

47 Lewis Street - Application for Fence Exemption

Date: October 1, 2025
To: Toronto and East York Community Council
From: South District Manager, Municipal Licensing and Standards
Ward: 14 – Toronto-Danforth

SUMMARY

The Applicant for 47 Lewis Street 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 47 Lewis Street is requesting an exemption for;

- Existing wooden lattice fence
- Measured to height:
 - 2.48 metres surrounding the rear deck
 - 2.26 metres through rear yard adjacent to the laneway suite
 - 2.8 metres in the side yard.
- The maximum height permitted is 2.0 meters.

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).

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 47 Lewis Street, 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 47 Lewis Street.

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*
Side and rear yard	North and South side lot lines of the side and rear yard.	Fence in the side and 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

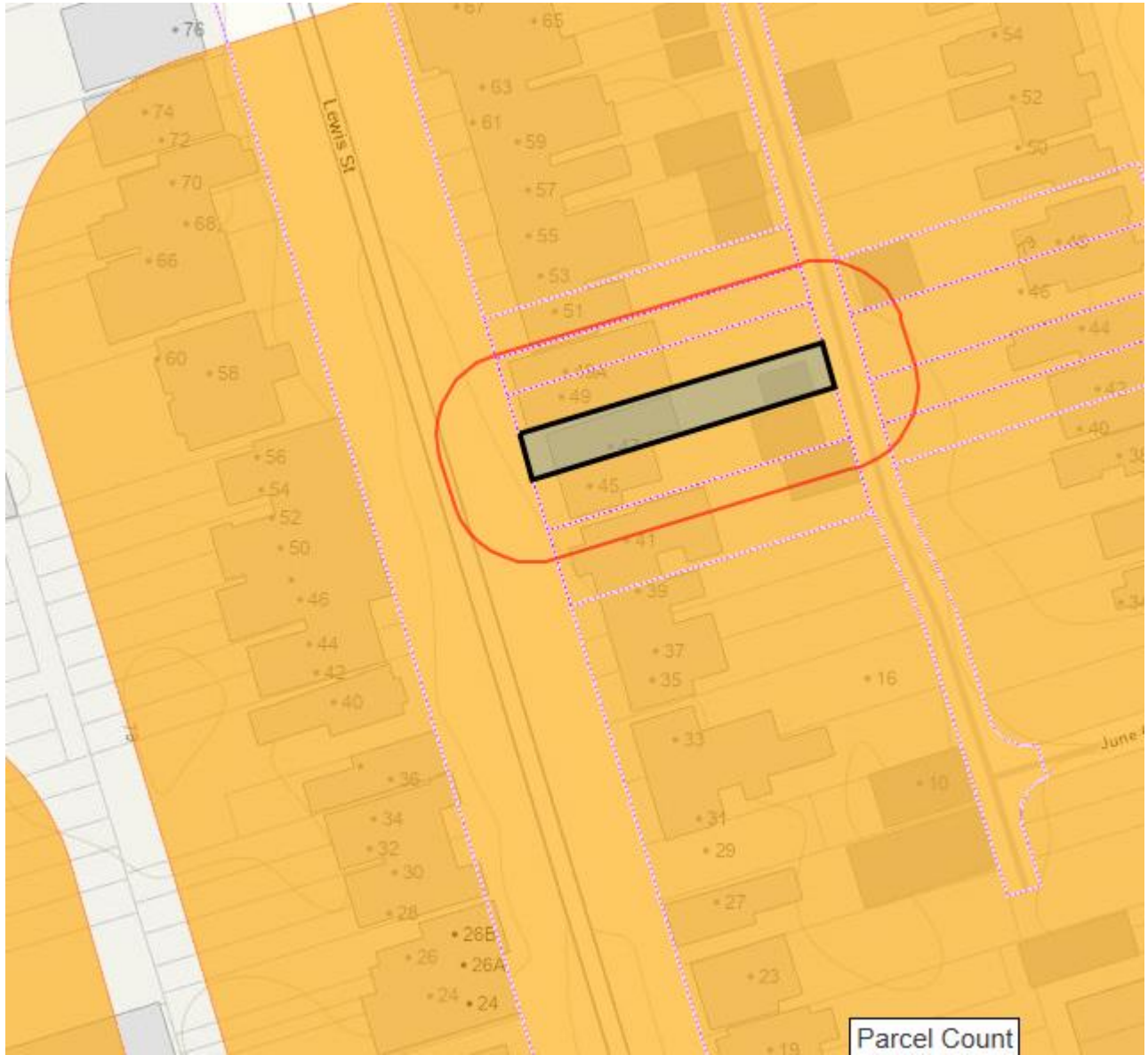
Cameron Culver

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

ATTACHMENTS

- Attachment 1: Geospatial Information System (GIS) – 47 Lewis St. – City of Toronto.
- Attachment 2: iView Map of Property with satellite image – 47 Lewis St. - City of Toronto.
- Attachment 3: Photograph of the front of property, 47 Lewis St. Photograph taken from Lewis St.
- Attachment 4: Photograph depicting the east side of the rear yard of 47 Lewis St.
- Attachment 5: Photograph depicting the east side of the rear yard of 47 Lewis St.
- Attachment 6: Photograph depicting the east side of the rear yard of 47 Lewis St.
- Attachment 7: Photograph depicting the west side of the rear yard of 47 Lewis St.
- Attachment 8: Photograph depicting the south side perimeter fence of the rear yard of 47 Lewis St.
- Attachment 9: Photograph depicting the north side perimeter fence of the rear yard of 47 Lewis St.
- Attachment 10: Photograph depicting the measurement of the north side perimeter fence of the rear yard of 47 Lewis St., (2.48 metres surrounding the rear deck)
- Attachment 11: Photograph depicting the measurement of the north side perimeter fence of the rear yard of 47 Lewis St., (2.26 metres through rear yard adjacent to the laneway suite)
- Attachment 12: Photograph depicting the measurement of the south side perimeter fence of the rear yard of 47 Lewis St., (2.26 metres through rear yard adjacent to the laneway suite)
- Attachment 13: Photograph depicting the measurement of the south side perimeter fence of the rear yard of 47 Lewis St., (2.48 metres surrounding the rear deck)
- Attachment 14: Photograph depicting the on-deck, fence post base-bracket of the south side perimeter fence on the rear yard of 47 Lewis St., (2.48 metres surrounding the rear deck)
- Attachment 15: Photograph depicting the measurement of the north side perimeter fence of the side yard of 47 Lewis St., (2.8 metres in the side yard)
- Attachment 16: Letter of support
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Attachment 2: iView Map of Property with satellite image – 47 Lewis St. - City of Toronto.



Attachment 3: Photograph of the front of property, 47 Lewis St. Photograph taken from Lewis St.



Attachment 4: Photograph depicting the east side of the rear yard of 47 Lewis St.



Attachment 5: Photograph depicting the east side of the rear yard of 47 Lewis St.



Attachment 6: Photograph depicting the east side of the rear yard of 47 Lewis St.



Attachment 7: Photograph depicting the west side of the rear yard of 47 Lewis St.



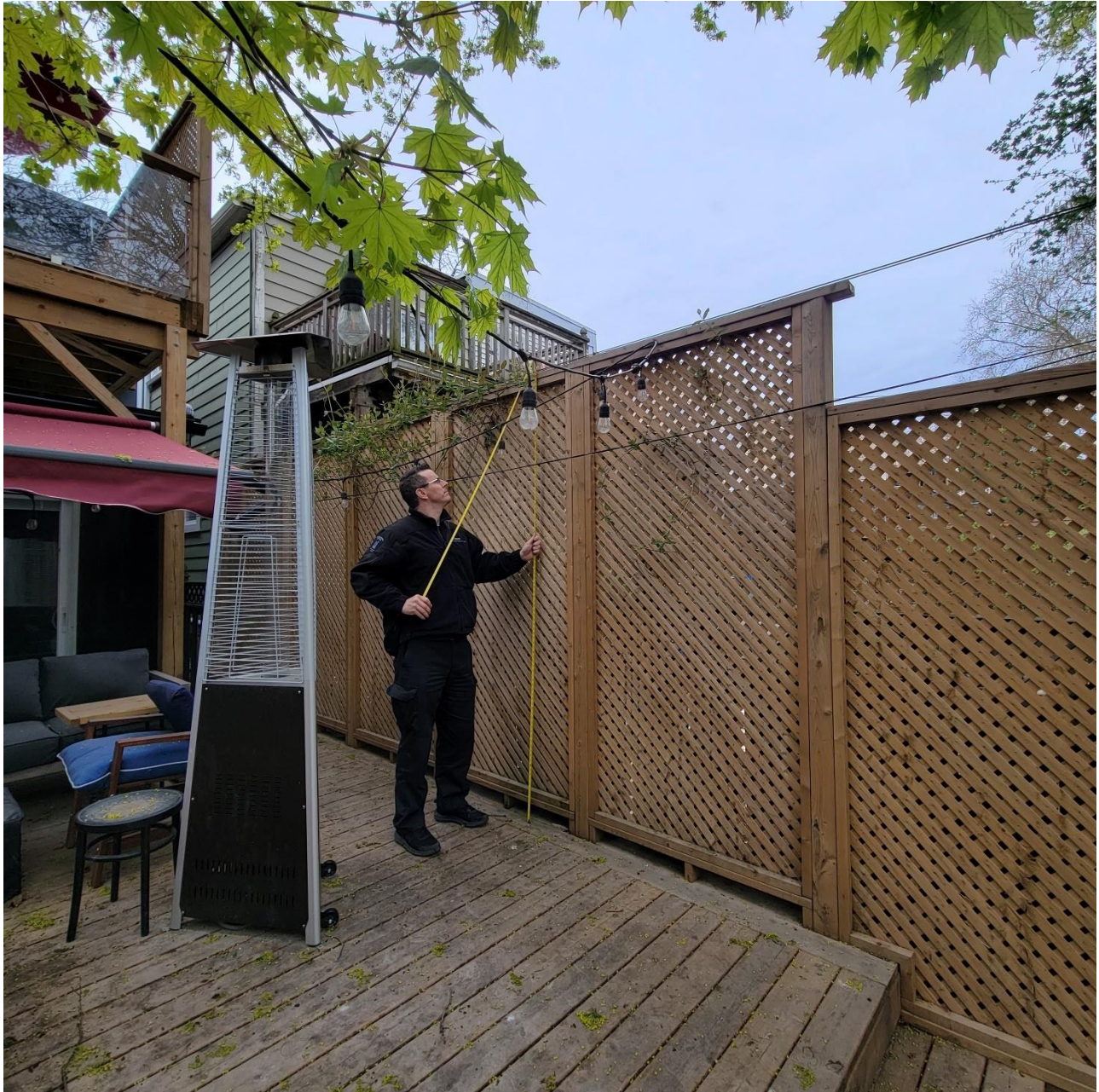
Attachment 8: Photograph depicting the south side perimeter fence of the rear yard of 47 Lewis St.



Attachment 9: Photograph depicting the north side perimeter fence of the rear yard of 47 Lewis St.



Attachment 10: Photograph depicting the measurement of the north side perimeter fence of the rear yard of 47 Lewis St., (2.48 metres surrounding the rear deck)



Attachment 11: Photograph depicting the measurement of the north side perimeter fence of the rear yard of 47 Lewis St., (2.26 metres through rear yard adjacent to the laneway suite)



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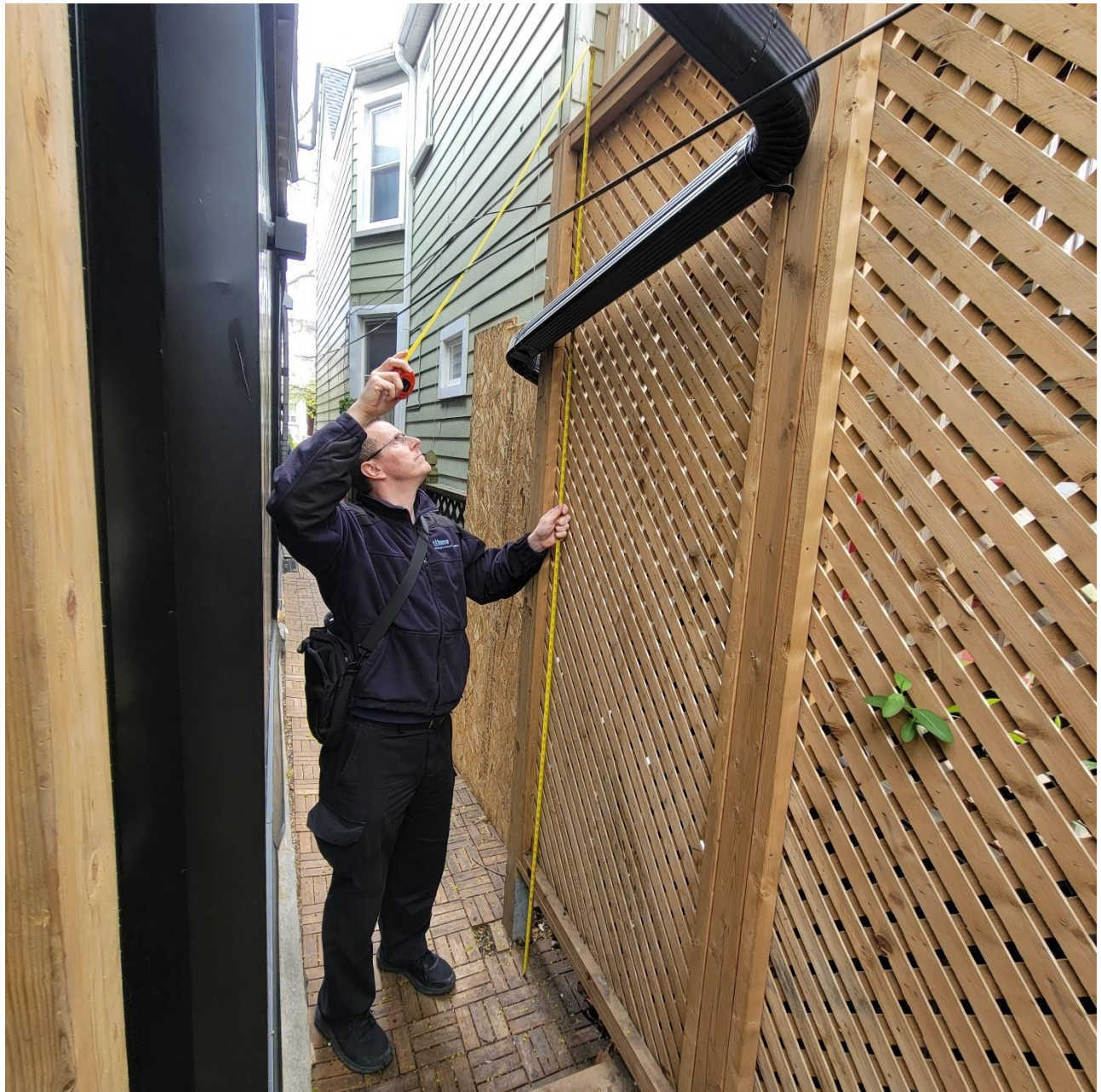
Attachment 13: Photograph depicting the measurement of the south side perimeter fence of the rear yard of 47 Lewis St., (2.48 metres surrounding the rear deck)



Attachment 14: Photograph depicting the on-deck, fence post base-bracket of the south side perimeter fence on the rear yard of 47 Lewis St., (2.48 metres surrounding the rear deck)



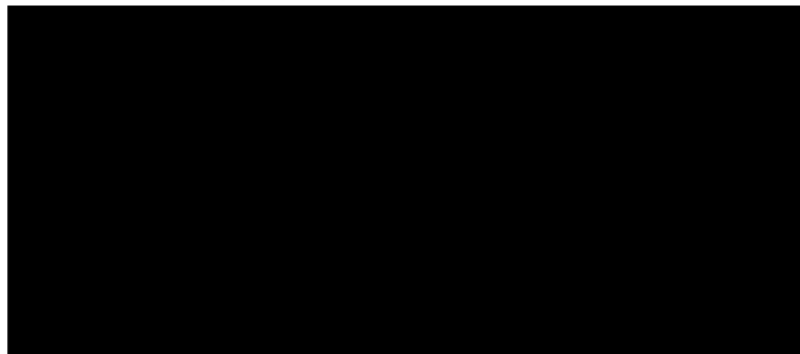
Attachment 15: Photograph depicting the measurement of the north side perimeter fence of the side yard of 47 Lewis St., (2.8 metres in the side yard)



Attachment 16: Letter of support

This letter is in support of my neighbor, Tark Kadri, who is requesting an exemption to maintain their 2m to 2.77m rear yard fence at 47 Lewis St, Toronto, ON. M4M 2H2. As an adjacent property owner, I fully support this request.

Mike Rotkic
CONOR BARNES
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Attachment 17: Letter of support

To the Community Council,

I am a tenant at 47 Lewis St, Toronto, ON. M4M 2H2. This letter is in support of my landlord, Tark Kadri, who is requesting an exemption to maintain the 2m to 2.77m fence.

I have had multiple uninvited, uncomfortable and disparaging encounters with the neighbor to the North. She has seen me on her elevated rear patio and I feel she corners me inappropriately. Previously, she has asked many personal and inappropriate questions about my life and background. She has also made comments about Tark's and his spouses sexual orientation and Middle Eastern background. She makes me feel uncomfortable and unsafe.

Since the installation of the current fence, the uninvited, uncomfortable and disparaging encounters has stopped because the neighbor does not see me from her elevated rear patio due to the current height of the fence. I now feel safe.

I fully support this request.



Robin Lightfoot