

20 Berkshire Ave - Application for Fence Exemption

Date: August 20, 2025
To: Toronto and East York Community Council
From: South District Manager, Municipal Licensing and Standards
Ward: 14 – Toronto-Danforth

SUMMARY

The Applicant for 20 Berkshire 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 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 20 Berkshire Ave. is requesting an exemption for their;

- Existing wooden board on board fence
- Consistent height of 2.47 metres and length of 1.85 metres.
- Constructed with extruded aluminum posts and horizontal cedar boards.

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 20 Berkshire 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 for 20 Berkshire Ave.

COMMENTS

Municipal Licensing and Standards Inspection Results:

The existing fence violates the City of Toronto Municipal Code, Chapter 447 – Fences requirements 447-1.2B(1):

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Rear yard	North, side lot line of the rear yard.	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 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 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

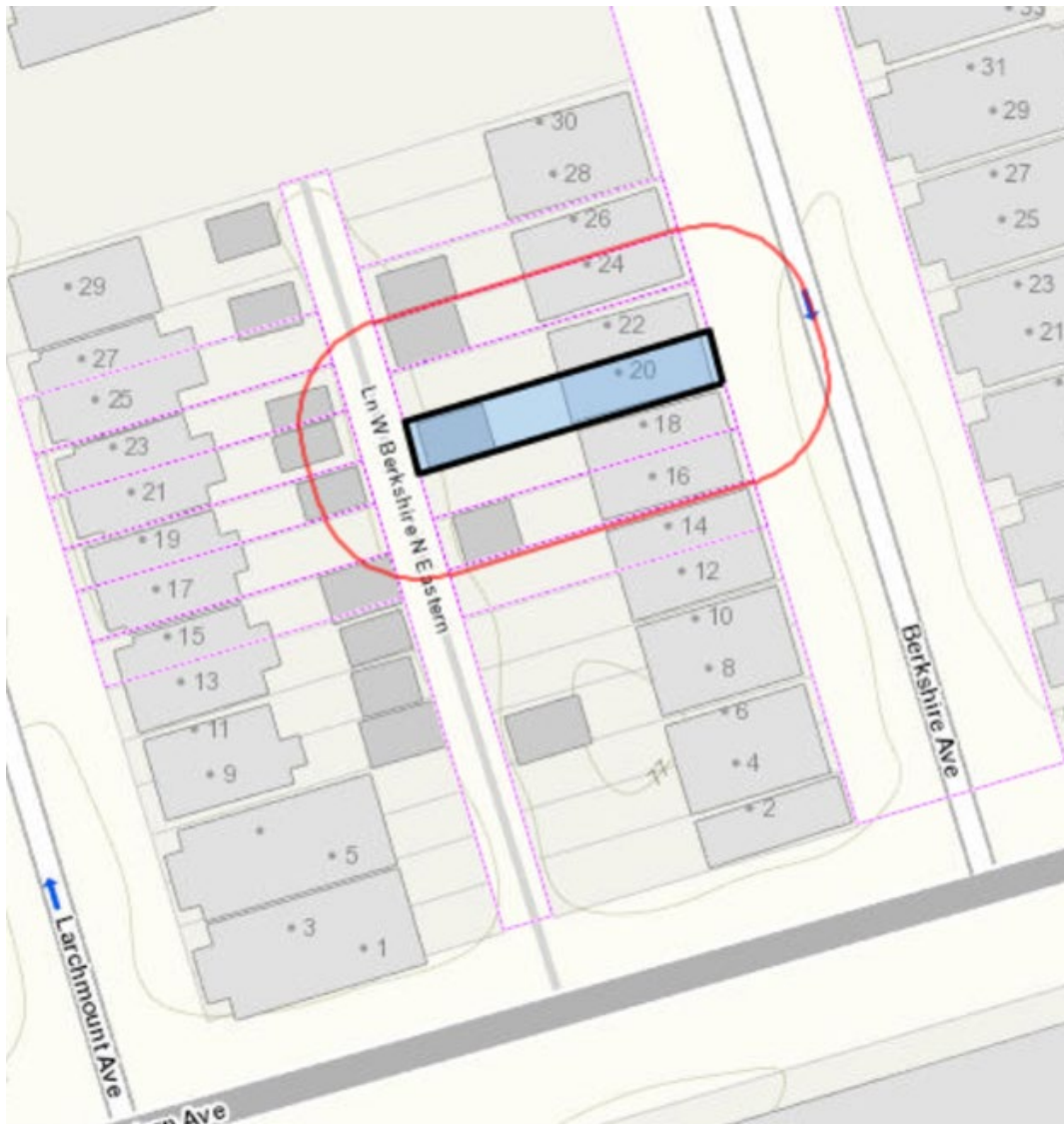
Cameron Culver

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South District Manager, Municipal Licensing and Standards

ATTACHMENTS

- Attachment 1: Geospatial Information System (GIS) – 20 Berkshire Ave. – City of Toronto.
- Attachment 2: Photograph depicting rear yard with existing north fence located at 20 Berkshire Ave.
- Attachment 3: Photograph depicting rear yard with existing north fence located at 20 Berkshire Ave.
- Attachment 4: Photograph depicting rear yard from porch with existing north fence located at 20 Berkshire Ave.
- Attachment 5: Photograph depicting existing height of fence at 2.47 metres. Maximum permitted height for the fence is 2 metres.

Attachment 1: Geospatial Information System (GIS) – 20 Berkshire Ave. – City of Toronto.



Attachment 2: Photograph depicting rear yard with existing north fence located at 20 Berkshire Ave.



Attachment 3: Photograph depicting rear yard with existing north fence located at 20 Berkshire Ave.



Attachment 4: Photograph depicting rear yard from porch with existing north fence located at 20 Berkshire Ave.



Attachment 5: Photograph depicting existing height of fence at 2.47 metres. Maximum permitted height for the fence is 2 metres.

