

Application for Fence Exemption – 58 Saugeen Cres

Date: April 1, 2022

To: Scarborough Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 20 – Scarborough Southwest

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 consider an application by the owner(s) of 58 Saugeen Cres, to maintain a swimming pool enclosure wooden fence setback that is closer than 1.2 metres horizontally to the water's edge. The setback measures 10 inches on the west side, 10 inches on the east side and 6 inches on the south side from the water's edge therefore does not meet the requirements as specified in the Toronto Municipal Code, Chapter 447-1.3E(1.A) Construction Standards. A Notice of Violation was issued on March 31, 2022.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Scarborough Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 58 Saugeen Cres, to maintain a swimming pool enclosure wooden fence setback that measures 10 inches on the west side, 10 inches on the east side and 6 inches on the south side from the water's edge which does not meet the requirements as specified in the Toronto Municipal Code, Chapter 447-1.3E(1.A) Construction Standards.

OR

2. Grant the application for an exemption permit, by the owner(s) of 58 Saugeen Cres, to maintain a swimming pool enclosure wooden fence setback that measures 10 inches on the west side, 10 inches on the east side and 6 inches on the south side from the water's edge. 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 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.

COMMENTS

The 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 sides of pool)	Swimming pool enclosure wood fence that is closer than 1.2 metres horizontally to the water's edge namely having setbacks: East side – 10 inches West side – 10 inches South side – 6 inches	447-1.3E(1.A) Construction Standards A swimming pool enclosure must not be closer than 1.2 meters horizontally to the water's edge in the pool

CONTACT

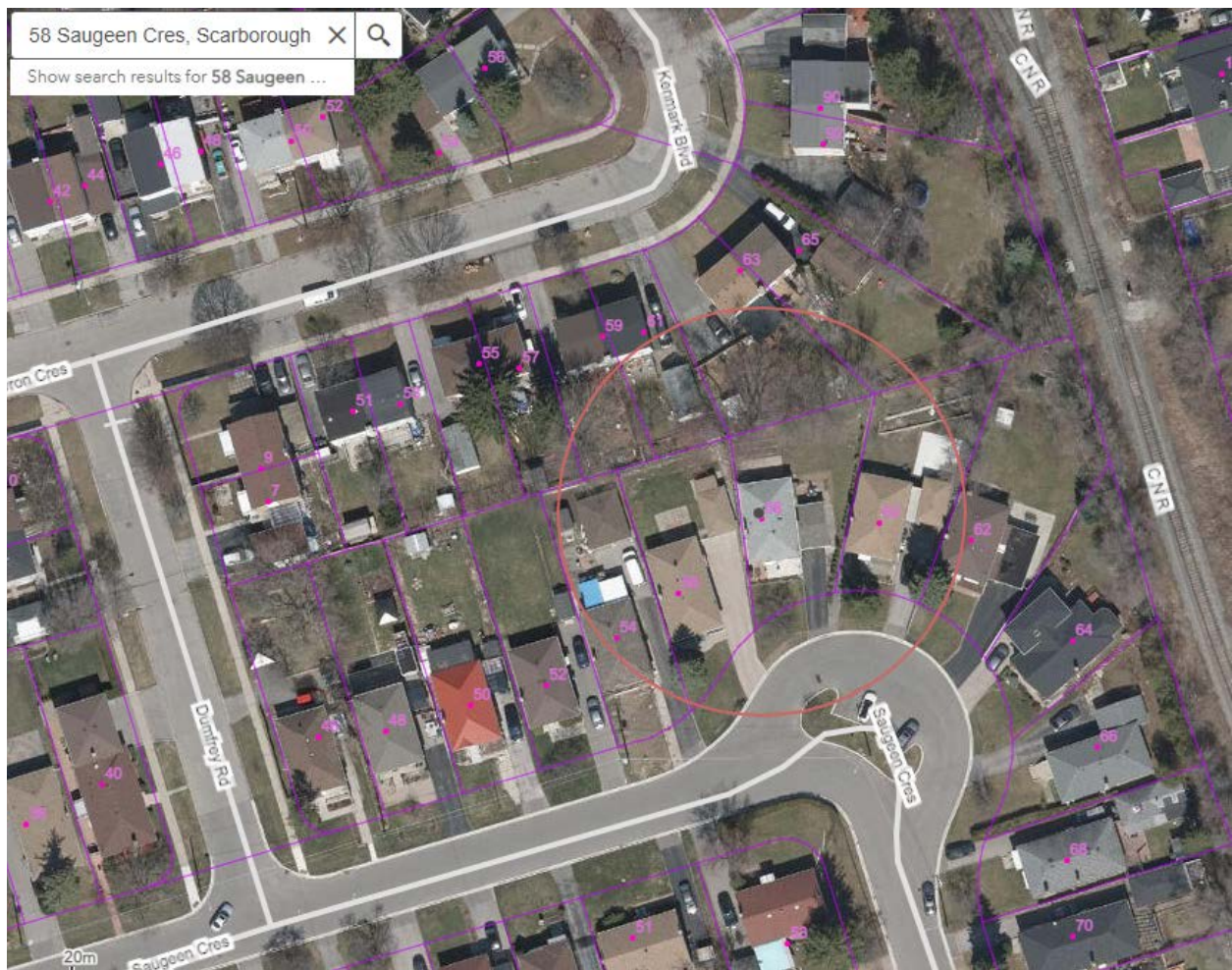
James Slocum, Supervisor
Municipal Licensing & Standards Division
East District
Tel. # 416-396-7739
E-mail: james.slocum@toronto.ca

SIGNATURE

Elena Sangiuliano
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 58 Saugeen Cres
Attachment 2: Photo of setback between pool edge and enclosure
Attachment 3: Photo of setback between pool edge and enclosure



Attachment 1: iView Map of Property – 58 Saugeen Cres



Attachment 2: Photo of setback between pool edge and enclosure



Attachment 3: Photo of setback between pool edge and enclosure