

18 Sandfield Road - Application for Fence Exemption

Date: May 27, 2026

To: North York Community Council

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

Wards: Ward 15 Don Valley West

SUMMARY

The Applicant for 18 Sandfield Road has requested North York Community Council to exempt their property from the following by-law requirements:

City of Toronto Municipal Code Chapter 447 - 1.3 Swimming pool enclosures.

- Section C. Access Protection (3)
- Section C. Access Protection (6)(c)(1)
- Section E. Construction standards (1)(b)
- Section E. Construction standards (2) (c) [1]

The Applicant for 18 Sandfield Road is requesting an exemption for their existing fence as constructed.

- The swimming pool enclosure constructed with vertical metal pickets has spaces between in excess of 38mm apart (99mm measured) where horizontal rails are spaced less than 1.2 meters apart. (Section E. (2) (c) [1])
- The swimming pool enclosure is less than 1.8 meters high, and is closer than 1 meter to an external condition (iron hand rail), which can facilitate climbing the outside of the enclosure where both external conditions are situated within less than 1 meter. (Section E. (1)(b))
- The sliding doors egress connected to covered rear patio with walkout access to pool through six (6) column openings each have no forth fence pool enclosure, and the south side wall has a garage door as walkout access to pool/backyard without any forth fence pool enclosure. (Section C.(3))
- The south side perimeter gate access to pool is not self-closing. (Section C. (6)(c)(1))

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, Central District recommends that North York Community Council pursuant to City of Toronto Municipal Code Fences Chapter 447. 1.3 Section E. (2) (c) [1] and Chapter 447 1.3 Section E. (1)(b) as per the Notice of Violation issued. In addition, North York Community Council pursuant to City of Toronto Municipal Code Fences Chapter 447 1.3 Section C (3), and Section C. (6)(c)(1).

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 18 Sandfield 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 for 18 Sandfield Road.

COMMENTS

Subject property facilitated new construction residential in-fill project through Toronto Building permit in 2019

Subject property was approved with an owner/applicant submission for a swimming pool enclosure permit on October 21st, 2024.

ML&S received a Fence Exemption submission on June 11th, 2025, regarding the current report submission.

Municipal Licensing and Standards Inspection Results from May 25, 2026:

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	Rear Yard – North east corner outside the swimming pool enclosure	Northeast corner forth fence pool enclosure with handrail outside enclosure as potential climbability, within less than 1 meter.	Chapter 447 Section E. (1)(b) Construction standards. A swimming pool enclosure, including any gate forming part of the enclosure, shall: 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.
Rear Yard	Rear Yard	The swimming pool enclosure constructed with vertical metal pickets has spaces between the pickets	Chapter 447 Section E. (2) (c) [1] Construction standards. Every fence and gate used in a

		more than 38mm apart (99mm/3.9inches measured) where horizontal rails are spaced less than 1.2 meters apart.	swimming pool enclosure shall be constructed to the following standards. A metal picket fence used in a swimming pool enclosure shall be constructed in a good, workmanlike manner as follows: [1] Vertical pickets shall be spaced not more than 38 millimeters apart where horizontal rails are spaced less than 1.2 meters apart and not more than 100 millimeters apart where horizontal rails are spaced at least 1.2 meters apart
Rear Yard	1. Rear Yard Covered Patio – West facing wall with sliding door egress from main/ground level 2. Rear Yard – south side wall of property	1.The sliding doors egress with walkout access to pool through six (6) column openings each have no fourth fence pool enclosure. 2.The south side wall has a garage door as walkout access to pool/backyard.	Chapter 447 - 1.3 Section C (3) Access Protection. 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 Yard	Rear Yard – south side perimeter gate access to pool/backyard	South side perimeter gate is not self-closing.	Chapter 447 - 1.3 Section C. (6)(c)(1) Access Protection. Every gate in a swimming pool enclosure shall: If it is a single gate: Be self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 meters above grade

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 form 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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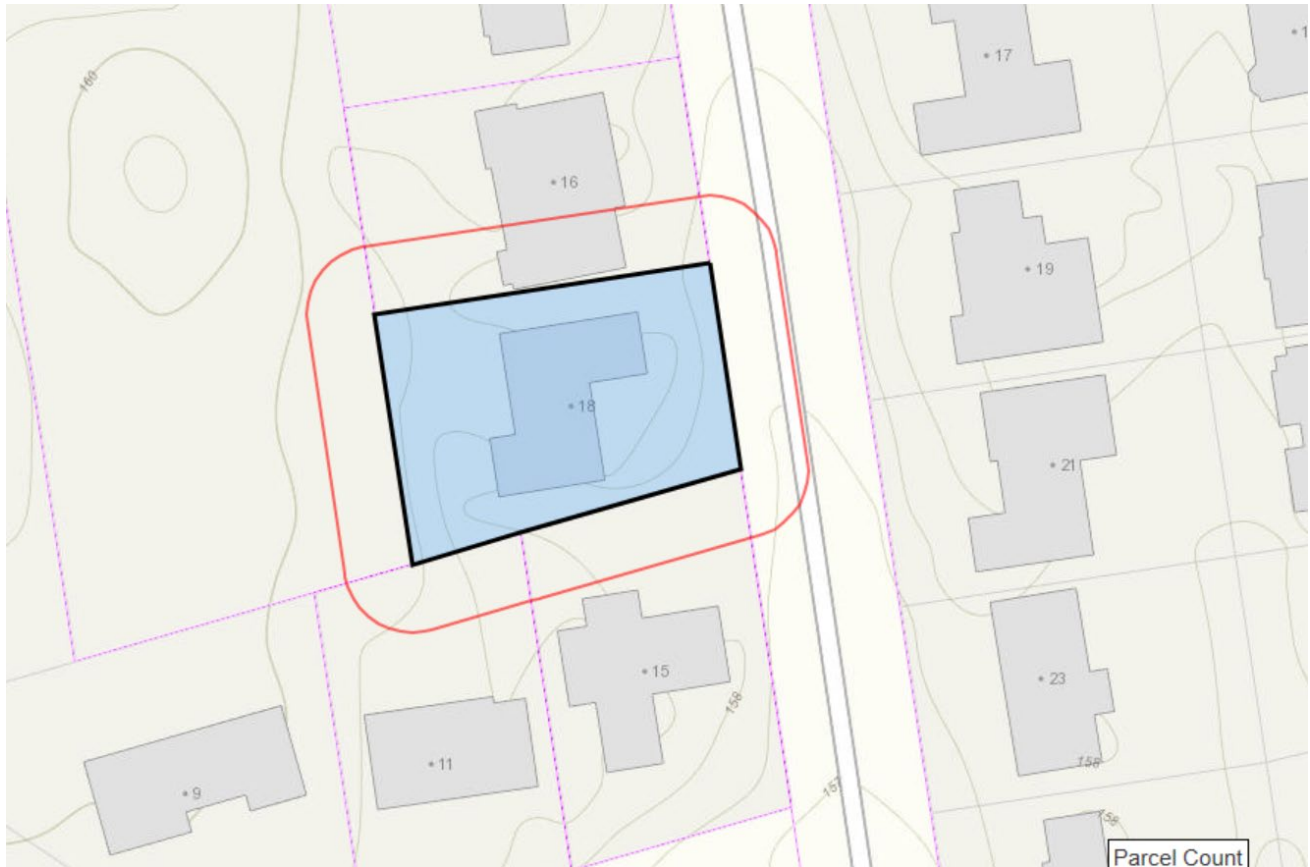
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ATTACHMENTS

- Attachment 1: GIS Map of Property – 18 Sandfield Road. City of Toronto
- Attachment 2: Overview of rear yard with gates, fences, and pool from the furthest south of the property. 18 Sandfield Road
- Attachment 3: West side perimeter entry fence that is self-closing, but not equipped with a lockable, self-latching device. 18 Sandfield Road
- Attachment 4: Rear yard covered patio - west facing sliding doors from ground/main level with six (6) column openings without any pool fence enclosure. 18 Sandfield Road
- Attachment 5: The south side wall has a garage door as walkout access to pool/backyard. 18 Sandfield Road
- Attachment 6: Northeast corner fence pool enclosure with handrail outside enclosure as potential climbability. 18 Sandfield Road
- Attachment 7: All swimming pool enclosure fences constructed with vertical metal pickets have spaces between more than 38mm apart (98mm measured). 18 Sandfield Road
- Attachment 8: ML&S 22-195961: Approved Pool Enclosure Permit
- Attachment 9: ML&S 22-195961: Zoomed rear yard indicating approved enclosures

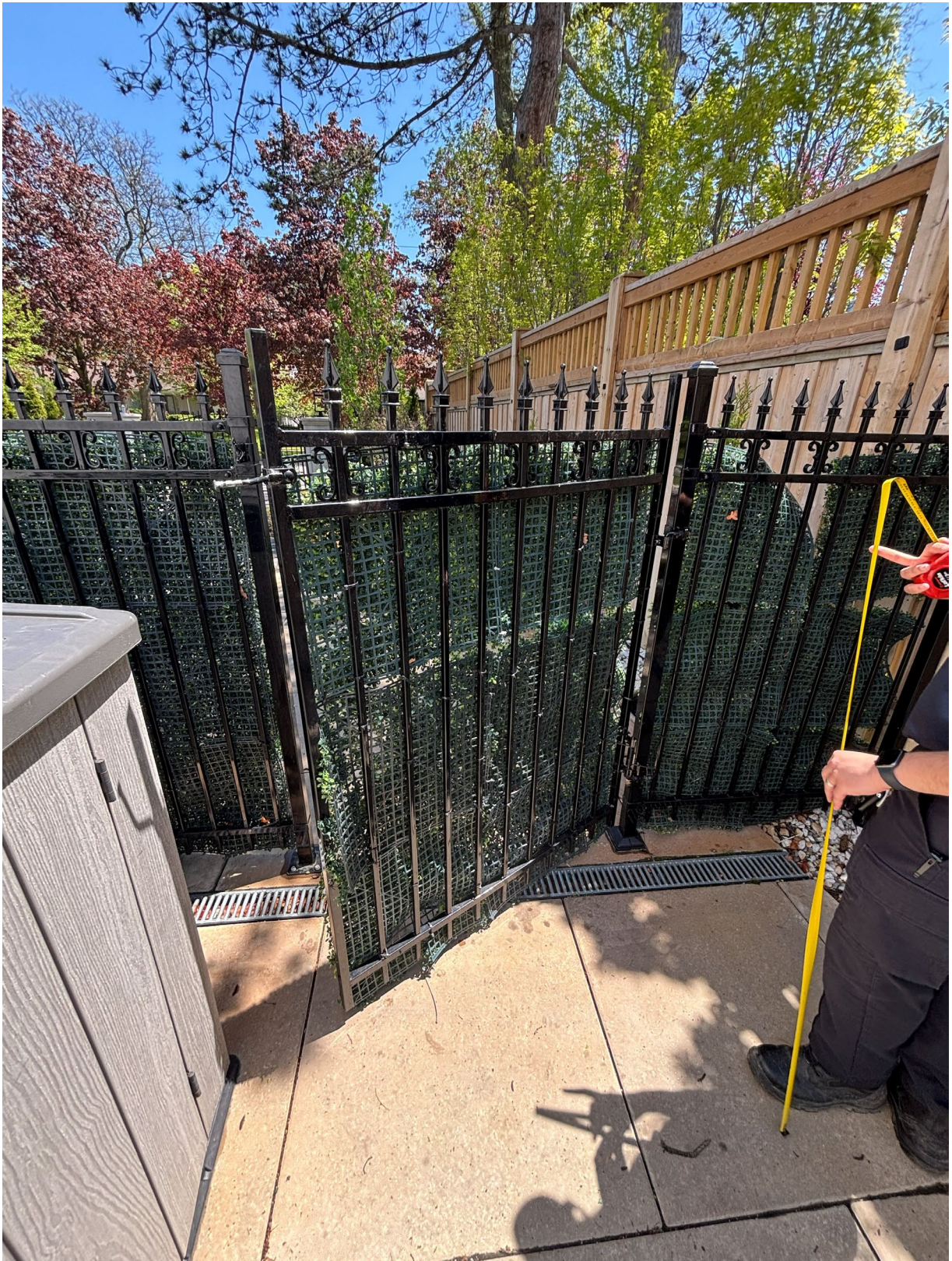
Attachment 1: GIS Map of Property – 18 Sandfield Road. City of Toronto



Attachment 2: Overview of rear yard and pool from the furthest south-west corner of the property.



Attachment 3: South side perimeter entry fence is not self-closing.



Attachment 4: Rear yard covered patio - west facing sliding doors from ground/main level with six (6) column openings without any pool fence enclosure.



Attachment 5: The south side wall has a garage door as walkout access to pool/backyard.



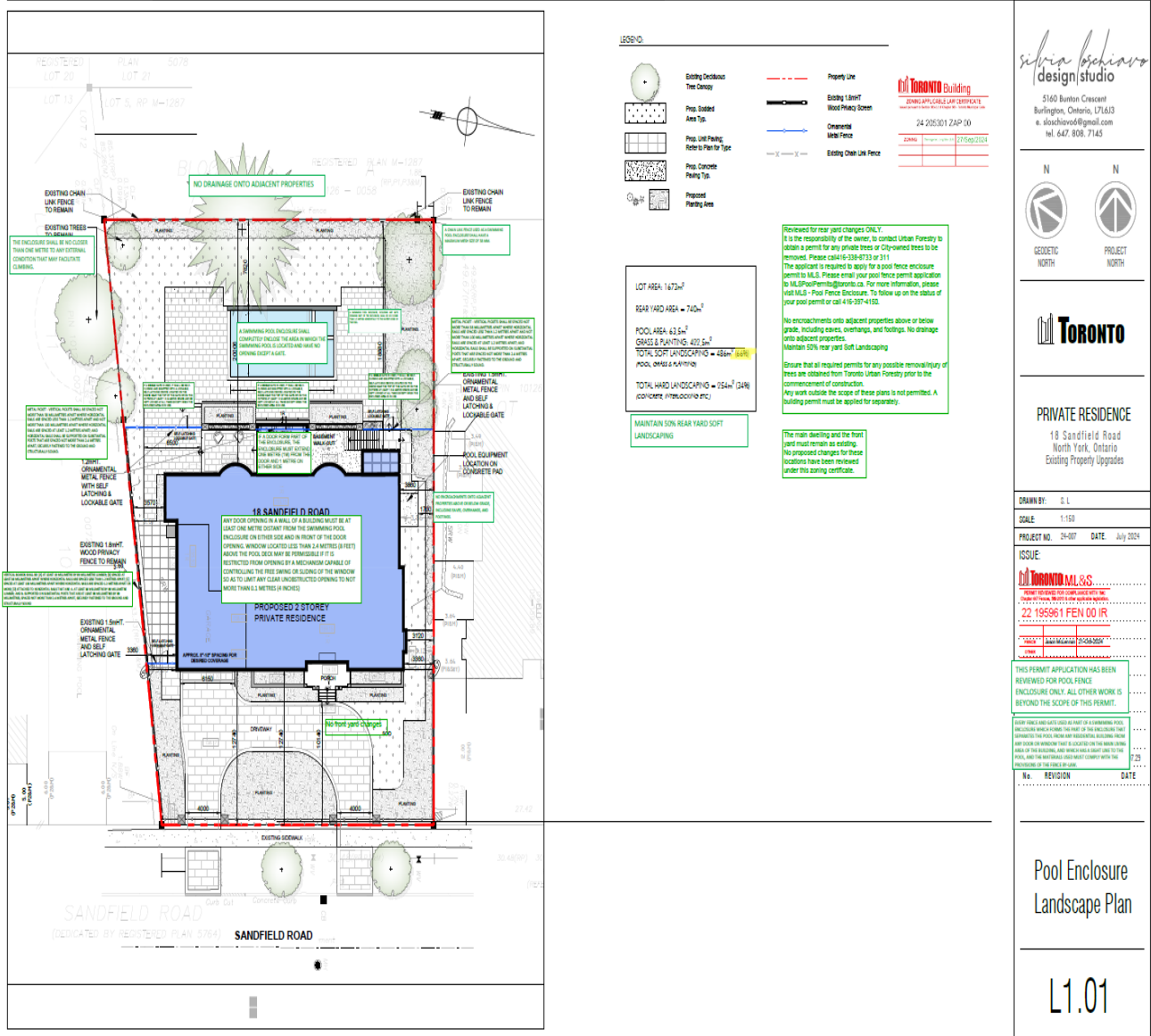
Attachment 6: Northeast corner fence pool enclosure with handrail outside enclosure as potential climbability.



Attachment 7: All swimming pool enclosure fences constructed with vertical metal pickets have spaces between more than 38mm apart (98mm measured).



Attachment 8: ML&S Approved Pool Enclosure Permit (22-195961)



Attachment 9: ML&S Pool Enclosure Permit (zoomed)

