

23 Truxford Road - Application for Fence Exemption

Date: June 08, 2026

To: North York Community Council

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

Wards: Ward 16 Don Valley East

SUMMARY

The Applicant for 23 Truxford Road 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 1.3C.(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.

The applicant for 23 Truxford Road is seeking an exemption to permit the existing rear yard fence to remain in its current constructed state. The fence enclosure has been designed and constructed to include the garage wall, which contains a double access door (walk-out entry), within the enclosed area.

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 Acting 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 1.3C.(1)

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 23 Truxford Road, 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 23 Truxford Rd.

COMMENTS

Municipal Licensing and Standards Inspection Results:

The existing fence violates the City of Toronto Municipal Code, Chapter 447 – Fences 447-1.3. Swimming pool enclosure requirements:

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Rear yard Pool Enclosure	South Side of Dwelling - Garage Double-Door Access	The enclosure has been constructed in a manner that permits direct access to the pool area through the wall of the built-in garage.	Section 447 1.3C.(3)(1) 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.

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.

May 26 2008 Toronto City Council (LS13.3)

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

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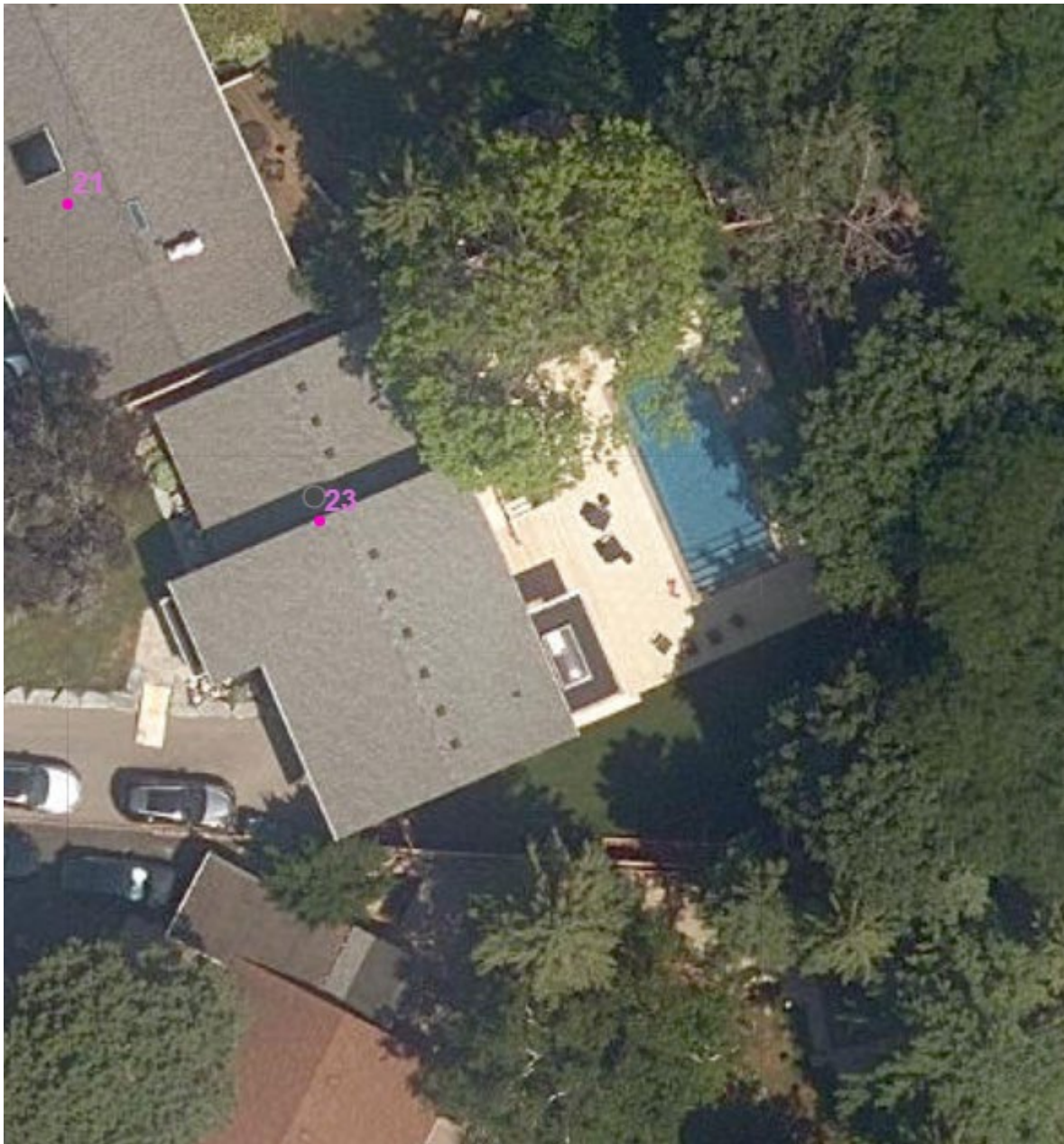
ATTACHMENTS

Attachment 1: iView Map of Property – 23 Truxford Road - City of Toronto.

Attachment 2: MLS Staff Photo Rear Yard - Pool Enclosure - Access protection

Attachment 3: MLS Staff Photo Rear Yard - Pool Enclosure - Access protection

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Attachment 2: MLS Staff Photo Rear Yard - Pool Enclosure - Access protection



Attachment 3: MLS Staff Photo Rear Yard - Pool Enclosure - Access protection

