

123 Sheldrake Boulevard - Application for Fence Exemption

Date: December 7, 2023

To: North York Community Council

From: District Manager, Municipal Licensing and Standards, East District

Wards: Ward 15, Don Valley West

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 123 Sheldrake Boulevard to permit a proposed self-closing mechanism on the rear door of their basement walkout, providing direct egress from their dwelling, directly into the pool enclosure.

This is contrary to the Toronto Municipal Code, Chapter 447-1.3

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, East District recommends that:

1. North York Community Council refuse to grant the application for an exemption permit, by the owner(s) of 123 Sheldrake Boulevard to permit a swimming pool enclosure in the rear yard of the property for an enclosure that fails to comply with the provisions of Toronto Municipal Code, Chapter 447, Fences and to direct staff to issue a notice to the property owner to bring the swimming pool enclosure into compliance.

Financial Impact

There is no financial impact anticipated 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 exiting fence violates Toronto Municipal Code, Chapter 447 – Fences requirements:

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear Door/Egress.	Rear Door/Egress from the dwelling, leading directly into the pool enclosure.	Self-closing mechanism to be installed on the rear door of the dwelling, providing direct egress from the dwelling directly into the pool enclosure.	Chapter 447 Section 447-1.3.C.(3) If the wall of any building, or any portion of it, forms part of the pool enclosure, there shall be no access to the enclosed pool area through the wall.

The property owner(s) seek this exemption for aesthetics purposes.

Municipal Licensing and Standards recommends North York Community Council refuse to grant the application for an exemption by the property owner of 123 Sheldrake Boulevard. Should North York Community Council grant the application for a fence exemption, the following recommendation may be adopted, in accordance with Municipal Code Chapter 447:

1. Grant the application for a fence exemption by the property owner 123 Sheldrake Boulevard, thereby allowing the proposed pool enclosure to be constructed with a self-closing mechanism on the rear door leading directly into the pool enclosure. At such time as replacement of the pool enclosure is required that such installation will comply with Municipal Code Chapter 447, Fences or its successor by-law.

CONTACT

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SIGNATURE

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List the attachments.

Attachment 1: iView Map of Property – 123 Sheldrake Boulevard - City of Toronto.
Attachment 2: Applicants Photo – Interior walkout/basement Door
Attachment 3: Applicants Photo – Exterior walkout/basement Door
Attachment 4: Applicants Photo – Exterior walkout/basement Door & Pool

ATTACHMENTS

Attachment 1: iView Map of Property – 123 Sheldrake Boulevard



Attachment 2: Applicants Photo – Interior walkout/basement Door 123 Sheldrake Boulevard -



Attachment 3: Applicants Photo – Exterior Walkout/Basement Door



Attachment 4: Applicants Photo – Exterior Walkout/Basement Door & Pool

