

## **Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 - 38 Farmview Crescent**

**Date:** April 7, 2026

**To:** North York Community Council

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

**Wards:** 17 - Don Valley North

### **SUMMARY**

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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 report responds to an application submitted by the property owner of 38 Farmview Crescent requesting approval for a site-specific Fence Exemption under Section 447-1.2B(1) of Toronto Municipal Code Chapter 447 – Fences.

The property owner is seeking Council's permission to install two Juliette-style gates at the rear dwelling unit, providing access from two egress points. The proposed gates are to be constructed of wrought iron, with dimensions of approximately 1.5 metres in width by 1.2 metres in height, and 2.1 metres in width by 1.2 metres in height.

The proposed gates do not comply with the access protection requirements set out in Chapter 447 of the Toronto Municipal Code, which requires that where any wall of a building forms part of a pool enclosure, there shall be no access to the enclosed pool area through that wall.

### **RECOMMENDATIONS**

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The District Manager, Municipal Licensing and Standards, East District recommends that North York Community Council:

1. Refuse to grant the application for exemption by the owner of 38 Farmview Crescent because the fence fails to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences.

## FINANCIAL IMPACT

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There is no financial impact to the City of Toronto.

## DECISION HISTORY

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There are no previous Fence Exemption decisions for this property

## COMMENTS

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The Municipal Licensing and Standards Division inspected the subject property March 30, 2026, and no Notice of Violation was issued. The owner of 38 Farmview Crescent submit the Fence Exemption application on April 12, 2024.

The proposed gates violate the City of Toronto Municipal Code, Chapter 447-1.3C (3) access protection as well as Chapter 447-1.3E (1) (b)

Access protection:

(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.

Construction Standards:

1. A swimming pool enclosure, including any gate forming part of the enclosure, shall:

(b) Be no closer than one metre to any external condition that may facilitate climbing the outside of the enclosure unless the height of the enclosure is at least 1.8 metres for a distance of at least one metre on each side of the condition.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT
Rear	Rear/West Facing	Install two Juliette style gates at two rear egress access points	Chapter 447 Section 447-1.3C (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
Rear	Rear/West Facing	Install two Juliette style gates at two rear egress access points	Chapter 447 Section 447-1.3E (1) (b)  A swimming pool enclosure, including any

			<p>gate forming part of the enclosure, shall:)</p> <p>Be no closer than one metre to any external condition that may facilitate climbing the outside of the enclosure unless the height of the enclosure is at least 1.8 metres for a distance of at least one metre on each side of the condition</p>
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## **CONTACT**

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Christina Savella, Acting Manager  
Municipal Licensing and Standards  
Investigation Services – East District  
Tel. 647-333-4023  
Email: christina.savella@toronto.ca

## **SIGNATURE**

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Christina Savella  
Acting District Manager, East District  
Municipal Licensing and Standards

## **ATTACHMENTS**

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Attachment A: iView Map of Property – 38 Farmview Crescent. City of Toronto

Attachment B: Rear west facing egress from property. Proposed gate location.

Attachment C: Rear Yard full scape view.

Attachment D: Rear west facing egress from property. Proposed gate location.

Attachment A: iView Map of Property – 38 Farmview Cresnet. City of Toronto



Attachment B: Rear west facing egress from property. Proposed gate location. Taken by Municipal Licensing and Standard Staff.



Attachment C: Rear Yard full scape view. Taken by Municipal Licensing and Standard Staff.



Attachment D: Rear west facing egress from property. Proposed gate location. Taken by Municipal Licensing and Standard Staff.

