

Application for Fence Exemption 18 Wakefield Crescent

Date: May 27, 2021

To: Scarborough Community Council

From: East District Manager Municipal Licensing and Standards

Wards: Ward 22- Scarborough-Agincourt

SUMMARY

This staff report is in regards to 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 consider an application submitted by the property owner of 18 Wakefield Crescent to have access from the property's home to the pool enclosure area in the rear yard remain without a fourth fence. The pool enclosure in the rear yard does not meet the requirements specified in City of Toronto Municipal Code, Chapter 447, Fences. (Table #1 for violation deficiency and By-law section)

RECOMMENDATIONS

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

1. Refuse the application for an exemption submitted by the property owner of 18 Wakefield Crescent, to maintain an existing pool enclosure without a fourth fence in the rear yard, which does not comply with provisions of City of Toronto Municipal Code, Chapter 447, Fences, and direct that an unappealable Notice of Violation be issued under City of Toronto Municipal Code, Chapter 447, Fences; or
2. Grant the exemption to the property owners of 18 Wakefield Crescent to maintain the existing pool enclosure without a fourth fence 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, Fences or its successor by-law.

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 based on the By-law violation with the existing pool enclosure without a fourth fence in the rear yard. In the same manner, all required notifications have been sent in accordance with Municipal Code Chapter 447, by the City Clerk's office the application for exemption will be considered by Scarborough Community Council. (Attachment 1)

COMMENTS

It was determined by the Officer that the subject property's existing pool enclosure without a fourth fence in the rear yard that does not comply with the provisions of Toronto Municipal Code Chapter 447- Fences. As a result of an inspection a Notice of Violation was issued to the property owners.

LOCATION	ORIENTATION	DEFICIENCY	BY-LAW SECTION*
Rear Yard	East side of property	Fence is require to prevent direct access from the home to the pool area.	1.3A.(1)

In response to the Notice of Violation the property owners of 18 Wakefield Crescent submitted a Fence Exemption Application, on the grounds that the pool was designed this way, and has a custom made winter safety cover.

However, should Scarborough 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

Gail Pryce
Municipal Licensing and Standards
East District Supervisor
Tel: 416-396-7431 Fax: 416-395-7056
Email: Gail.Pryce@toronto.ca

SIGNATURE

Elena Sangiuliano, District Manager
Municipal Licensing and Standards East District
Tel: 416-392-3088 Fax: 416-395-7056
Email: Elena.Sangiuliano@toronto.ca

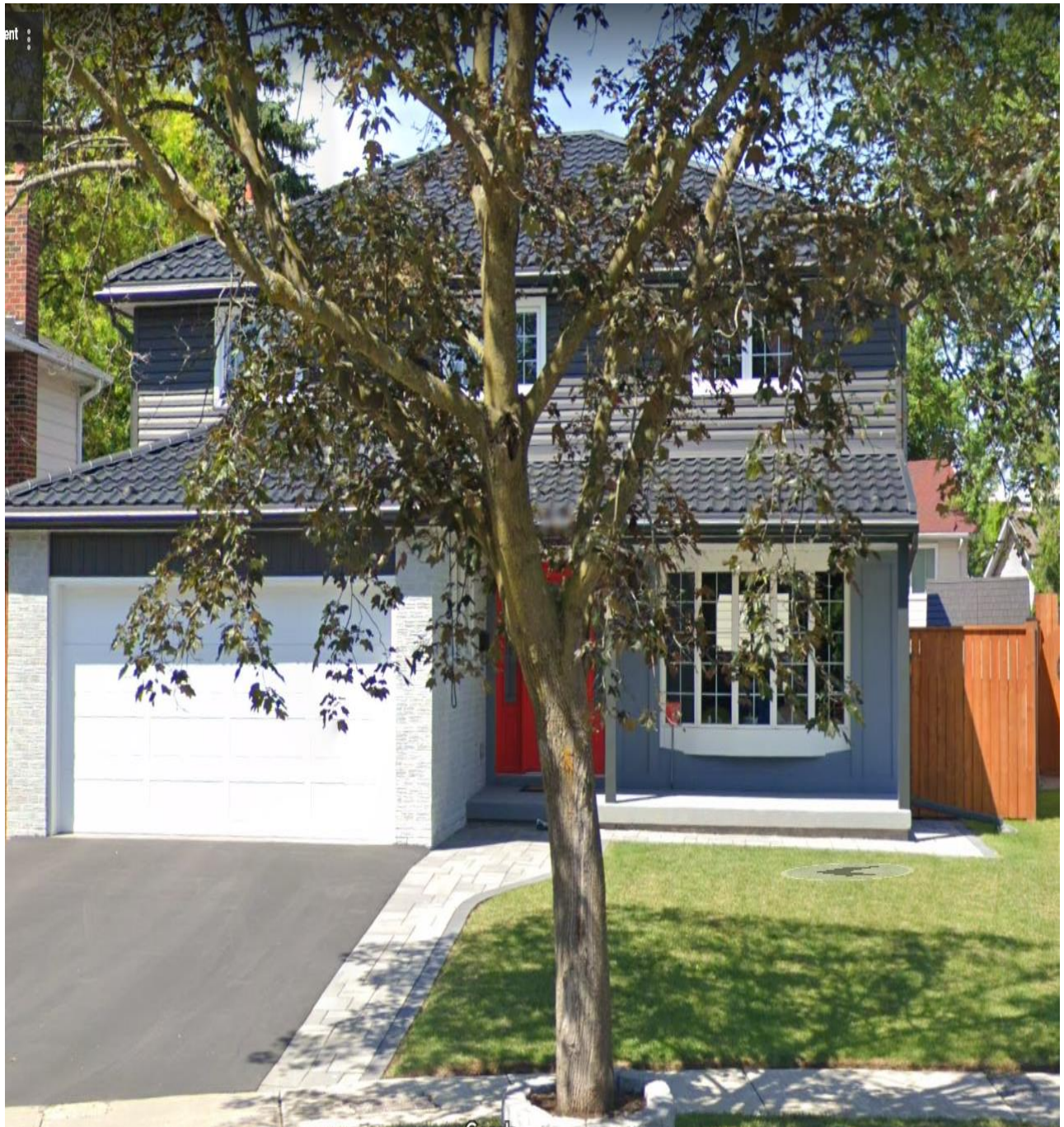
ATTACHMENTS:

1. View of properties adjacent to 18 Wakefield Crescent
2. Front view of 18 Wakefield Crescent
3. View North of 18 Wakefield Crescent
4. View South of 18 Wakefield Crescent
5. View East of 18 Wakefield Crescent
6. View West of 18 Wakefield Crescent

Attachment 1: View of properties adjacent to 18 Wakefield Crescent



Attachment 2: Front view of 18 Wakefield Crescent



Attachment 3: View North of 18 Wakefield Crescent



Attachment 4: View South of 18 Wakefield Crescent



Attachment 5: View East of 18 Wakefield Crescent



Attachment 6: View West of 18 Wakefield Crescent

