

35 Curzon Street - Application for Fence Exemption

Date: May 15, 2025
To: Toronto and East York Community Council
From: South District Manager, Municipal Licensing and Standards
Ward: 14 – Toronto-Danforth

SUMMARY

The Applicant for 35 Curzon St. has requested Toronto and East York Community Council to exempt their property from the following by-law requirements:

City of Toronto Municipal Code Chapter 447-1.2B(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.*

The Applicant for 35 Curzon St. is requesting an exemption for their;

- Existing linear wooden fence located on the northern lot line of the rear yard.
- Proposed linear wooden fence to be located on the southern lot line of the rear yard.
- Northern lot line fence is measured at 9.33m in length and 3.15m in height.
- Proposed southern lot line fence would be similar in height and length.
- Existing and proposed sections constructed with pressure treated wood and the upper portion mounted with an artificial boxwood privacy screen, polyethylene (or similar synthetic material) designed to mimic the appearance of boxwood foliage.
- Maximum height permitted is 2m.

Municipal Licensing and Standards Division has inspected the subject property on **November 8, 2024** and issued a Notice of Violation of City of Toronto Municipal Code Chapter 447-1.2B(1).

RECOMMENDATIONS

The South District Manager, Municipal Licensing and Standards, recommends that Toronto and East 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 Curzon St, for the existing and proposed 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 this property, 35 Curzon St.

COMMENTS

Municipal Licensing and Standards Inspection Results:

The subject property is located in Ward 14 Toronto-Danforth. Municipal Licensing Standards investigated the area where the fence is installed; the fence erected, and proposed, does not meet the Bylaws requirement as seen in the tables below.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Rear Yard	North and South side of the property	Fence in the rear yard on a single residential property. Table (Item 9): Any other fence	Chapter 447-1.2B(1): A fence must not be more than 2 meters in height

City of Toronto Municipal Code, Chapter 447 Fences Bylaw set out the requirements in respect to the health, safety and well-being of persons in the City of Toronto regarding structures, including fences. Among other requirements, Chapter 447 sets out requirements for maximum fence heights depending on where the fence is located on the property, as well as if the fence is on a residential or non-residential property. There are also specific height maximums for hedges, shrubs and other vegetation that acts as a 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
2	Fence in a front yard; and not within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane)	2.0 metres	2.0 metres	No maximum
3	Fence not in a front yard; and within 2.4 metres of a side lot line abutting a public highway (public highway does not include a public lane); and within 2.4 metres of a driveway	2.0 metres	2.0 metres	2.0 metres
4	Fence not in a front yard; and between 2.4 metres from a side lot line abutting a public highway (public highway does not include a public lane) and the nearest wall of the main building extended to the rear lot line; and within 2.4 metres of a driveway	2.0 metres	2.5 metres	No maximum
5	Fence on an unroofed deck; and not in a front yard; and not within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane)	2.0 metres	2.0 metres	No maximum
6	Fence not in a front yard that also is not a fence under Items 3, 4 or 5 of this Table; and abutting a multiresidential property, a non-residential property, a public highway or a public walkway	2.5 metres	2.5 metres	No maximum
7	Fence abutting a rapid transit right of way	2.5 metres	No maximum	No maximum
8	Fence for a tennis court, a baseball diamond or other recreational facility	3.0 metres	No maximum	No maximum
9	Any other fence	2.0 metres	2.5 metres	No maximum

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

Cameron Culver

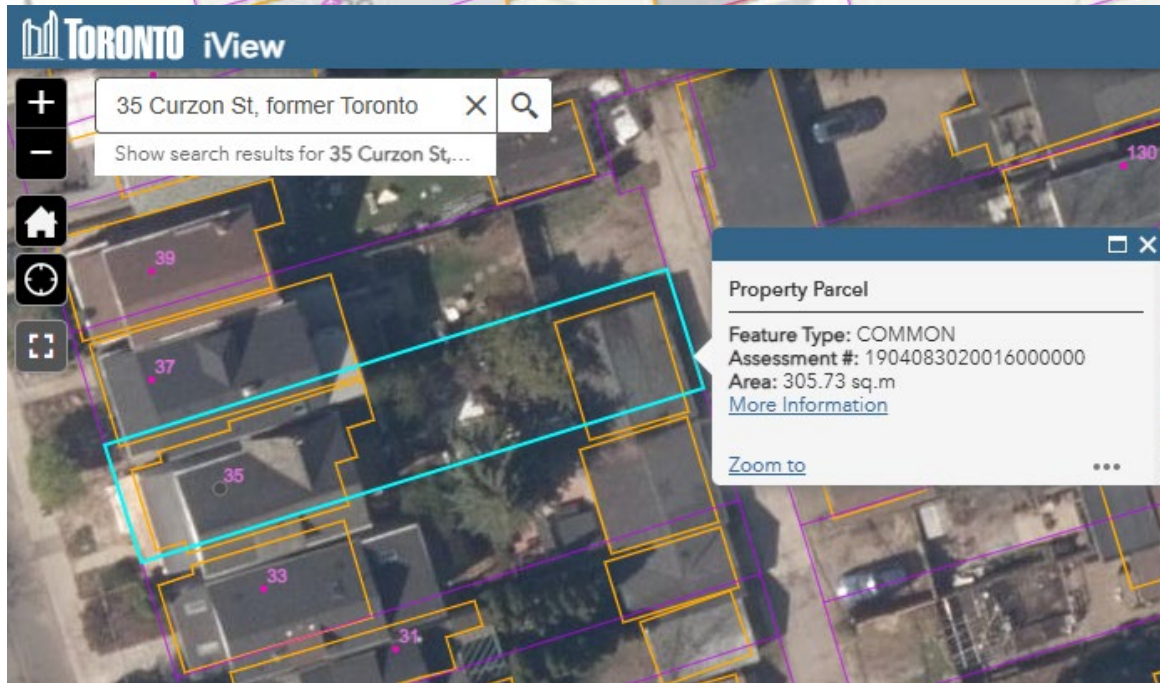
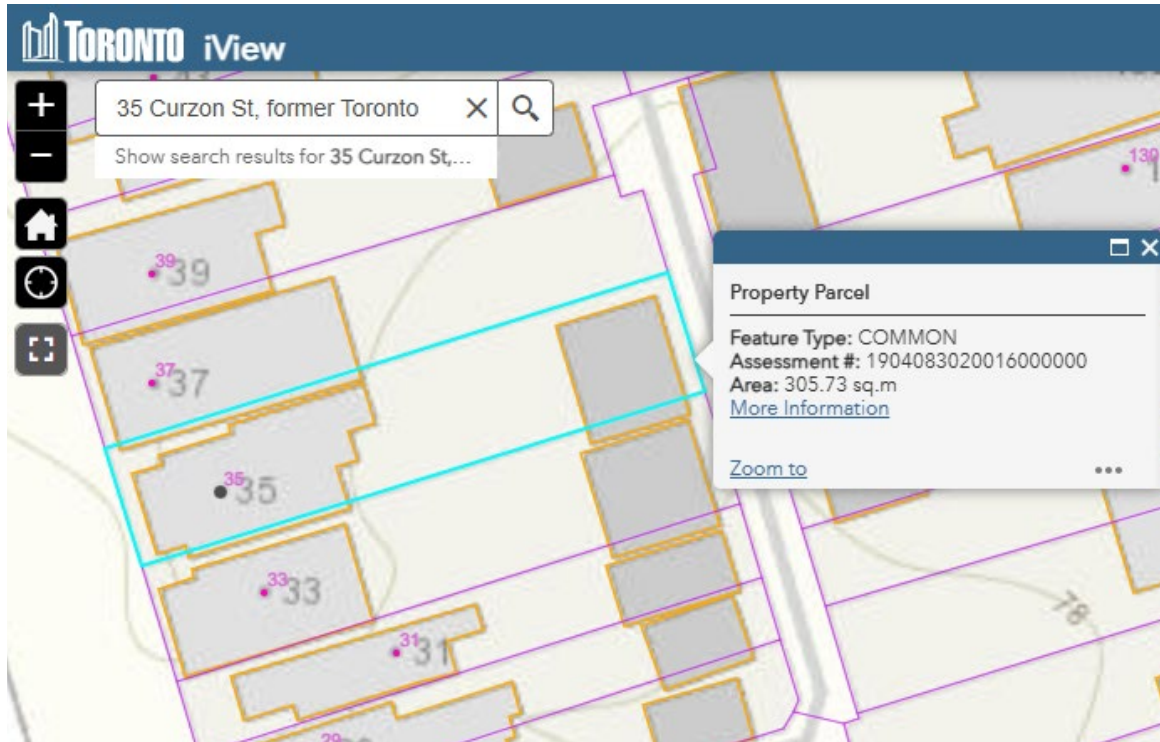
Cameron Culver
South District Manager, Municipal Licensing and Standards

ATTACHMENTS

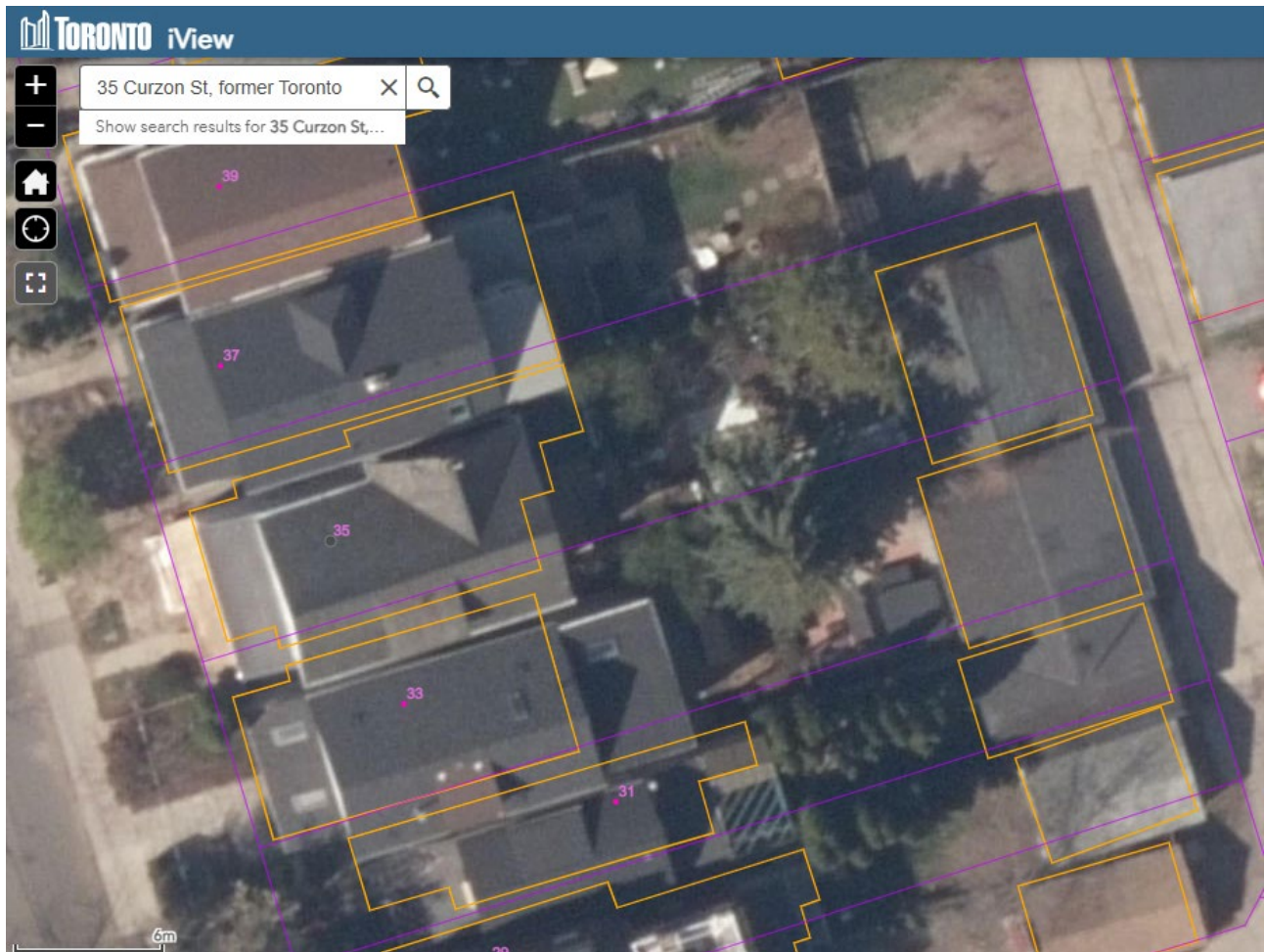
- Attachment 1: Geospatial Information System (GIS) – 35 Curzon St. – City of Toronto.
- Attachment 2: iView Map of Property with satellite image – 35 Curzon St. - City of Toronto.
- Attachment 3: iView Map of Property with satellite image – 35 Curzon St. - City of Toronto.
- Attachment 4: Photograph of 35 Curzon St, view from opposite side of the street.
- Attachment 5: Photograph depicting rear yard of 35 Curzon St, looking west.
- Attachment 6: Photograph depicting 35 Curzon St, looking northwest, view from rear yard.
- Attachment 7: Photograph depicting rear yard of 35 Curzon St, looking north.
- Attachment 8: Photograph depicting rear yard of 35 Curzon St, looking northeast.
- Attachment 9: Photograph depicting existing northern fence, of 3.14 metres in height. Maximum height for the fence is 2m.
- Attachment 10: Photograph depicting existing northern fence, of 3.14 metres in height. Maximum height for the fence is 2m.
- Attachment 11: Photograph depicting existing northern fence, of 3.14 metres in height. Maximum height for the fence is 2m.
- Attachment 12: Photograph depicting existing northern fence, of 3.14 metres in height. Maximum height for the fence is 2m.
- Attachment 13: Photograph depicting rear yard of 35 Curzon St, looking southwest.
- Attachment 14: Photograph depicting proposed southern fence, of 3.10 metres in height. Maximum height for the fence is 2m.
- Attachment 15: Photograph depicting proposed southern fence, of 3.10 metres in height. Maximum height for the fence is 2m.
- Attachment 16: Photograph depicting proposed southern fence, of 3.10 metres in height. Maximum height for the fence is 2m.
- Attachment 17: Photograph depicting proposed southern fence, of 3.10 metres in height. Maximum height for the fence is 2m.
- Attachment 18: Photograph depicting proposed southern fence, of 3.10 metres in height. Maximum height for the fence is 2m.
- Attachment 19: Photograph depicting proposed southern fence, of 3.10 metres in height. Maximum height for the fence is 2m.



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Attachment 2: iView Map of Property with satellite image – 35 Curzon St. - City of Toronto.



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Attachment 4: Photograph depicting front of 35 Curzon St, looking east, view from opposite side of the street.



Attachment 5: Photograph depicting rear yard of 35 Curzon St, looking west.



Attachment 6: Photograph depicting rear yard of 35 Curzon St, looking northwest.



Attachment 7: Photograph depicting rear yard of 35 Curzon St, looking north.



Attachment 8: Photograph depicting rear yard of 35 Curzon St, looking northeast.



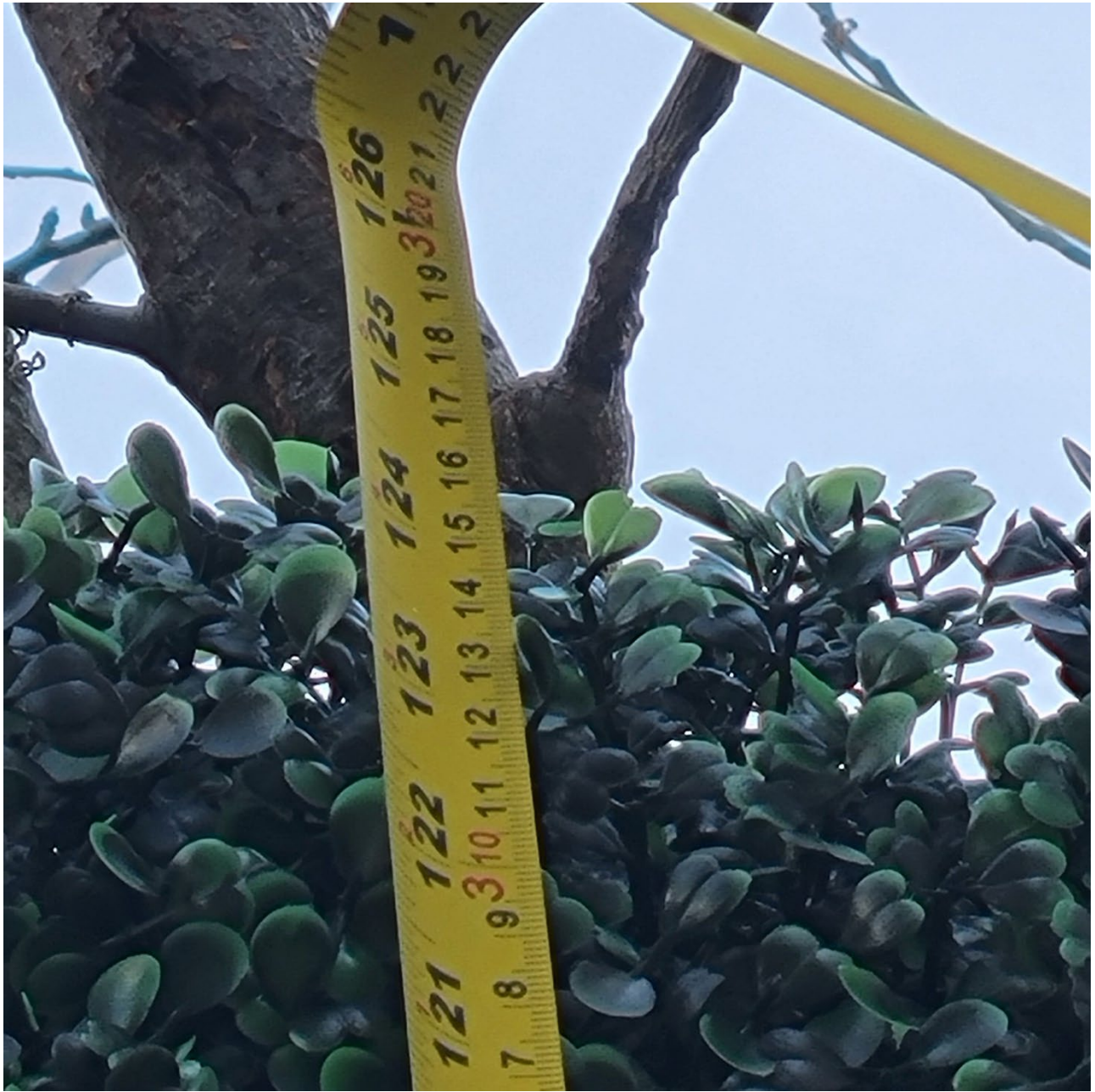
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Attachment 13: Photograph depicting rear yard of 35 Curzon St, looking southwest.



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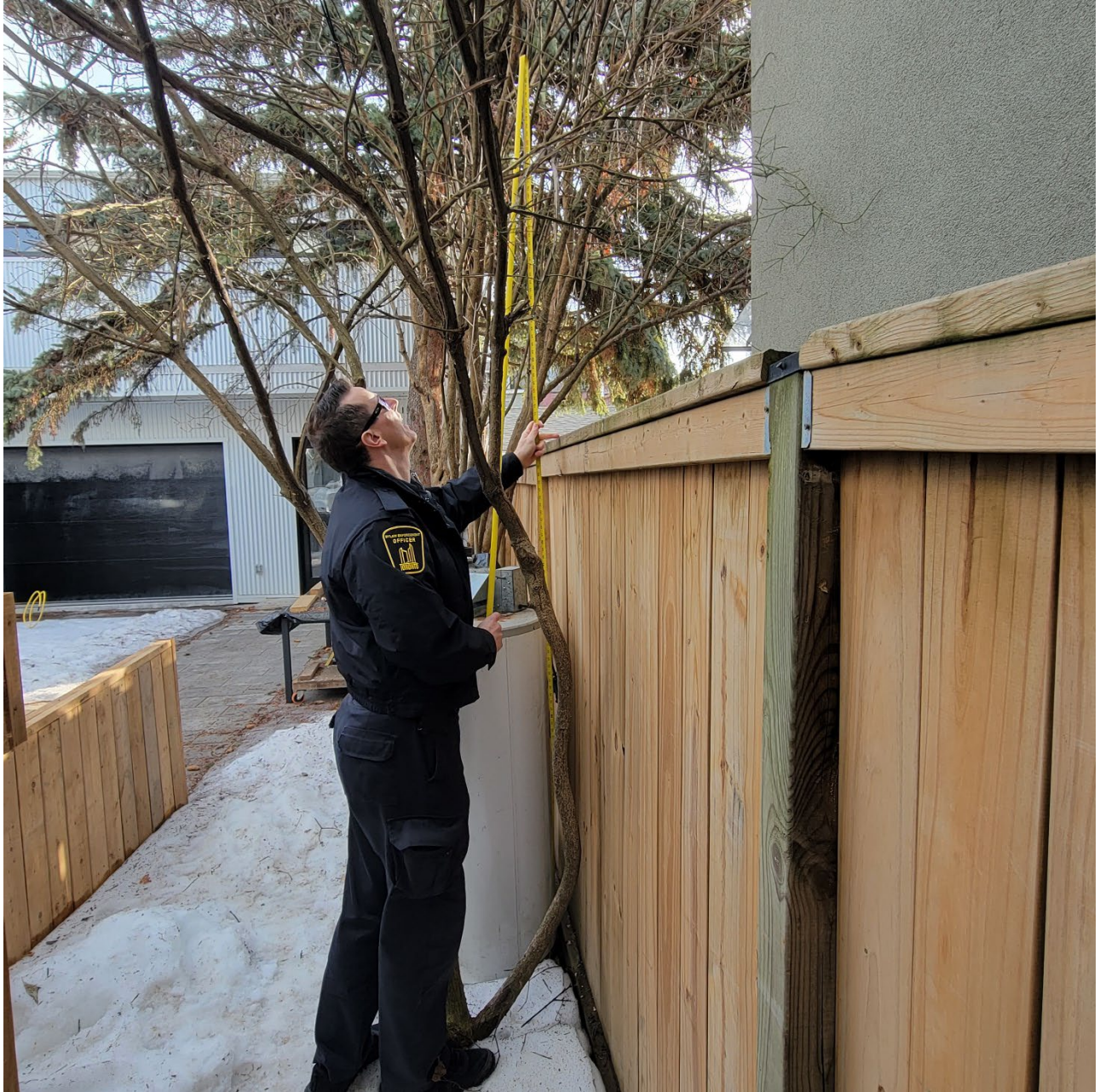
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