

Application for Fence Exemption – 31 Bayview Wood

Date: April 28, 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 31 Bayview Wood to allow the openings in the wall of the building forming part of the swimming pool enclosure contrary to the City of Toronto Municipal Code Chapter 447-1.3(C) 3 Access Protection. A Notice of Violation was issued on July 22, 2021.

RECOMMENDATIONS

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

1. Refuse to grant the application for an exemption permit, by the owner(s) of 31 Bayview Wood, to maintain openings in a wall of the building forming part of the swimming pool enclosure, which does not comply with the Toronto Municipal Code, Chapter 447-1.3(C)3 Access Protection.

OR

2. Grant the application for an exemption permit, by the owner(s) of 31 Bayview Wood, to allow openings in a wall of a building forming part of a swimming pool enclosure. 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 (wall of building)	Openings in the wall of a building that forms part of the swimming pool enclosure.	447-1.3C(3) -Access Protection namely, If the wall of any building, or any portion of it, forms part of the pool enclosure, there shall be no access to the enclosed pool area through the wall

CONTACT

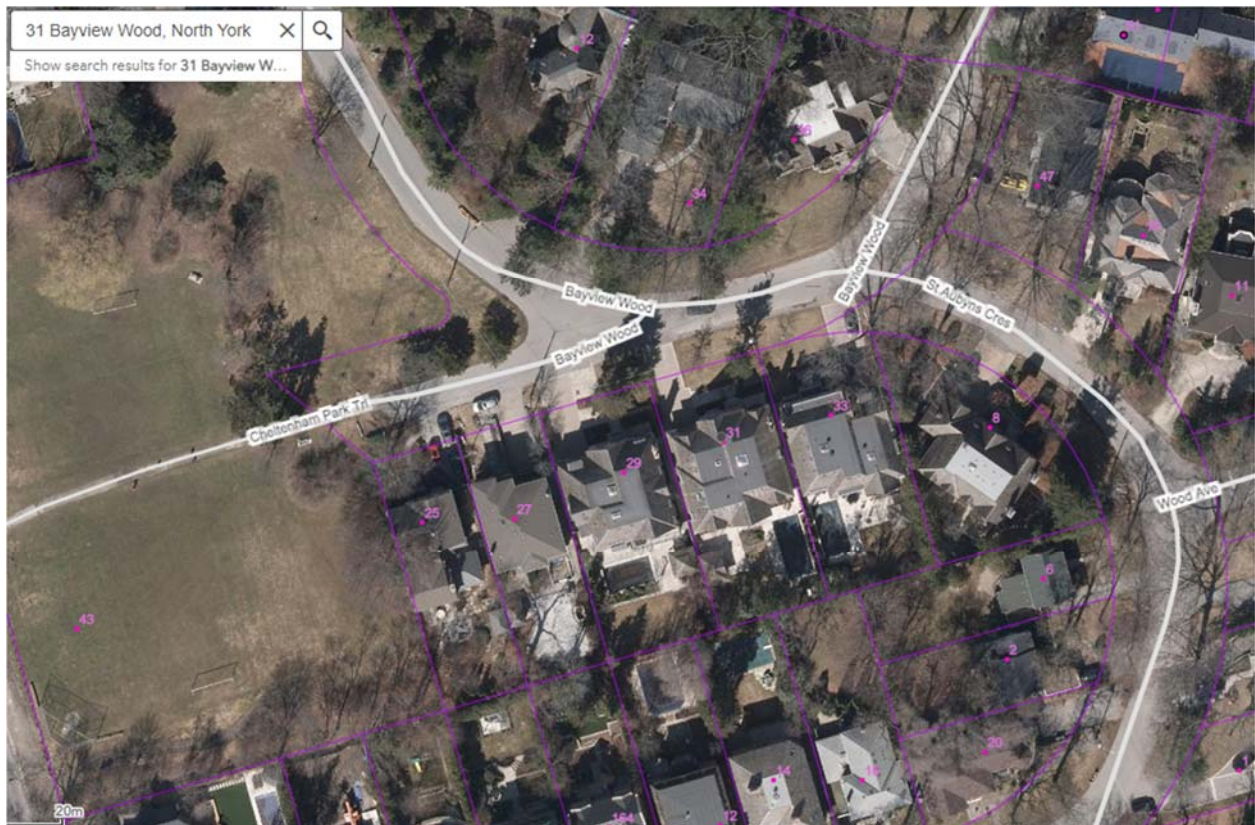
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SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 31 Bayview Wood
Attachment 2: Rear of house
Attachment 3: Rear of house
Attachment 4: Rear of house
Attachment 5: Rear of house



Attachment 1: iView Map of Property – 31 Bayview Wood



Attachment 2: Rear of house



Attachment 3: Rear of house



Attachment 4: Rear of house



Attachment 5: Rear of house