

Application for Fence Exemption – 27 Beechwood Avenue

Date: March 9, 2022

To: North York Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 15 – Don Valley West

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 consider an application by the owner(s) of 27 Beechwood Avenue to maintain a chain link fence in the rear yard on the south, east and west side of the property which forms part of the swimming pool enclosure and has fence posts that exceed the maximum allowable space between posts of 2.4 meters as specified in the Toronto Municipal Code, Chapter 447-1.3E(2.A) Table 3 - Minimum Standards for Chain-Link Fence Construction. A notice of violation was issued on March 8, 2022.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the North York Community Council:

1. Refuse to grant the application for an exemption, by the owner(s) of 27 Beechwood Avenue, to allow the chain link fence which forms part of the swimming pool enclosure be maintained with greater than 2.4 meters between posts and does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.3E(2.A) Table 3 - Minimum Standards for Chain-Link Fence Construction.

OR

2. Grant the application for an exemption, by the owner(s) of 27 Beechwood Avenue, to maintain the chain link fence which forms part of the swimming pool enclosure with greater than 2.4 meters between posts. Direct and require that the existing fence be maintained in good repair without alteration. Direct and require that at such time as a 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

As required by Section 447-1.5(B)(1), Municipal Licensing & Standards has responded to the fence exemption application by preparing this report for North York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that North York Community Council will consider the application.

COMMENTS

The proposed fence violates Toronto Municipal Code, Chapter 447 – Fences requirements with respect to swimming pool enclosures.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear yard (East, west and south facing lot lines)	Current spacing of posts – 3.0 meters	447-1.3E(2.A) Table 3 Spacing of Posts – Pool on Single Residential Property – 2.4 meters maximum

CONTACT

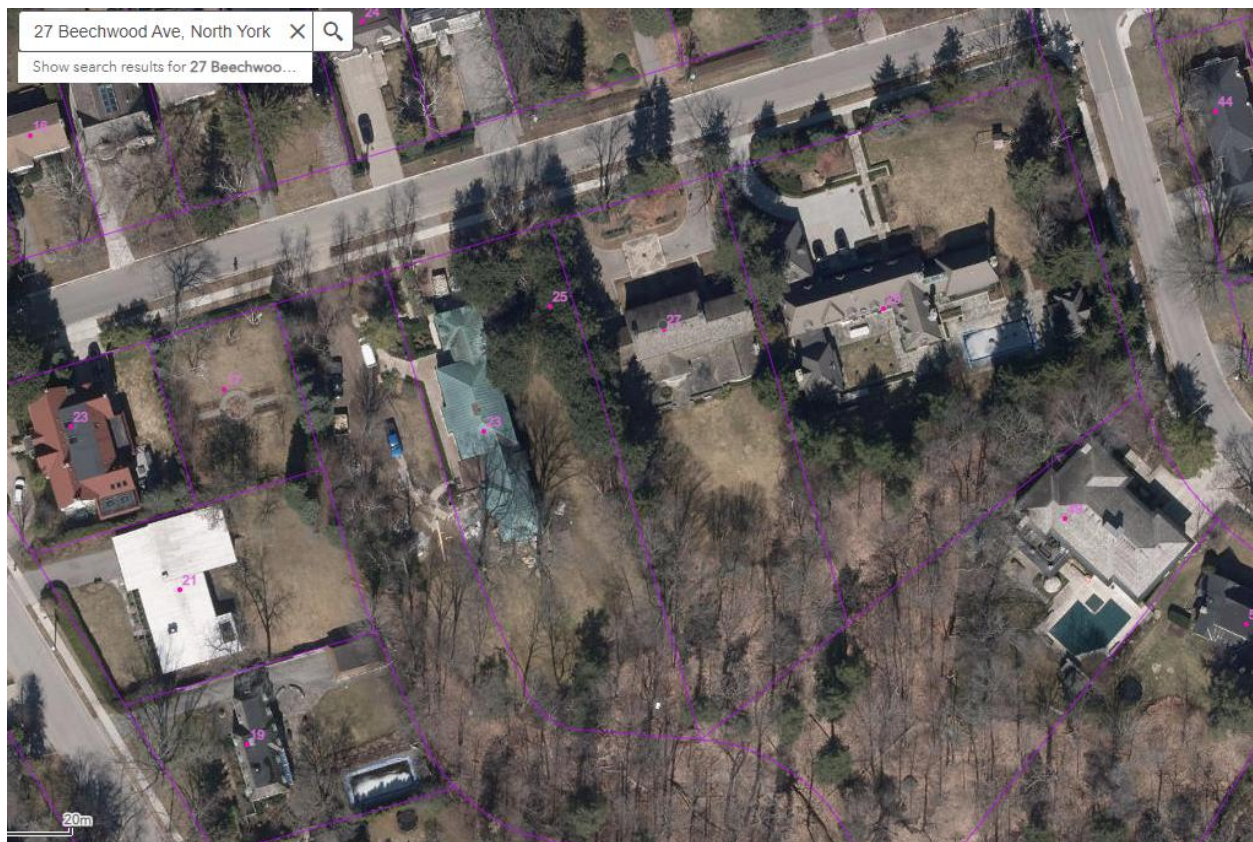
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SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 27 Beechwood Avenue
Attachment 2: Photo of pool area looking north towards house
Attachment 3: Photo of fence on south property line
Attachment 4: Photo of fence on east property line
Attachment 5: Photo of fence on west property line



Attachment 1: iView Map of Property – 27 Beechwood Avenue



Attachment 2: Photo of pool area looking north towards house



Attachment 3: Photo of fence on south property line



Attachment 4: Photo of fence on east property line



Attachment 5: Photo of fence on west property line