

## 369 Soudan Ave - Application for Fence Exemption

**Date:** April 10, 2025  
**To:** North York Community Council  
**From:** District Manager, Municipal Licensing and Standards  
**Wards:** Ward 15 – Don Valley West

### SUMMARY

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The Applicant for 369 Soudan Ave. has requested North York Community Council to exempt their property from the following by-law requirements:  
 City of Toronto Municipal Code Chapter 447-1.2B(1) and Chapter 447-1.2C(1)

**B. Fence height.**

- (1) *No fence described in the following Table shall, when measured at any point along its length from the average grade level measured perpendicular to and one meter away on either side of the fence, exceed the height set out in the Table for the fence.*

Item	Description of Fence	Fence on Single or Multiple residential property	Fence on non-residential property	Hedge, shrub, or other vegetation that acts as fence
1	Fence in a front yard; and within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane)	1.2 metres	1.2 metres	1.2 metres

**C. Open-fence construction required.**

- (1) *Any fence within 2.4 meters of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 meters from the lot line at which the driveway begins so as not to obstruct the view of the Boulevard or highway*

The Applicant for 369 Soudan Ave. is requesting an exemption for their;

- Existing cedar hedges, that acts as a fence.
- Average height: 2 metres.
- Blocking the sightline of the boulevard resulting in reduced visibility for vehicles exiting the subject property.
- 6 cedar trees, on private portion, are within 2.4 meters of the boulevard and therefore subject to 447-1.2B(1) and Chapter 447-1.2C(1).

Municipal Licensing and Standards Division has inspected the subject property and issued a notice of violation of City of Toronto Municipal Code Chapter 447-1.2B(1) and Chapter 447-1.2C(1). A referral was made to Transportation Services division of the City of Toronto to inspect the publicly owned and privately assumed, transportation right-of-way boulevard.

## **RECOMMENDATIONS**

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The District Manager, Municipal Licensing and Standards, Central District recommends that North York Community Council pursuant to City of Toronto Municipal Code Fences Chapter 447-1.5 B:

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 369 Soudan Ave, for the existing fence described in the Summary of this report.

## **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 369 Soudan Ave.

## **COMMENTS**

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The subject property is located in Ward 15 Don Valley West and is a 2 Story single family dwelling.

Municipal Licensing Standards inspected the area where the hedge is established; Although the front lot line is measured to be greater than 3.65 meters from the nearest edge of the sidewalk the hedge does not meet the Bylaws requirements in relation to the proximity to the front private property lot line and the open-fence construction standard, as seen in the following table:

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Front Yard	West side of the property	Fence in a front yard; and within 2.4 metres of a lot line abutting a public highway	<i>Chapter 447 Section 1.2B(1):</i>  Maximum Height: 1.2 meters
		Fence within 2.4 metres of any driveway shall be open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway.	<i>Chapter 447 Section 1.2C(1):</i>  Construction standard:  open mesh chain-link fence or of an equivalent open-fence construction

City of Toronto Municipal Code Chapter 447 Fences Bylaw set out the requirements for fence materials that must provide adequate barriers to ensure safety for all residents and users, including children and pets. 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.

- Prohibited material - barbed wire, chicken wire, or any other barbed or sharp material, sheet metal and corrugated metal panels are not allowed and fences cannot be used to conduct electricity, unless the fence is on agricultural land used for raising livestock.
- No vegetation shall be permitted to grow or object permitted to be placed in such a way as to obstruct the view through a fence under Chapter 447-1.2 C
- Any fence within 2.4 metres of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway (Chapter 447-1.2 C)
- any fence shall be an open mesh chain-link fence or of an equivalent open-fence construction anywhere it may otherwise restrict the sight lines of vehicular or pedestrian traffic in a parking lot/adjacent property

## **CONTACT**

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## **SIGNATURE**

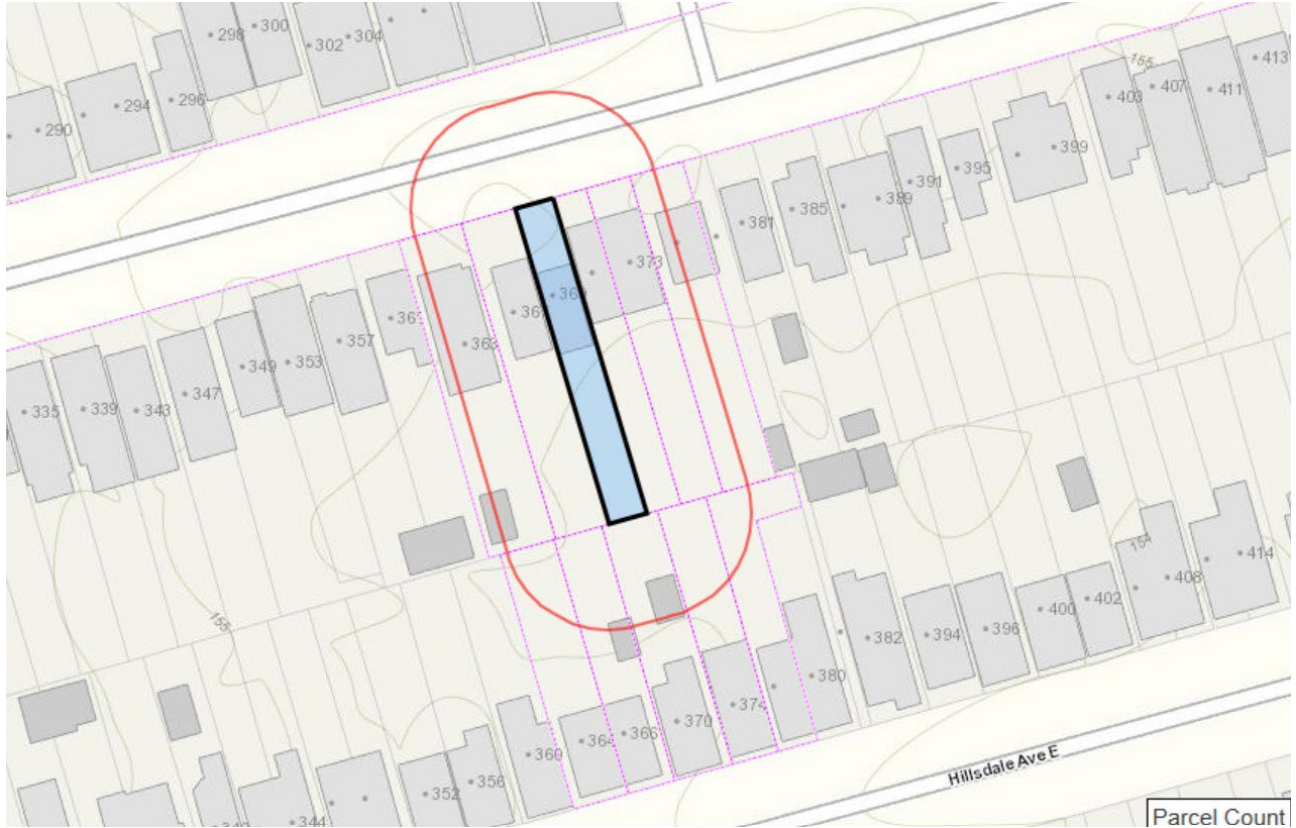
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Cameron Culver  
District Manager, Municipal Licensing and Standards, Central District

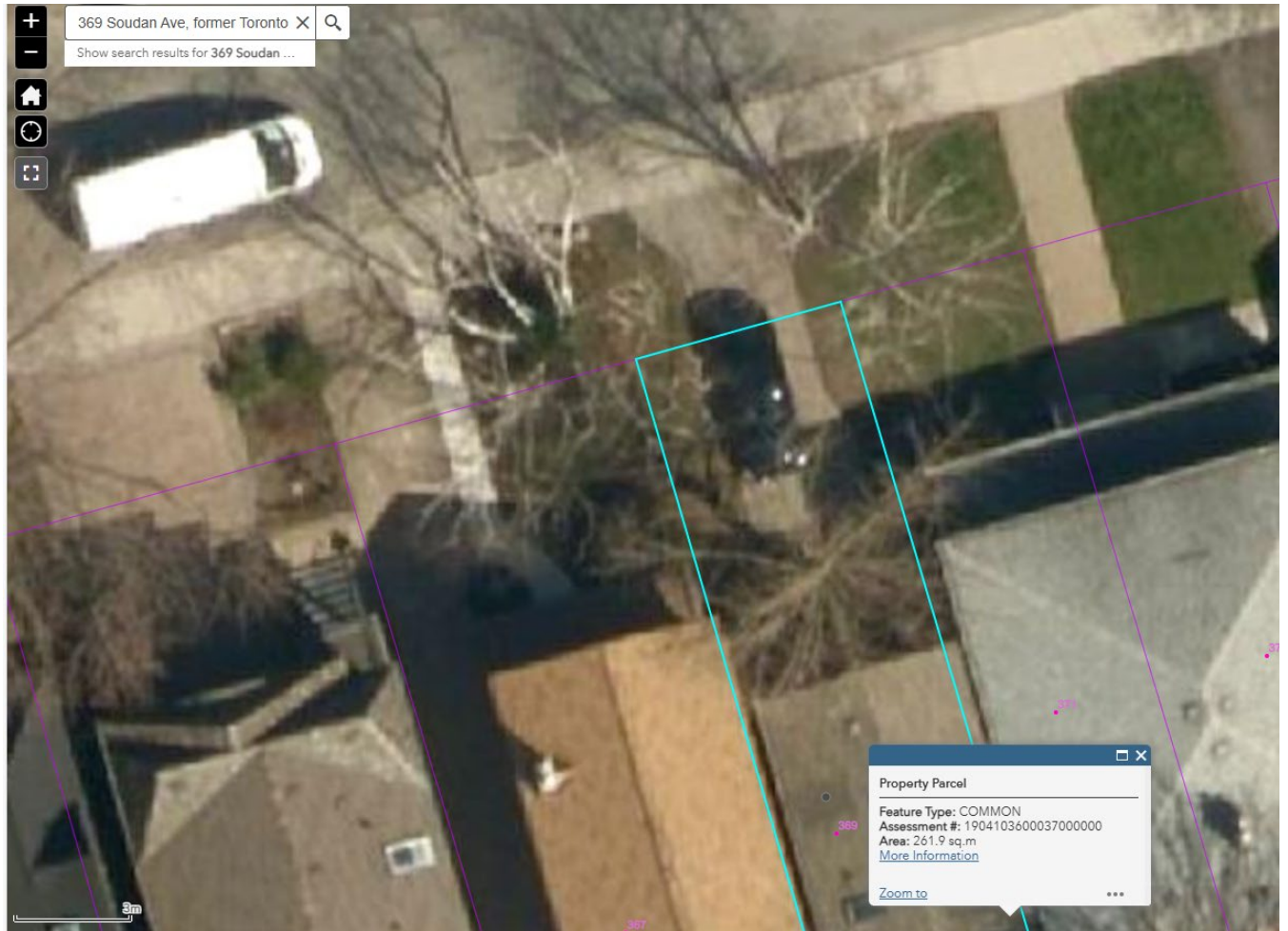
## **ATTACHMENTS**

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- Attachment #1: Geospatial Information System (GIS) – 369 Soudan Ave. - City of Toronto.
- Attachment #2: iView Map of Property with satellite image – 369 Soudan Ave. - City of Toronto.
- Attachment #3: View from sidewalk, fronting 363 Soudan Ave, west of the subject property. (December 17, 2024)
- Attachment #4: View from sidewalk, west of the property (February 5, 2025)
- Attachment #5: View from sidewalk, east of the subject property. Marking the front lot Line (February 5, 2025)
- Attachment #6: View from 371 Soudan Ave, east of the subject property. Marking the front lot line. (February 5, 2025)
- Attachment #7: View from 371 Soudan Ave, east of the subject property. Marking the front lot line. (February 5, 2025)
- Attachment #8: Marking 2.4 meters from the front lot line. (February 5, 2025)
- Attachment #9: Marking 2.4 meters from the front lot line. (February 5, 2025)



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Attachment #2: iView Map of Property with satellite image – 369 Soudan Ave. - City of Toronto.



Attachment #3: View from sidewalk, fronting 363 Soudan Ave, west of the subject property. (December 17, 2024)



Attachment #4: View from sidewalk, west of the property (February 5, 2025)



Attachment #5: View from sidewalk, east of the subject property. Marking the front lot Line (February 5, 2025)



Attachment #6: View from 371 Soudan Ave, east of the subject property. Marking the front lot line. (February 5, 2025)



Attachment #7: View from 371 Soudan Ave, east of the subject property. Marking the front lot line. (February 5, 2025)



Attachment #8: Marking 2.4 meters from the front lot line. (February 5, 2025)



Attachment #9: Marking 2.4 meters from the front lot line. (February 5, 2025)