

Application for Fence Exemption – 1 SIMEON CRT

Date: November 28, 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 1 Simeon Court to maintain a glass panel fence in the rear yard on the north side of the in ground pool in which the enclosure is less than 1.2 Metres from the water edge. The property which has glass panel fence that is 0.61m away from the water edge and an enclosure should be no closer than 1.2 metres horizontally to the water's edge as specified in the Toronto Municipal Code, Chapter 447-1.3 (E)(1)(a). A Notice of Violation was issued on October 28, 2022

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 1 Simeon Court, to allow them to maintain the glass panel fence with a distance of less than 1.2 metres from the water's edge, which does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.3 (E)(1)(a).
2. Grant the application for an exemption permit, by the owner(s) of 1 Simeon Court, to allow them to maintain the glass panel fence with less than 1.2 meters 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, 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 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 distance from water's edge.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	Rear Yard North Side of In ground Swimming Pool	Current Distance from Water's Edge 0.61M	447-1.3 (E)(1)(a) Be no closer than 1.2 metres horizontally to the water's edge in the pool

CONTACT

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SIGNATURE

Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: Photo of fence – 1 Simeon Court
Attachment 2: Photo of fence – 1 Simeon Court
Attachment 3: Photos of fence – 1 Simeon Court
Attachment 4: 2 Photos of Fence – 1 Simeon Court
Attachment 5: iView Map of Property – 1 Simeon Court

Attachment #1

North Side Fence to House



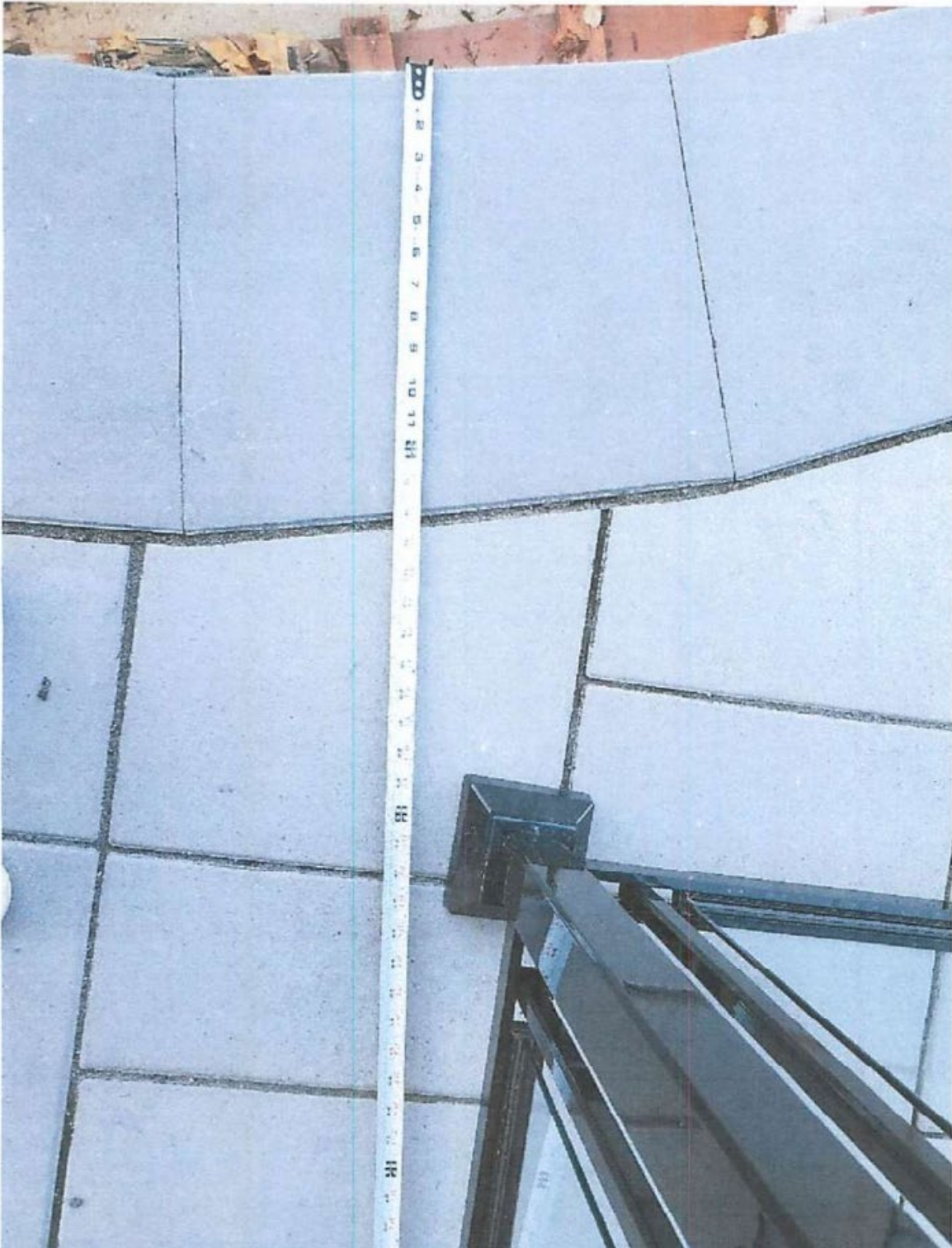
Attachment # 2

North Side Fence to Pool



Attachment # 3

Distance Pool to Post



Attachment # 4

Distance Post to Wall



Distance of Perpendicular Fence Segment



Attachment # 5

