

Application for Fence Exemption – 7 Ralston Avenue

Date: May 30 2022

To: Toronto & East York Community Council

From: Manager Municipal Licensing & Standards, Central District

Wards: Ward 19 – Beaches/East York

SUMMARY

This staff report concerns a matter for which the Toronto & East 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 7 Ralston Avenue to maintain a wrought iron gate in the rear yard that measures 1.4 meter (4.7 feet) and has a wrought iron horizontal bar that provides a 1.2 meter (4 feet) distance from the horizontal bar to the locking mechanism. The wrought iron spindles means moving the latch to the pool-side of the gate is not an ideal solution. Replacing the gate with a solid panel would raise a security concern. The Toronto Municipal Code, Chapter 447-1.3C (6.C.1) – Access Protection states that every gate in a swimming pool enclosure shall be self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 meters above grade.

RECOMMENDATIONS

Municipal Licensing & Standards recommends that the Toronto & East York Community Council:

1. Refuse to grant the application for an exemption permit, by the owner(s) of 7 Ralston Avenue, to maintain a wrought iron gate in the rear yard that measures 1.4 meters (4.7 feet) and has a wrought iron horizontal bar that provides a 1.2 meter (4 feet) distance from the horizontal bar to the locking mechanism, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.3C (6.C.1) – Access Protection.

OR

2. Grant the application for an exemption permit, by the owner(s) of 7 Ralston Avenue, to maintain a wrought iron gate in the rear yard that measures 1.4 meters (4.7

feet) and has a wrought iron horizontal bar that provides a 1.2 meter (4 feet) distance from the horizontal bar to the locking mechanism. 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 Fences, 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 Toronto & East York Community Council's consideration, and, the City Clerk has sent all requisite notifications of the date that Toronto & East 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 – swimming pool enclosure	Wrought iron gate that measures 1.2-1.4 meters	447-1.3C (6.C.1) – Access Protection. Minimum 1.5 meters above grade

CONTACT

Nicole Sweetapple, Supervisor
Municipal Licensing & Standards
Central District
E-mail: Nicole.sweetapple@toronto.ca

SIGNATURE

Christopher Ellis, Manager
Municipal Licensing and Standards
Central District

ATTACHMENTS

Attachment 1: iView Map of Property
Attachment 2: Measurement of gate
Attachment 3: Measurement of gate
Attachment 4: Photo of gate



Attachment 1: iView Map of Property



Attachment 2: Measurement of gate



Attachment 3: Measurement of gate



Attachment 4: Photo of gate