

37 York Ridge Road - Application for Fence Exemption

Date: January 21 2026

To: North York Community Council

From: Brian Nogueira – A/ District Manager, Municipal Licensing and Standards, East District

Ward: Ward 15 – Don Valley West

SUMMARY

The Applicant for 37 York Ridge Road has requested North York Community Council to exempt their property from the following by-law requirements:

City of Toronto Municipal Code Chapter 447 1.2B(1) – Restrictions on Fences; Height and 447 1.3(3) – Swimming Pool Enclosures.

The Applicant for 37 York Ridge Road is requesting an exemption for their;

- Existing fence height
- Juliette style guards

Municipal Licensing and Standards Division has inspected the subject property and issued a notice of violation of City of Toronto Municipal Code Chapter 447

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, East District recommends that North York Community Council, pursuant to City of Toronto Municipal Code Fences Chapter 447

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 37 York Ridge Road, for the existing fence described in the Summary of this report.

FINANCIAL IMPACT

There is no financial impact to the City of Toronto.

DECISION HISTORY

There are no previous Fence Exemption decisions at 37 York Ridge Road.

COMMENTS

Municipal Licensing and Standards Inspection Results:

The existing fence violates the City of Toronto Municipal Code, Chapter 447 – Fences requirements

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Side Yard	Side Yard – South Side	Fence height is 2.16 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.
Side Yard	Side Yard – North Side	Fence height is 2.49 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.
Rear Yard	Rear Yard East Side – Pool Enclosure (Opening from dwelling)	Juliette style guard measuring 1.25 meters in height and secured to the bricking.	Chapter 447 Section 1.3 A(3) -Swimming Pool Enclosures Has no opening except a gate that complies with this article.
Rear Yard	Rear Yard East Side – Pool Enclosure (Opening from garage)	Juliette style guard measuring 1.5 meters in height and secured to the bricking.	Chapter 447 Section 1.3 A(3) -Swimming Pool Enclosures Has no opening except a gate that complies with this article.

City of Toronto Municipal Code Chapter 447 Fences by-law sets out the requirements for Pool Fence Enclosures that must provide adequate barriers to ensure safety for all residents and users, including children and pets. Specifically, Chapter 447 sets out requirements to prevent access to hazardous areas and to withstand environmental

pressures, such as wind and snow, to prevent hazards associated with fence failure, emphasizing safety, durability, aesthetics, and compliance with regulations.

The intent behind pool enclosure regulations is to prevent non-swimmers, including young children from gaining unintended access to unsupervised pool areas [\[quoted from 2008 Staff Report\]](#)

May 26 2008 Toronto City Council (LS13.3)

City Council on May 26 and 27, 2008, adopted the following motions:

1. The current provisions in Toronto Municipal Code Chapter 447, Fences with respect to four-sided pool enclosures not be amended to include any alternative safety devices.
2. Individuals be able to request an exemption from the four-sided pool enclosure provision, when it would not be practicable, because of a disability, as defined in the Ontarians with Disabilities Act, of an occupant of the building, to provide access in accordance with the requirements of the by-law.
3. When an exemption is granted, conditions considered appropriate by City Council to prevent a young child gaining access to the pool area unsupervised, be imposed.
4. When the need for an exemption ceases to exist, the pool enclosure be reinstated to comply fully with the provisions of the Chapter.

CONTACT

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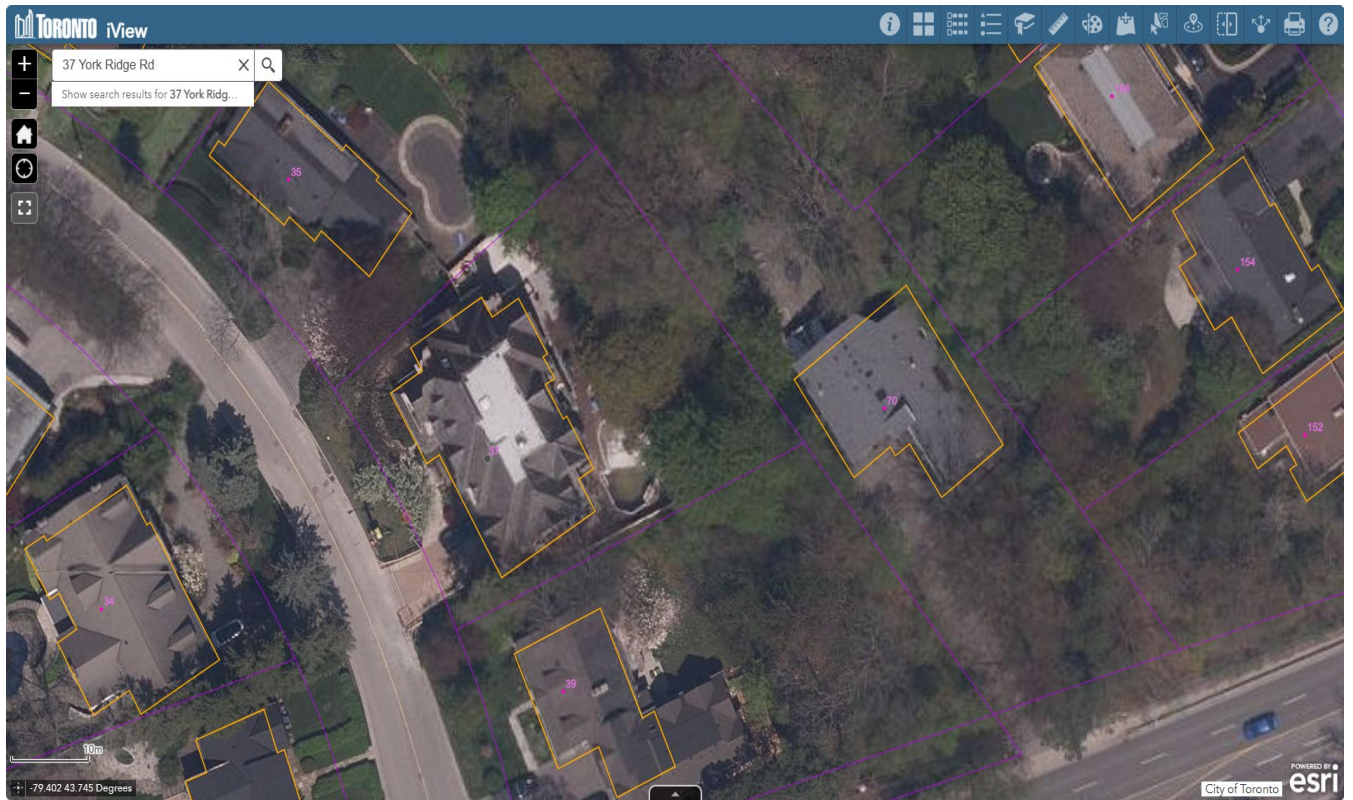
SIGNATURE

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ATTACHMENTS

- Attachment 1: iView Map of Property – 37 York Ridge Road- City of Toronto.
- Attachment 2: Supervisor’s photo -Overview (South side yard fence)
- Attachment 3: Supervisor’s photo – South side yard fence height. (2.16 meters)
- Attachment 4: Supervisor’s photo -Overview (North side yard fence)
- Attachment 5: Supervisor’s photo – North side yard fence height (2.49 meters)
- Attachment 6: Supervisor’s photo -Overview (Rear yard – Juliette style guard 1)
- Attachment 7: Supervisor’s photo – Rear Yard – Juliette style guard (1) height (1.25 meters)
- Attachment 8: Supervisor’s photo -Overview (Rear Yard - Juliette style guard 2)
- Attachment 9: Supervisor’s photo – Rear Yard – Juliette style guard (2) height (1.5 meters)

Attachment 1: iView Map of Property – 37 York Ridge Road- City of Toronto.



Attachment 2: Supervisor's photo -Overview (South side yard fence)



Attachment 3: Supervisor's photo - Fence Height (2.16 meters)



Attachment 4: Supervisor's photo -Overview (North side yard fence)



Attachment 5: Supervisor's photo – North side yard fence height. (2.49 meters)



Attachment 6: Supervisor's photo -Overview (Rear yard – Juliette style guard 1)



Attachment 7: Supervisor's photo – Rear Yard – Juliette style guard (1) height (1.25 meters)



Attachment 8: Supervisor's photo -Overview (Rear Yard - Juliette style guard 2)



Attachment 9: Supervisor's photo – Rear Yard – Juliette style guard (2) height (1.5 meters)

