

213 Northwood Drive - Application for Fence Exemption

Date: April 28/2026
To: North York Community Council
From: District Manager, Municipal Licensing and Standards, East District
Wards: Ward 18 Willowdale.

SUMMARY

The Applicant for 213 Northwood Drive has requested North York Community Council to exempt their property from the following by-law requirements:

1. City of Toronto Municipal Code Chapter 447

Section 447-1.2B (1) Restrictions on fences; Height - Rear Yard – Maximum Allowable Height

Under Table 1 (447-1.2), for residential properties:

Maximum height: 2.0 metres (6.5 Ft)

2. City of Toronto Municipal Code Chapter 447

Section 447-1.3E (2) — Minimum Standards for Chain-Link Fence Construction.

The Code sets specific minimum construction standards for chain-link fencing used as a swimming pool enclosure.

Mesh Size Requirement for a pool on a single residential property:

Maximum mesh opening: 38 millimetres (1.50 inches)

The Applicant for 213 Northwood Drive is requesting an exemption to permit the existing rear yard fence to remain as constructed. The fence exceeds the maximum permitted height for a residential rear yard, with heights ranging from 2.0 metres (6.56 ft) to 3.2 metres (10.50 ft) and is constructed of open mesh chain-link material used as a swimming pool enclosure. The mesh openings measure approximately 1¾ inches (44.45 millimetres), which exceeds the maximum permitted opening size of 38 millimetres for a pool on a single residential property.

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

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 Section 447-1.2 B (1) and Section 447-1.3E(2)

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 213 Northwood Drive, for the existing fence described in the Summary of this report.

FINANCIAL IMPACT

There is no financial impact on the City of Toronto.

DECISION HISTORY

There are no previous Fence Exemption decisions at 63 Bernick 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*
Rear yard	East Side	Height starts at 2.0 metres (6.56 ft) and gradually increases to 2.5 metres (8.20 ft) toward the south-southeast corner over a total length of 14 ft 9 in.	Chapter 447 Section 447 447-1.2(B)(1) The maximum permitted fence height in a rear yard is 2.0 metres (6.5 feet).
Rear yard	West Side	Height starts at 2.0 metres (6.56 ft) and gradually increases to 2.5 metres (8.20 ft) toward the	Chapter 447 Section 447 447-1.2(B)(1) The maximum permitted fence height in a rear yard is 2.0

		south-southwest corner over a total length of 28 ft 9 in.	metres (6.5 feet).
Rear yard	South Side:	Length of 50 feet, consisting of a height of 2.5 metres (8.20 ft) extending 20 feet 7 inches from the west corner, increasing to 3.2 metres (10.50 ft) for the middle portion over 16 feet 9 inches, and then returning to a height of 2.5 metres (8.20 ft) for the remaining 12 feet 8 inches to the east corner.	Chapter 447 Section 447 447-1.2(B)(1) The maximum permitted fence height in a rear yard is 2.0 metres (6.5 feet).
Rear Yard	Mesh Fence: (Separating the pool from the dwelling).	The existing fourth pool fence is constructed of open mesh material, with measured mesh openings of 44.45 millimetres (1¾ inches) which equates to, and therefore exceeds the maximum permitted opening size specified for chain-link fencing used as a swimming pool enclosure	City of Toronto Municipal Code Chapter 447, § 447-1.3E(2) For a pool on a single residential property, the maximum permitted mesh opening is 38 millimetres (1.50 inches)

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.

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

1. The current provisions in Toronto Municipal Code Chapter 447, Fences with respect to four-sided pool enclosures are not 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 is reinstated to comply fully with the provisions of the Chapter.

CONTACT

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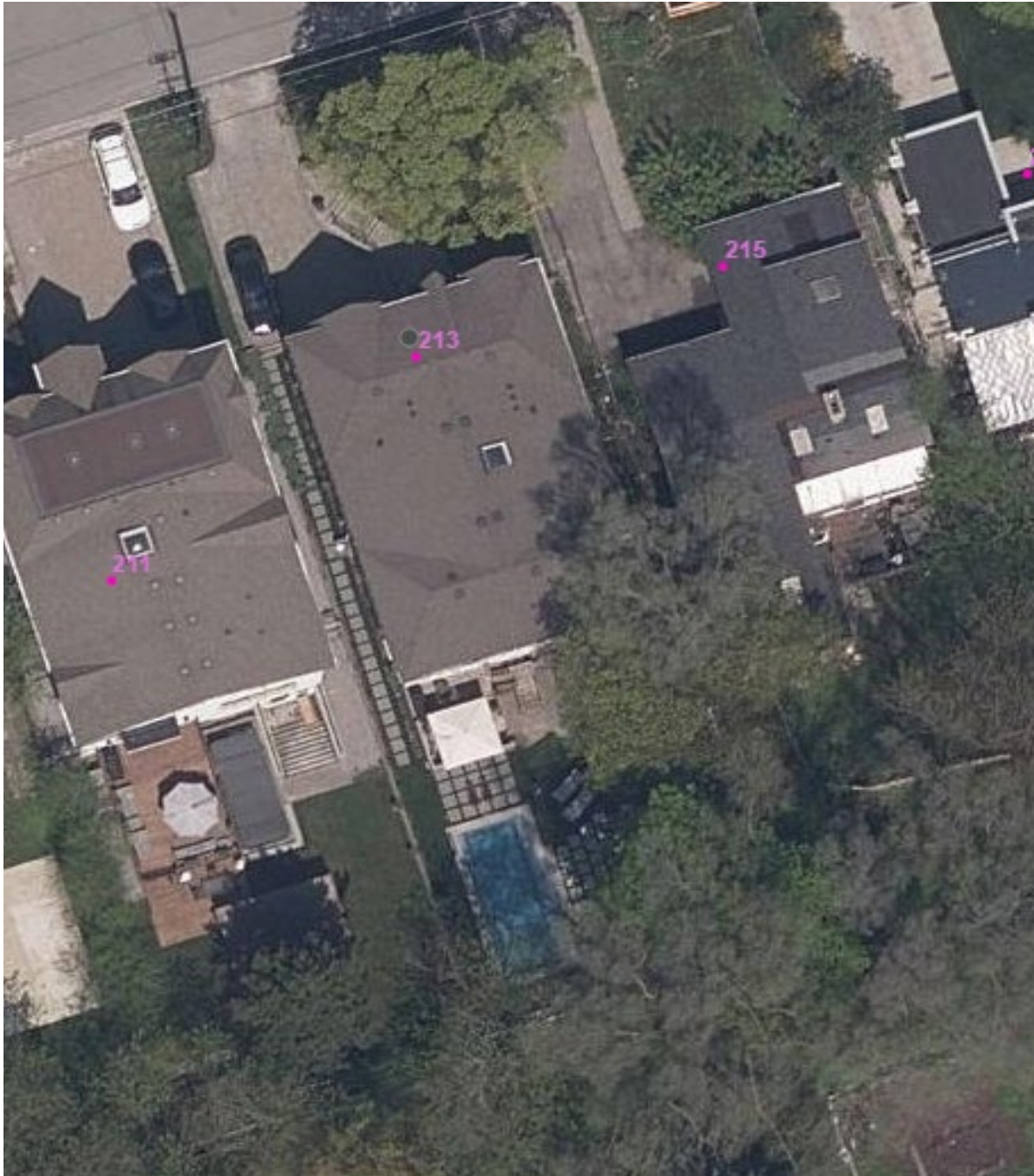
SIGNATURE

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

ATTACHMENTS

- Attachment 1: iView Map of Property – 213 Northwood Drive - City of Toronto.
- Attachment 2: MLS Staff Photo Rear Yard – Pool Enclosure
- Attachment 3: MLS Staff Photo Rear Yard - East Side
- Attachment 4: MLS Staff Photo Rear Yard - West Side
- Attachment 4: MLS Staff Photo Rear Yard - South Side
- Attachment 5: MLS Staff Photo Rear Yard – Mesh Fence

Attachment 1: iView Map of Property – 213 Northwood Drive - City of Toronto.



Attachment 2: MLS Staff Photo Rear Yard – Pool Enclosure



Attachment 3: MLS Staff Photo Rear Yard - East Side



Attachment 4: MLS Staff Photo Rear Yard - West Side



Attachment 4: MLS Staff Photo Rear Yard - South Side



Attachment 5: MLS Staff Photo Rear Yard – Mesh Fence

