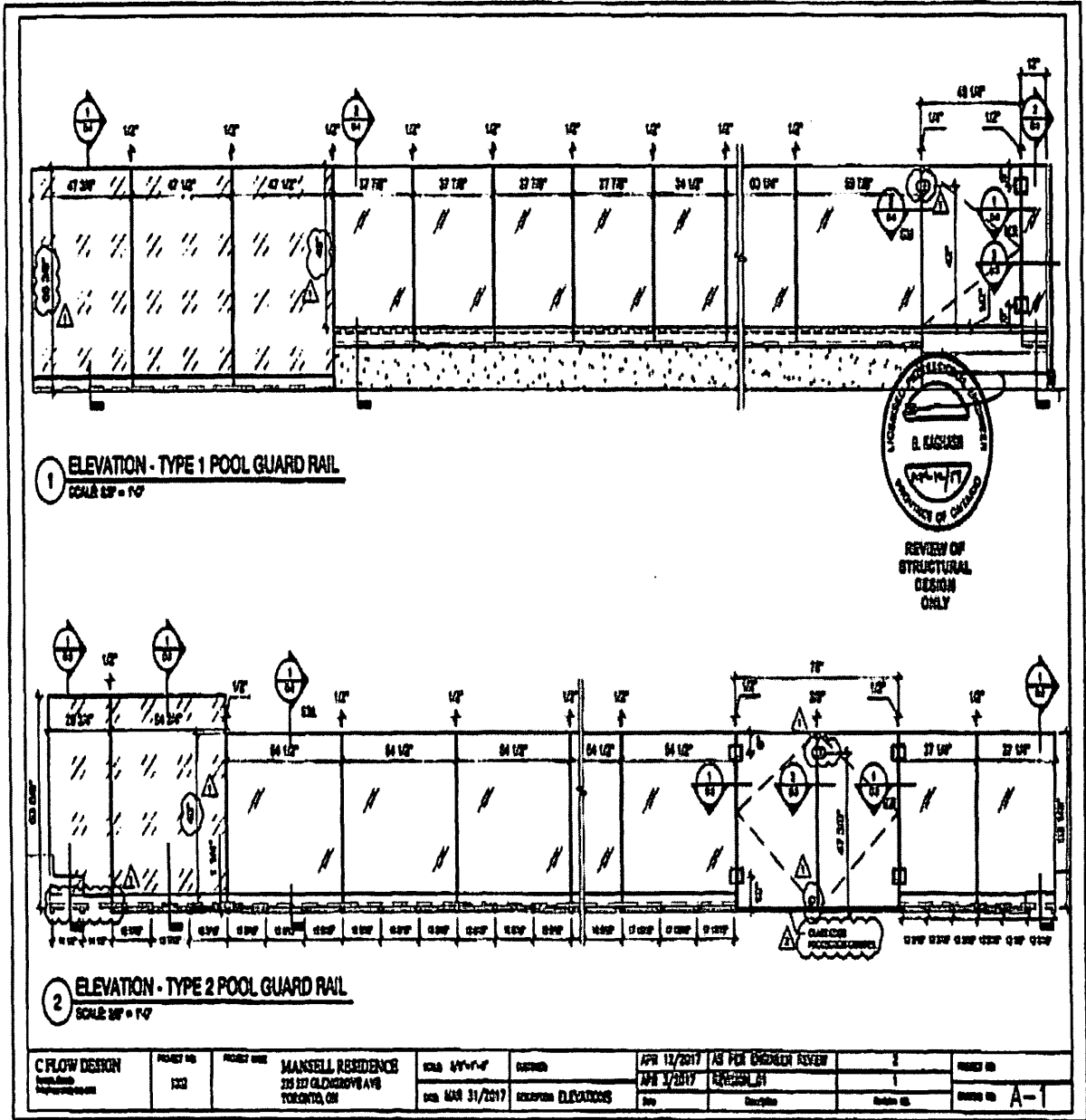


Issue No.

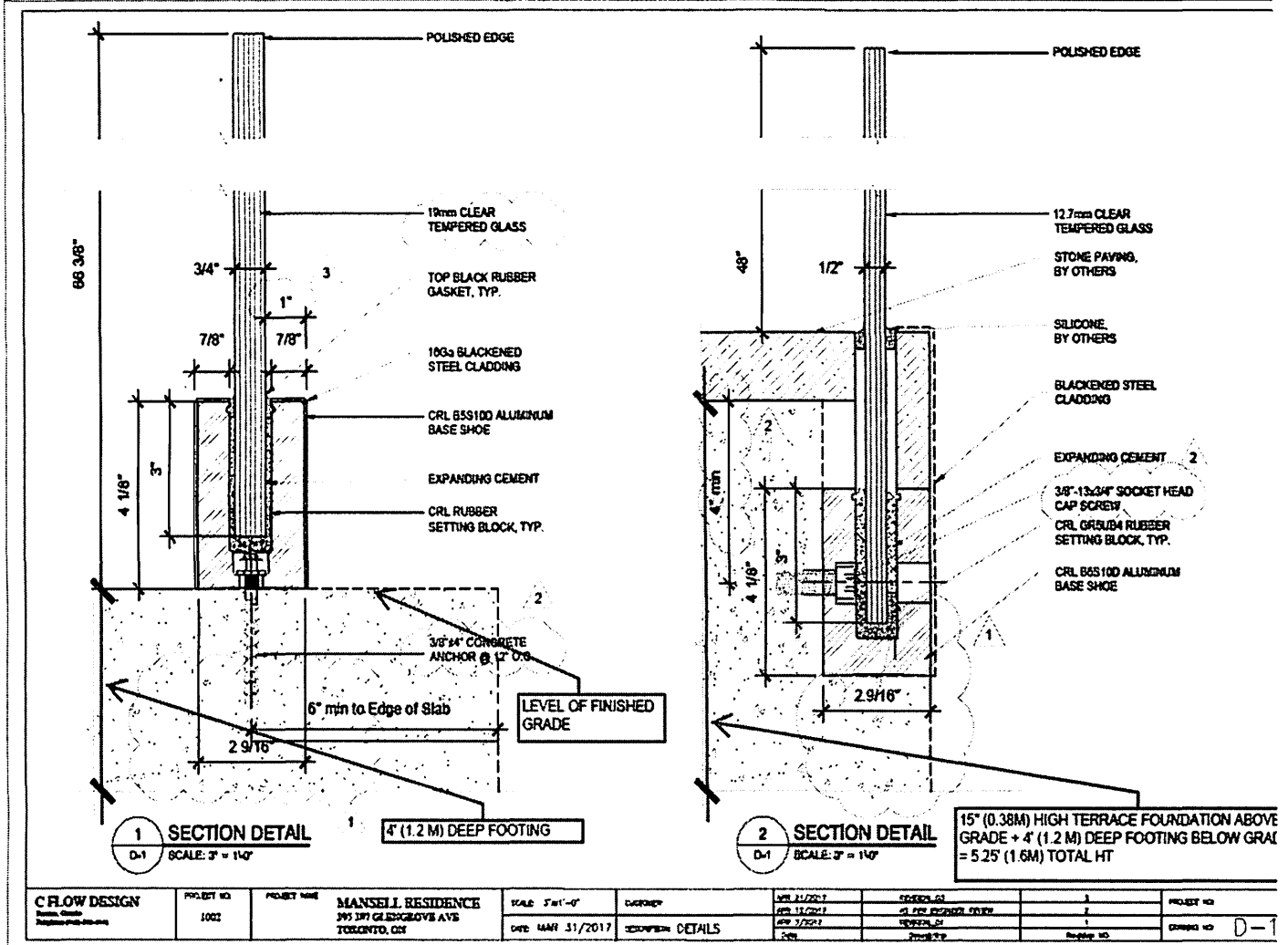
1. Issued for Information 17.04.10
2. Issued for Pool Enclosure Exemption Application 17.04.17

306 397 GLENGROVE AVE  
TORONTO ON  
scale 1" = 1'-0"  
project no. 1504  
GLASS POOL  
ENCLOSURE FENCE

Attachment 4: View of fence from the west side of the Property.



# Attachment 5: Section Detail Type 1 Pool Guard Rail and Section Detail Type 2 Pool Guard Rail



|  |             |  |          |            |             |             |            |              |
|--|-------------|--|----------|------------|-------------|-------------|------------|--------------|
| C FLOW DESIGN<br>Toronto, Ontario<br>Engineering: 416-491-0100 | PROJECT NO. | PROJECT NAME   | SCALE    | DISCIPLINE | DATE        | DESIGNED BY | CHECKED BY | PROJECT NO.  |
|  | 1002        | MANSELL RESIDENCE<br>395 397 GLENGROVE AVE<br>TORONTO, ONT | 3"=1'-0" | DETAILS    | MAR 31/2017 | DR          | DR         |              |
|  |             |  |          |            |             |             |            | CONTRACT NO. |
|  |             |  |          |            |             |             |            | D-1          |