

130 Rykert Crescent – Application for Fence Exemption

Date: June 4th, 2026

To: North York Community Council

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

Wards: Ward 15 – Don Valley West

SUMMARY

The Applicant for 130 Rykert Crescent has requested North York Community Council exempt their property from the following by-law requirements:

City of Toronto Municipal Code Chapter 447 Section 1.3.C(3) Access Protection.

The Applicant for 130 Rykert Crescent is requesting an exemption for their;

- Request to access from the property's home to the pool enclosure area in the rear yard remain without a fourth fence

Municipal Licensing and Standards Division has inspected the subject property and issued a notice of violation of City of Toronto Municipal Code Chapter 447 Section 1.3. C (1) Access Protection

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 Section 1.3 C (1) Enclosure Required

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 130 Rykert Crescent for the incomplete pool fence enclosure, allowing access from the property's home to the pool enclosure area in the rear yard through the openings in the wall of the building

FINANCIAL IMPACT

There is no financial impact to the City of Toronto.

DECISION HISTORY

There are no previous Fence Exemption decisions on this 130 Rykert Crescent

COMMENTS

Municipal Licensing and Standards Inspection Results:

Municipal Licensing and Standards received a complaint about a pool being constructed without a permit. A pool permit and fence exemption have since been submitted and the home owners are seeking relief from the bylaw. The absence of a fourth 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	South and East sides of property	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.	Chapter 447 Section 447 1.3.C.(3)

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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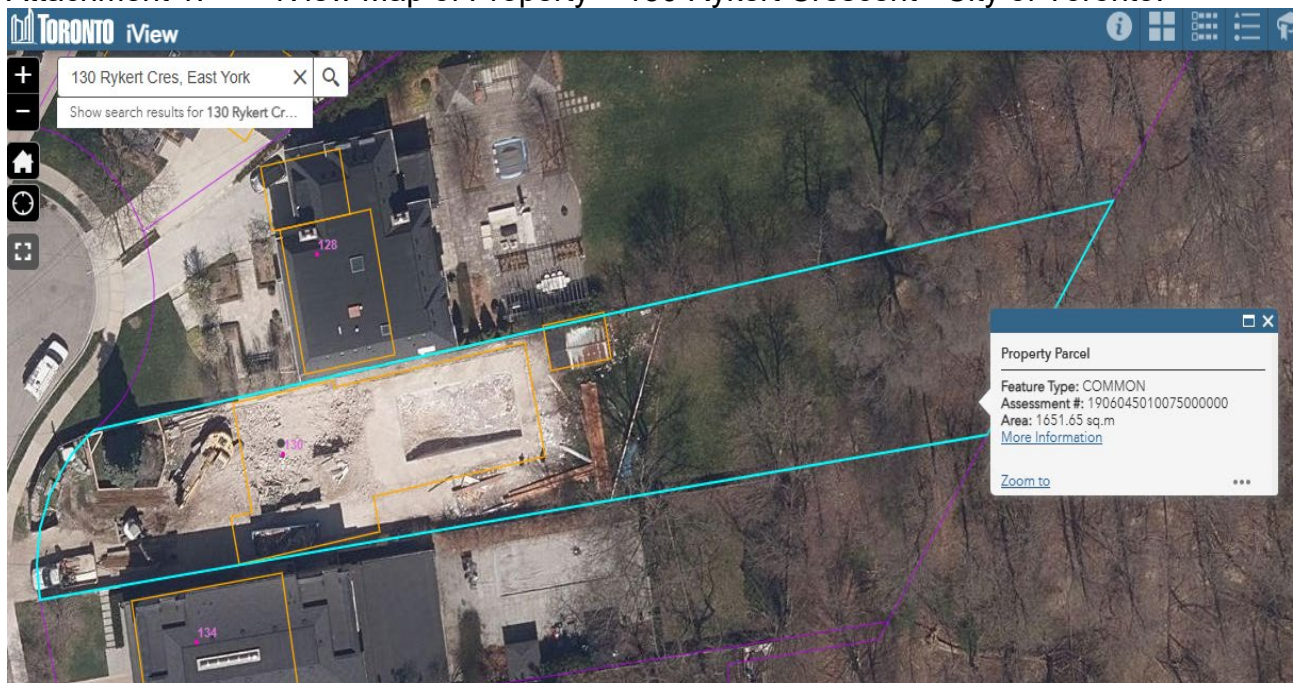
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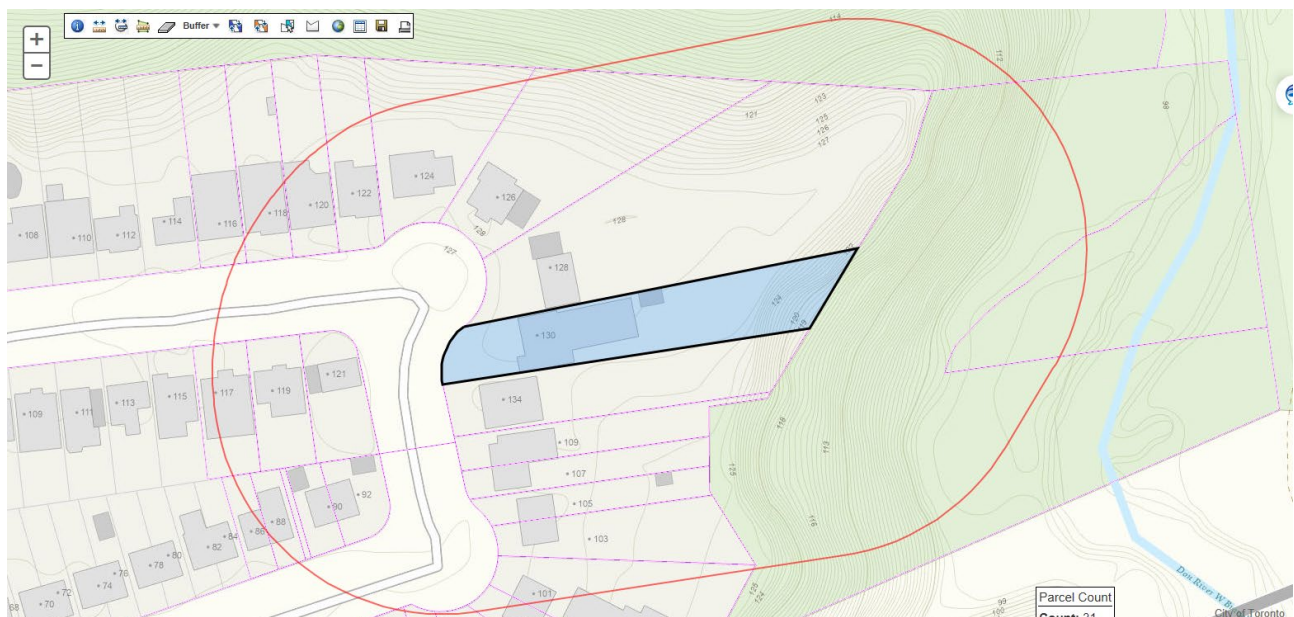
ATTACHMENTS

Attachment 1:	iView Map of Property – 130 Rykert Crescent - City of Toronto.
Attachment 2:	Geospatial Information System (GiS) – 130 Rykert Crescent
Attachment 3:	Overview of rear yard
Attachment 4:	Rear Yard – South side open access from property to pool
Attachment 5:	Rear Yard – West side open access property to pool
Attachment 6:	Rear Yard – South/West open access from basement walkout
Attachment 7:	Pool permit application
Attachment 8:	Pool permit application – zoomed confirmation

Attachment 1: iView Map of Property – 130 Rykert Crescent - City of Toronto.



Attachment 2: Geospatial Information System (GiS) – 130 Rykert Crescent



Attachment 3: Overview of rear yard



Attachment 4: Rear Yard – South side open access from home to pool



Attachment 5: Rear Yard – East side open access property to pool



K. GOODWIN #6190
April 07, 2026 3:38 p.m.

Attachment 6: Rear Yard – South/West open access from basement walkout



K. GOODWIN #6190
April 07, 2026 3:38 p.m.

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