

Application for Fence Exemption – 90 Sandown Avenue

Date: July 6, 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 90 Sandown Avenue, to maintain a 1 meter (3.2 ft) guard on the pool enclosure that does not meet the minimum requirement of 1.2 meters (4ft) as required in the Toronto Municipal Code, Chapter 447-1.3D(1) Table 2 - Minimum Height of swimming pool enclosure. A Notice of Violation was issued on June 4, 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 90 Sandown Avenue, to allow them to maintain a 1 meter (3.2 ft) guard on the pool enclosure that does not meet the minimum requirement of 1.2 meters (4ft), therefore does not comply with the Toronto Municipal Code, Chapter 447, Fences, specifically section 447-1.3D(1) Table 2 - Minimum Height of swimming pool enclosure.

OR

2. Grant the application for an exemption permit, by the owner(s) of 90 Sandown Avenue, to maintain a 1 meter (3.2 ft) guard on the pool enclosure that does not meet the minimum requirement of 1.2 meters (4ft). 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 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 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 – pool enclosure	Current guard is 1 meter (3.2ft)	447-1.3D(1) Table 2 - Minimum Height of swimming pool enclosure 1.2 meters (4ft)

CONTACT

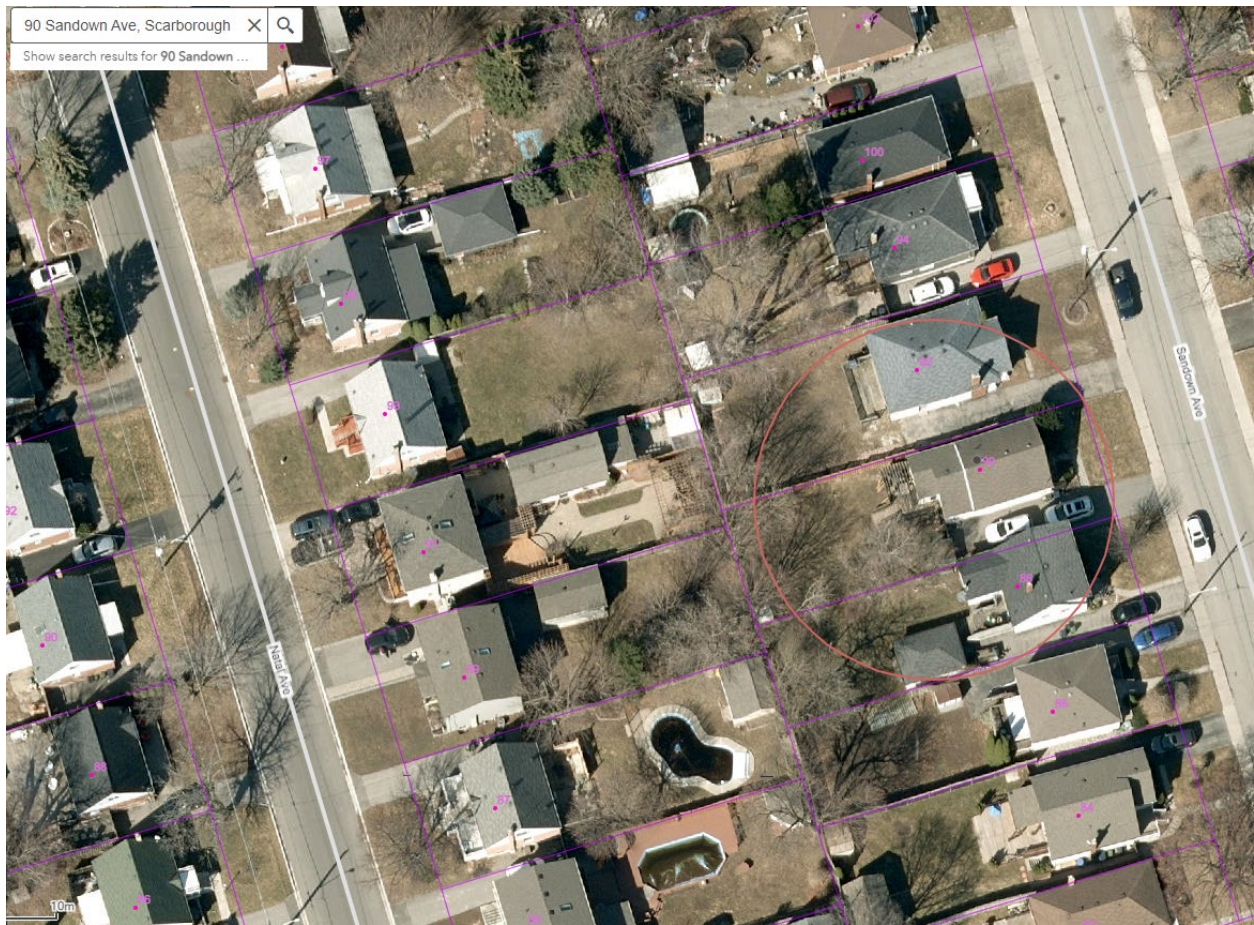
Andrew Orlik, Supervisor
Municipal Licensing & Standards Division
East District
Tel. # 416-392-3076
E-mail: andrew.orlik@toronto.ca

SIGNATURE

Terry Karabassis
Manager, Municipal Licensing and Standards, East District

ATTACHMENTS

Attachment 1: iView Map of Property – 90 Sandown Avenue
Attachment 2: Photo of guard
Attachment 3: Photo of guard



Attachment 1: iView Map of Property – 90 Sandown Avenue



Attachment 2: Photo of guard



Attachment 3: Photo of guard