

Application for Fence Exemption – 9 Tally Lane

Date: September 7, 2022

To: North York Community Council

From: Manager Municipal Licensing & Standards, East District

Wards: Ward 17 – Don Valley North

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 9 Tally Lane to allow the wall of the home form part of the pool enclosure contrary to the City of Toronto Municipal Code Chapter 447-1.3(C)3 Access Protection.

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 9 Tally Lane, to maintain the pool enclosure as being a part of the wall of the home, 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 9 Tally Lane, to allow them to maintain the pool enclosure as being a part of the wall of the home. 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 – Basement egress on east and west side of rear of home	Current enclosure includes the wall of home acting as part of the pool enclosure	447-1.3C(3) Access Protection

CONTACT

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SIGNATURE

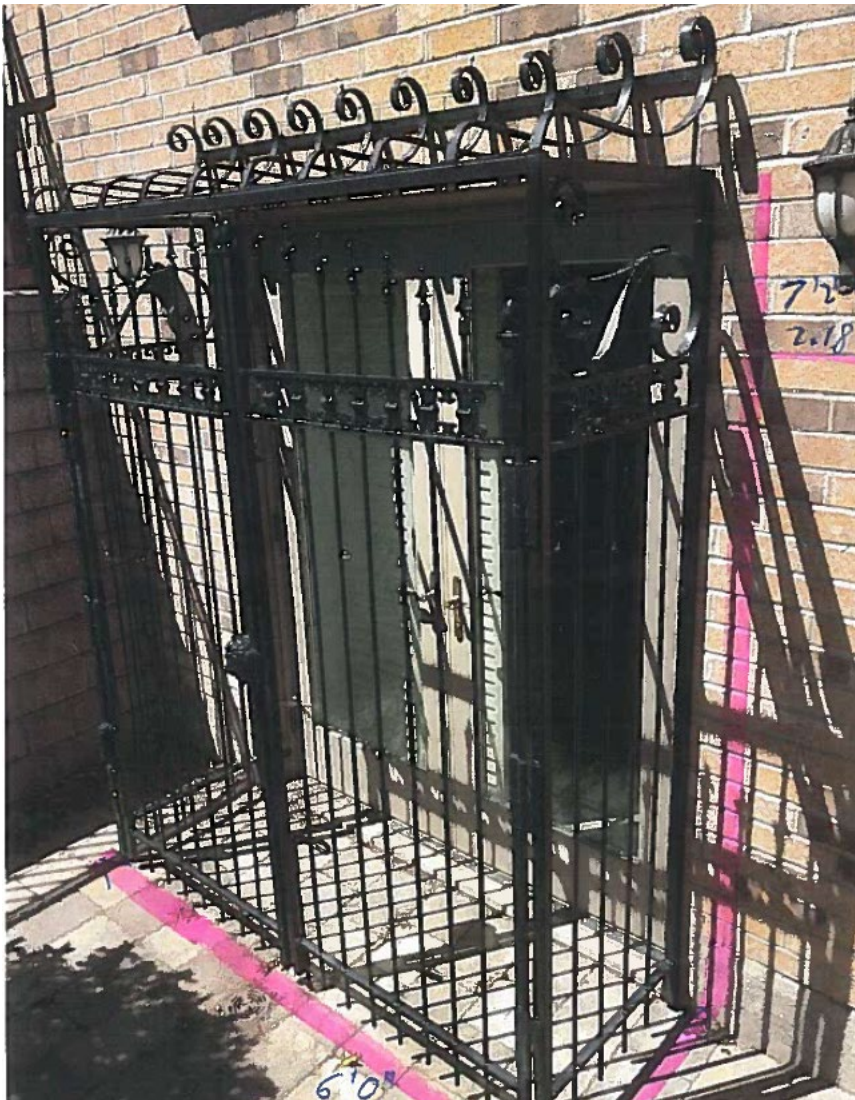
Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 9 Tally Lane
Attachment 2: Rear of house – basement egress west side
Attachment 3: Rear of house – basement egress east side



Attachment 1: iView Map of Property – 9 Tally Lane



Attachment 2: Rear of house – basement egress west side



Attachment 3: Rear of house – basement egress east side