

214 Homewood Ave- Application for Fence Exemption

Date: April 8, 2024

To: North York Community Council

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

Wards: Ward 18 Willowdale

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 214 Homewood Ave to maintain an existing pool enclosure in the rear yard. The south side of the enclosure has a staircase from the deck just outside of the pool enclosure that has external conditions that may facilitate climbing.

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

RECOMMENDATIONS

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

North York Community Council refuse to grant the application for an exemption permit, by the owner(s) of 214 Homewood Ave to maintain 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 existing fence violates Toronto Municipal Code, Chapter 447 – Fences requirements:

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION & DEFICIENCY	BY-LAW SECTION & REQUIREMENT*
Rear yard	The existing pool enclosure from rear door of the dwelling.	The existing pool enclosure leading from the rear door on the wood deck closer than one meter to any external condition that may facilitate climbing the outside of the enclosure	Chapter 447 Section 1.3 E.(1).(E). (1) (b) Construction standards. (1) A swimming pool enclosure, including any gate forming part of the enclosure, shall: ((b) Be no closer than one meter to any external condition that may facilitate climbing the outside of the enclosure unless the height of the enclosure is at least 1.8 meters for a distance of at least one meter on each side of the condition;

Municipal Licensing and Standards recommends North York Community Council refuse to grant the application for an exemption by the property owner of 214 Homewood Ave. 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 214 Homewood Ave. thereby allowing the proposed pool enclosure on the south side of the enclosure to have a staircase from the deck just outside of the pool enclosure to have an external conditions that may facilitate climbing. 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 – 214 Homewood Ave - City of Toronto.
Attachment 2: Municipal Standards Officer's Photo - 214 Homewood Ave - Rear
Yard
Attachment 3: Municipal Standards Officer's Photo - 214 Homewood Ave - Rear
Yard
Attachment 4: Municipal Standards Officer's Photo - 214 Homewood Ave - Deck
stairs rear yard
Attachment 5: Municipal Standards Officer's Photo - 214 Homewood Ave - Deck
stairs rear yard
Attachment 6: Municipal Standards Officer's Photo - 214 Homewood Ave - Deck
stairs to edge of pool.

ATTACHMENTS

iView Map of Property – 214 Homewood Ave - City of Toronto.



Attachment 2: Municipal Standards Officer's Photo - 214 Homewood Ave - Rear Yard



Attachment 3: Municipal Standards Officer's Photo - 214 Homewood Ave - Rear Yard



Attachment 4:
stairs rear yard

Municipal Standards Officer's Photo - 214 Homewood Ave - Deck



Attachment 5:
stairs rear yard

Municipal Standards Officer's Photo - 214 Homewood Ave - Deck



Attachment 6: Municipal Standards Officer's Photo - 214 Homewood Ave - Deck stairs to edge of pool.

