

## **35 Wilket Road - Application for Fence Exemption**

**Date:** August 20, 2025  
**To:** North York Community Council  
**From:** South District Manager, Municipal Licensing and Standards  
**Ward:** 15 – Don Valley West

### **SUMMARY**

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The Applicant for 35 Wilket Rd. 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.*

<b>Item</b>	<b>Description of Fence</b>	<b>Fence on Single or Multiple residential property</b>	<b>Fence on non-residential property</b>	<b>Hedge, shrub, or other vegetation that acts as fence</b>
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 35 Wilket Rd. is requesting an exemption for:

- Existing wrought iron double swing gates and fence with precast concrete columns.
- Existing young cedar hedges, in early stages of growth, that acts as a fence.
- Consistent height measurements:
  - Wrought iron fence = 1.65 to 1.78 meters
  - Cedar hedges = 1.65 meters
  - Double swing gates = 2.22 meters
  - Precast concrete columns = 1.86 meters
- Maximum height permitted is 1.2m
- Precast concrete columns and cedar hedges are obstructing view of boulevard from the driveway.

## **RECOMMENDATIONS**

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The South District Manager, Municipal Licensing and Standards, 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 35 Wilket Rd., 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 35 Wilket Rd.

## **COMMENTS**

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Municipal Licensing and Standards Inspection Results:

The Municipal Licensing and Standards Division inspected the subject property on May 2, 2024, and issued a Notice of Violation under City of Toronto Municipal Code Chapter 447-1.2B(1). Additionally, during the fence exemption inspection on April 8, 2025, it was observed that concrete columns and cedar hedges obstruct the view of the boulevard from the driveway, which is contrary to City of Toronto Municipal Code Chapter 447-1.2C(1).

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Front Yard	South side of the property, front yard perimeter fence	Fence and hedge, that acts as a fence, in a front yard; and within 2.4 metres of a lot line abutting a public highway	<p><i>Chapter 447 Section 1.2B(1):</i></p> <p><b>Maximum Height: 1.2 meters</b></p>
		Fence and hedge, that acts as a 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.	<p><i>Chapter 447 Section 1.2C(1):</i></p> <p>Construction standard:</p> <p><b>Open mesh chain-link fence or of an equivalent open-fence construction when within 2.4 metres of a driveway</b></p>

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

## City Council Decisions

May 22, 23, & 24 2018, City Council adopted the following:

1. City Council amend Chapter 447, Fences, to allow fences that are located in a front yard between two private properties to be a maximum of 2.0 metres in height and specify that this does not apply to fences within a 2.4 metre distance from a front lot line.
2. City Council amend Chapter 447, Fences, to remove maximum height requirements for any hedge, shrub, or other vegetation that acts as a fence, except when the hedge, shrub, or vegetation is within a 2.4 metre distance from a lot line abutting a public highway, other than a public lane

## **CONTACT**

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## **SIGNATURE**

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*Cameron Culver*

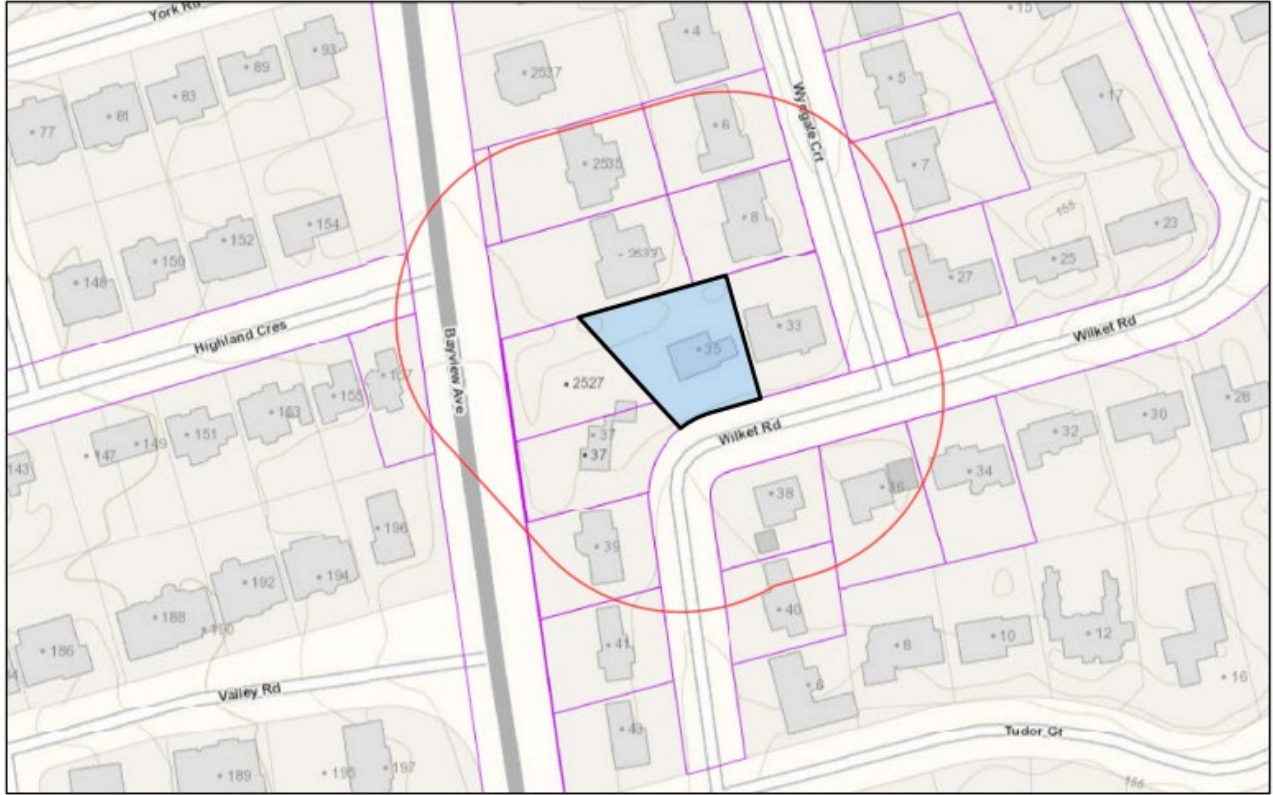
Cameron Culver  
South District Manager, Municipal Licensing and Standards

## **ATTACHMENTS**

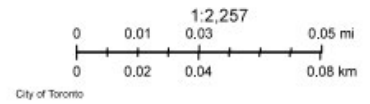
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- Attachment 1: Geospatial Information System (GIS) – 35 Wilket Rd. – City of Toronto.
- Attachment 2: iView Map of Property with satellite image – 35 Wilket Rd. - City of Toronto.
- Attachment 3: iView Map of Property with satellite image – 35 Wilket Rd. - City of Toronto.
- Attachment 4: Photograph of 35 Wilket Rd, view from opposite side of the street.
- Attachment 5: Photograph of 35 Wilket Rd, view from opposite side of the street.
- Attachment 6: Photograph depicting front yard inside perimeter fence, view from driveway located at 35 Wilket Rd,.
- Attachment 7: Photograph depicting front yard inside perimeter fence, view from driveway located at 35 Wilket Rd,.
- Attachment 8: Photograph depicting front yard inside perimeter fence, view from driveway located at 35 Wilket Rd,.
- Attachment 9: Photograph depicting existing height of fence at 1.65 metres. Maximum permitted height for the fence is 1.2 metres.
- Attachment 10: Photograph depicting existing height of precast concrete columns at 1.86 metres. Maximum permitted height for any component of the fence is 1.2 metres.
- Attachment 11: Photograph depicting existing height of double swing gates at 2.22 metres. Maximum permitted height for any component of the fence is 1.2 metres.
- Attachment 12: Photograph depicting existing height of gate at 1.78 metres. Maximum permitted height for the fence is 1.2 metres.
- Attachment 13: Photograph depicting existing width of precast concrete columns at 0.8 metres.
- Attachment 14: Photograph depicting existing height of double swing gates at 2.22 metres. Maximum permitted height for any component of the fence is 1.2 metres.

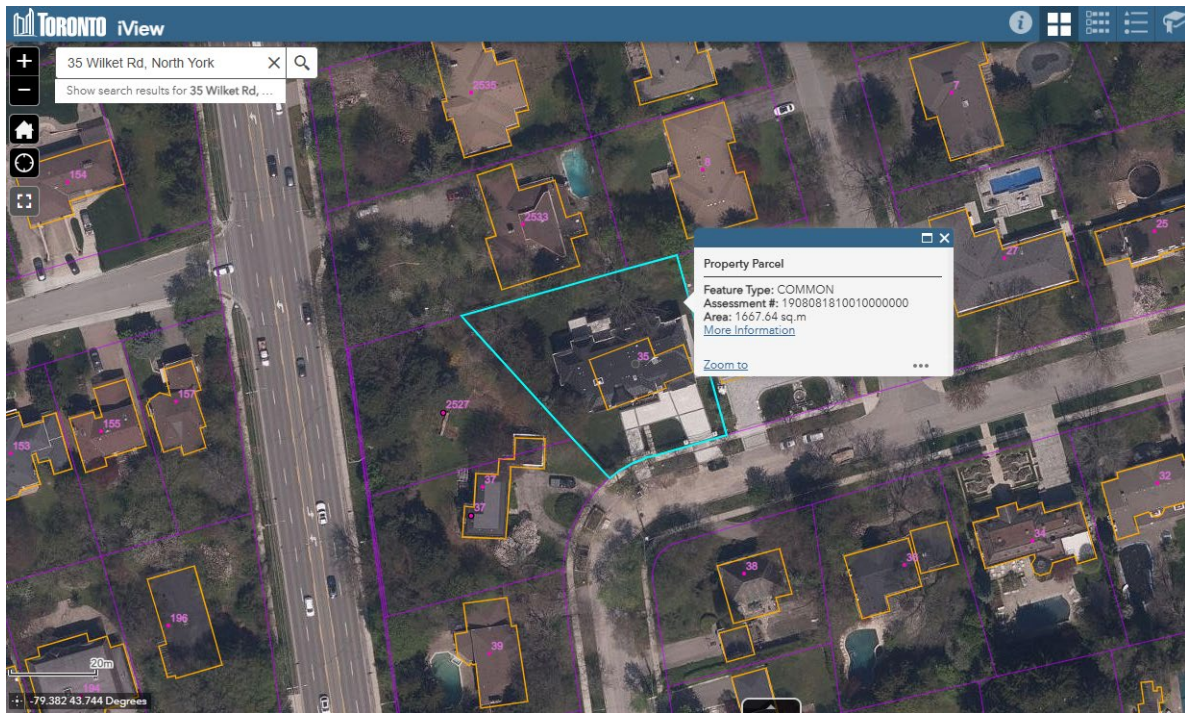
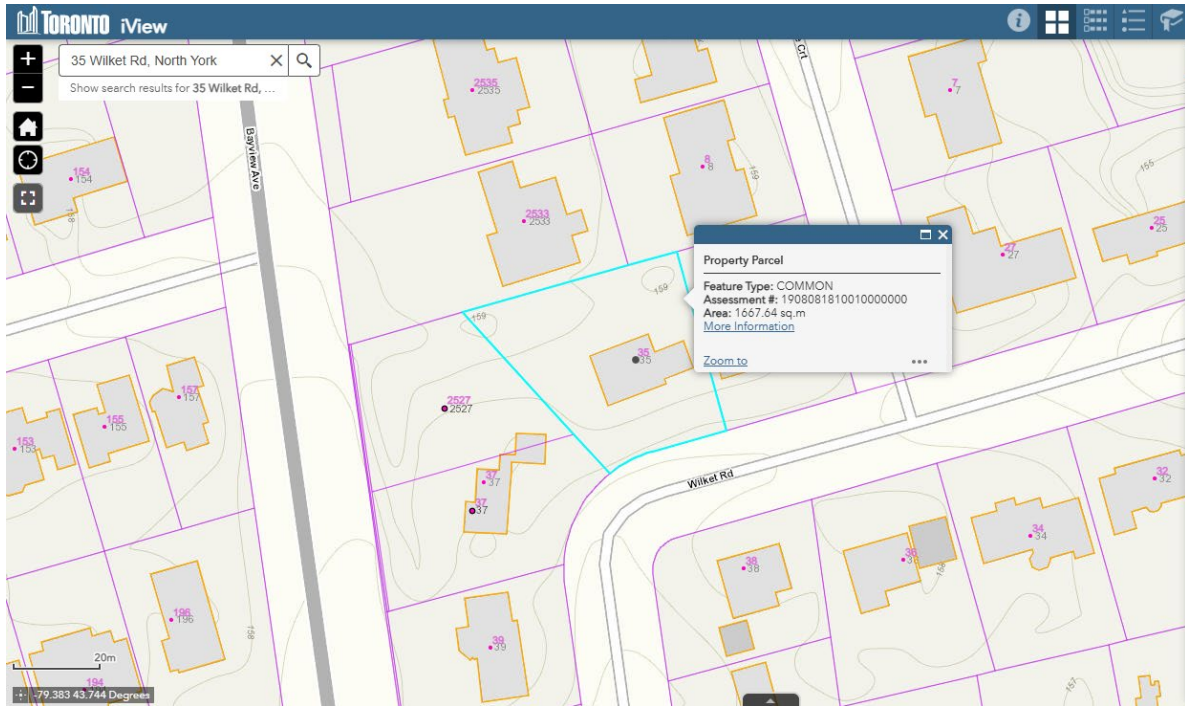
- Attachment 15: Photograph depicting west view from sidewalk fronting 35 Wilket Rd.
- Attachment 16: Photograph depicting east view from sidewalk fronting 35 Wilket Rd.
- Attachment 17: Photograph depicting approximate location of the front property line at 35 Wilket Rd., fence is located on the property line.
- Attachment 18: Photograph depicting 2.4 metres from the front property line at the driveway at 35 Wilket Rd., this is where City of Toronto Municipal Code Chapter 447-1.2B(1) and Chapter 447-1.2C(1) applies, *open-fence construction and maximum height of 1.2 metres required.*
- Attachment 19: Photograph depicting 2.4 metres from the driveway at 35 Wilket Rd., this is where City of Toronto Municipal Code Chapter 447-1.2C(1) applies, *open-fence construction required.*
- Attachment 20: Photograph depicting 2.4 metres from the driveway at 35 Wilket Rd., this is where City of Toronto Municipal Code Chapter 447-1.2C(1) applies, *open-fence construction required.*
- Attachment 21: Photograph depicting 2.4 metres from the driveway at 35 Wilket Rd., this is where City of Toronto Municipal Code Chapter 447-1.2C(1) applies, *open-fence construction required.*



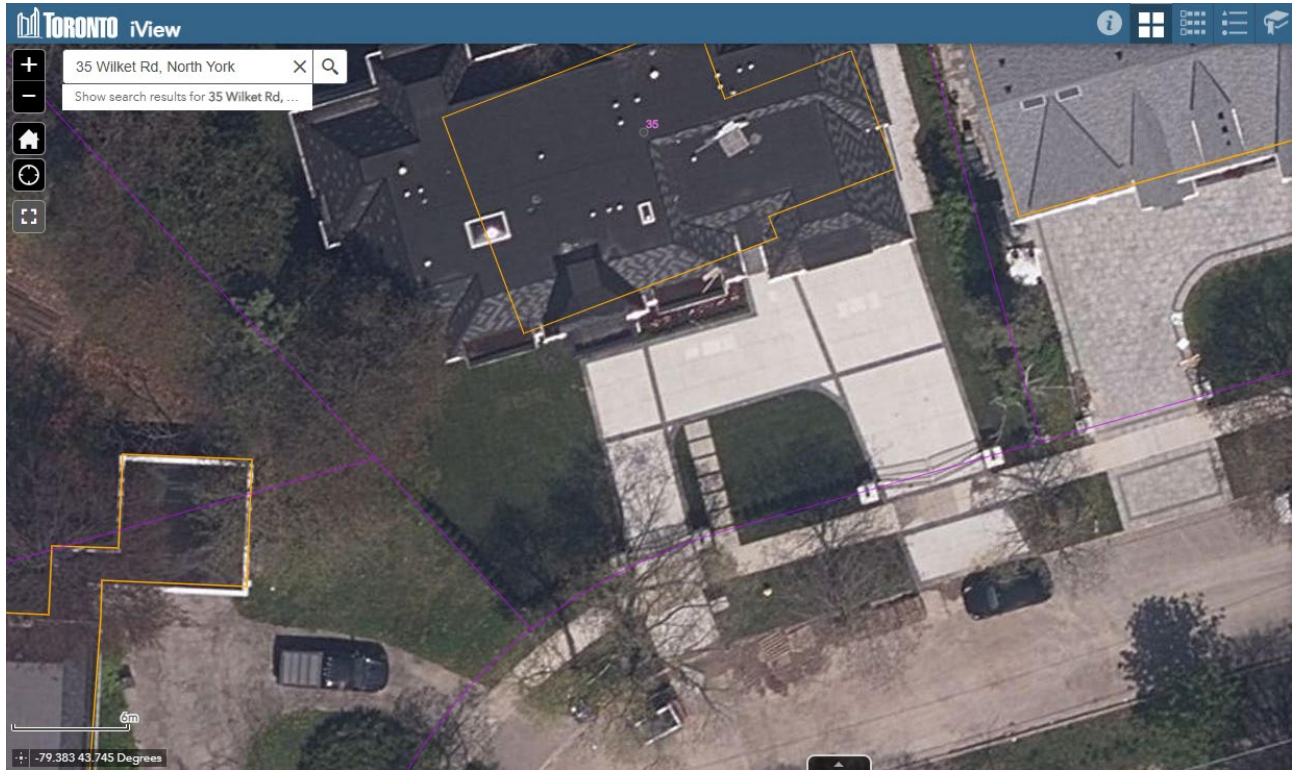
May 15, 2025



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Attachment 4: Photograph of 35 Wilket Rd, view from opposite side of the street.



Attachment 5: Photograph of 35 Wilket Rd, view from opposite side of the street.



Attachment 6: Photograph depicting front yard inside perimeter fence, view from driveway located at 35 Wilket Rd.,.



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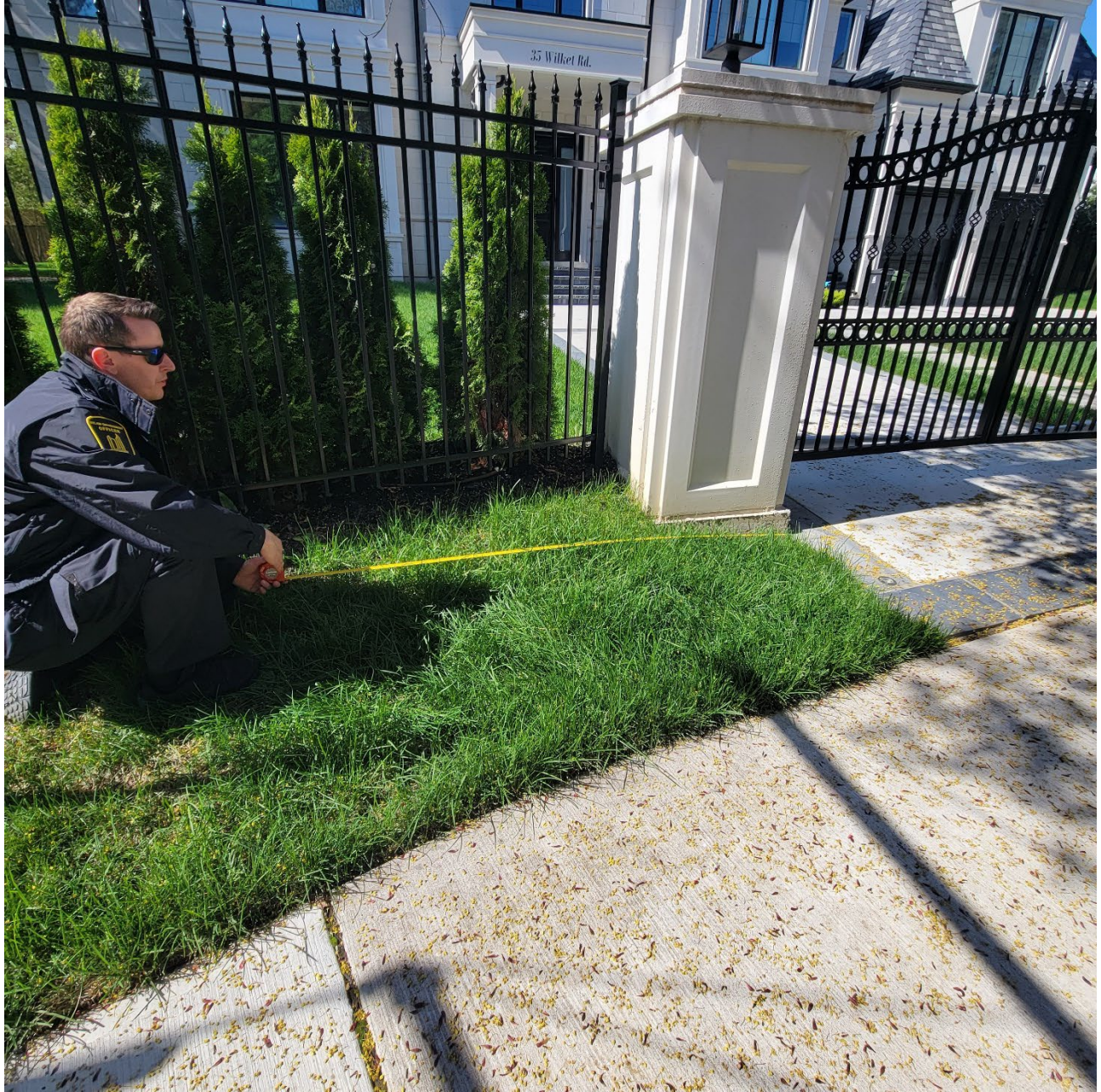
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