

31 Winnifred Ave - Application for Fence Exemption

Date: July 2, 2025

To: Toronto and East York Community Council

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

Wards: Ward 14 – Toronto Centre

SUMMARY

The Applicant for 31 Winnifred Ave has requested Toronto and East York Community Council to exempt their property from the following by-law requirements:

City of Toronto Municipal Code Chapter -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 31 Winnifred Ave is requesting an exemption for their;

- Existing fence located in the rear yard, abutting a laneway.
- Consistent/Average height of 2.743 metres.
- Constructed with pressure treated wood and clad with metal shielding.
- Maximum height permitted is 2.5 metres
- A pressure treated wood and metal shield barrier/roll up door, measuring at 2.743 metres in height, and permanent posts located on each end of barrier.

Municipal Licensing and Standards Division has inspected the subject property and issued a notice of violation of City of Toronto Municipal Code Chapter 447 - 2B(1)

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, Central District recommends that 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 31 Winnifred Ave, for the existing 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 on this 31 Winnifred Ave.

COMMENTS

Municipal Licensing and Standards Inspection Results:

The existing 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	Eastern edge of the rear lots depth, meeting Hagan Lane.	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	Chapter 447-1.2B(1): A fence must not be more than 2.5 metres in height
Side Yard	North and South side yard fencing	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	Chapter 447-1.2B(1): A fence must not be more than 2.0 metres 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 meters	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

Stephanie Hull, Supervisor (A)
Municipal Licensing and Standards
Toronto and East York District
Tel. 416 562 6384
Email: stephanie.hull@toronto.ca

SIGNATURE

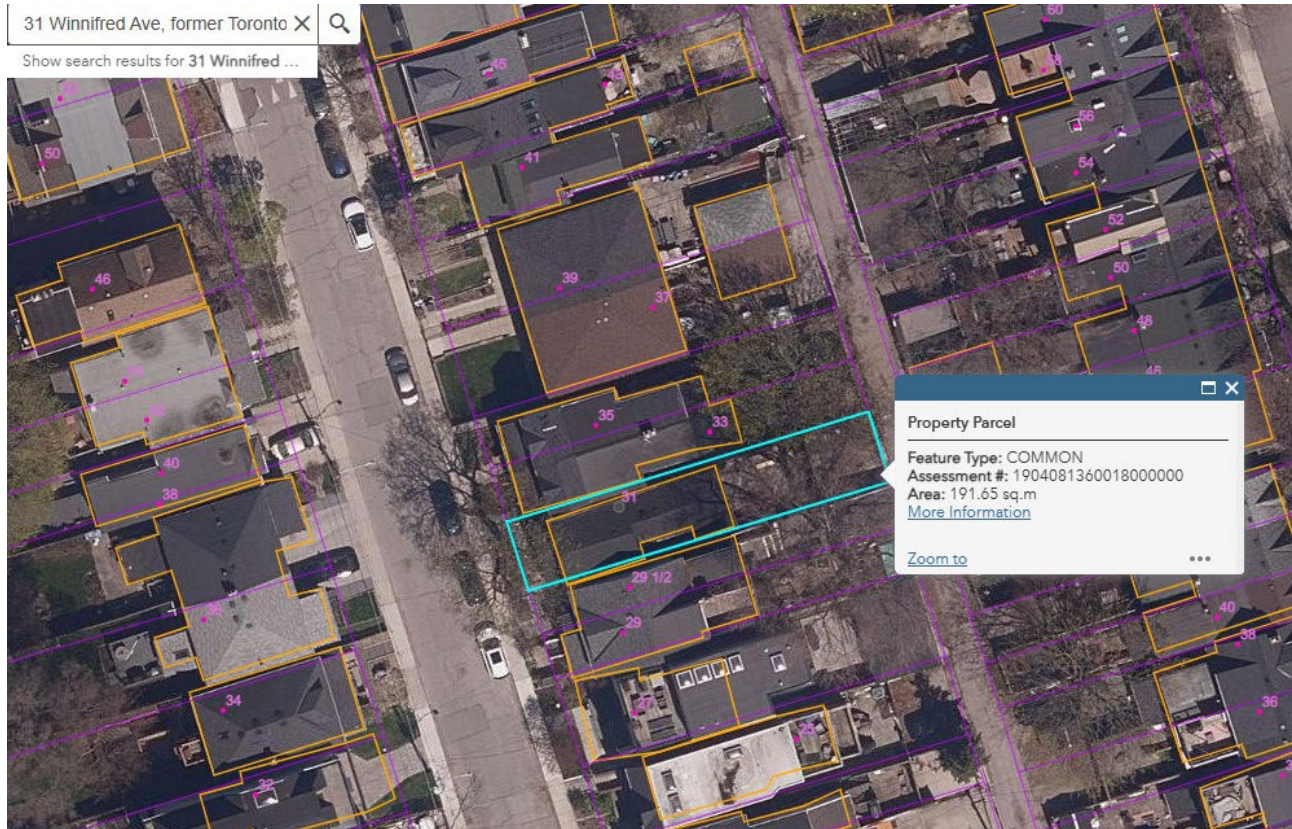
CAMERON CULVER

Cameron Culver
Central District Manager, Municipal Licensing and Standards

ATTACHMENTS

- Attachment 1: iView Map of Property – 31 Winnifred Ave - City of Toronto.
- Attachment 2: GIS view – 31 Winnifred Ave
- Attachment 3: Rear Yard - East Fence - Facing South
- Attachment 4: Rear Yard - East Fence - Facing North
- Attachment 5: Rear Yard - East Fence - Zoomed Out – Measurements 2.743 metres
- Attachment 6: Rear Yard - East Fence - Zoomed In – Measurements 2.743 metres
- Attachment 7: Side Yard - North Fence - Zoomed Out – Measurements 2.476 metres
- Attachment 8: Side Yard - North Fence - Zoomed In – Measurements 2.476 metres
- Attachment 9: Letter of Support – Susan Bernstein
- Attachment 10: Letter of Support – Jonathan Goldberg and Edith Gagnon
- Attachment 11: Letter of Support – Marino D’Alessandro

Attachment 1: iView Map of Property with satellite image – 31 Winnifred Ave. - City of Toronto.



Attachment 2: GIS view – 31 Winnifred Ave



Attachment 3: Rear Yard - East Fence - Facing South



Attachment 4: Rear Yard - East Fence - Facing North



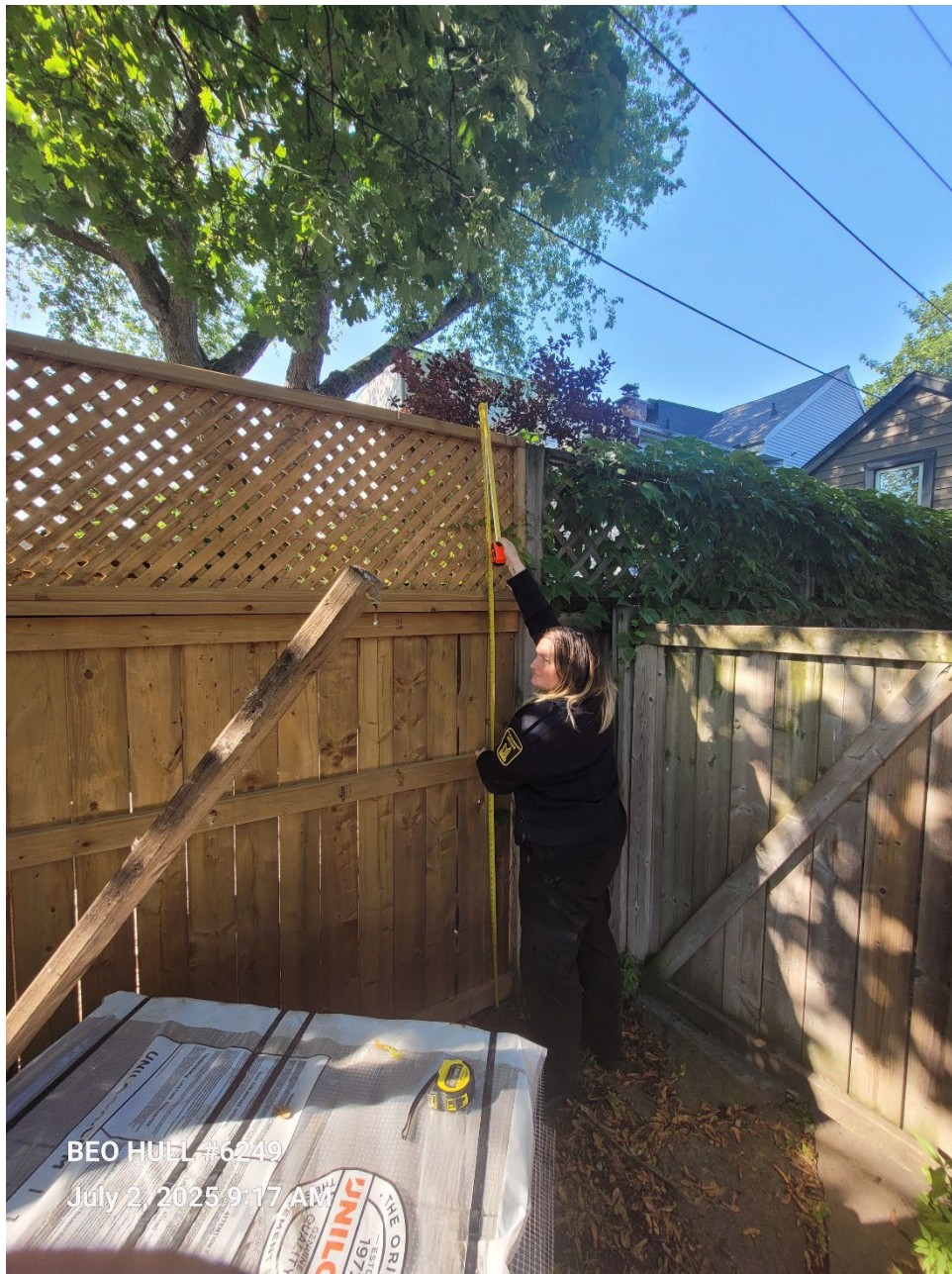
Attachment 5: Rear Yard - East Fence - Zoomed Out – Measurements 2.743 metres



Attachment 6: Rear Yard - East Fence - Zoomed In – Measurements 2.743 metres



Attachment 7: Side Yard - North Fence - Zoomed Out – Measurements 2.476 metres



Attachment 8: Side Yard - North Fence - Zoomed In – Measurements 2.476 metres



3. Letters of Support for Exemption Application:

Letter of Support #1 (of 4)

Michael, I am writing in support of your roll-up door you have installed. As your neighbour for the past 20 years, you have been outstanding. The shared spaces we all rely on.

The roll-up door in question is no different from the seven other roll-up doors in the area. Your roll-up door does not negatively impact the neighbourhood. It offers practical benefits, such as security and convenience, just like the roll-up doors in Toronto to consider it favourably.

Please feel free to submit this letter to the City as a statement of support. Do not hesitate to ask.

Sincerely,

Susan Bernstein

Letter of Support #2 (of 4)

April 2, 2025

To: The Committee of Adjustment (CoA), City of Toronto
Re: Property at 31 Winnifred Avenue owned by Michael

We are in full support of the height and placement (as viewed from the back of 31 Winnifred). We understand that the city needs to be in accordance with the height and placement of multiple properties for the reason it should not remain as it is.

Yours Sincerely,

Jonathan Goldberg and Édith Gagnon

Attachment 11: Letter of Support – Marino D'Alessandro

To Whom It May Concern,

I am the property owner and resident of

I do not have an issue with and endorse the construction of a side
fence (1.8 meters) in height.

Regards,
Marino D'Alessandro