

## **289 Barton Avenue - Application for Fence Exemption**

**Date:** October 28, 2025  
**To:** Toronto and East York Community Council  
**From:** South District Manager, Municipal Licensing and Standards  
**Ward:** 11 – University-Rosedale

### **SUMMARY**

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The Applicant for 289 Barton Avenue 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 289 Barton Avenue is requesting an exemption for their;

- Existing fence constructed with pressure treated wood and mounted with an artificial boxwood privacy screen, polyethylene (or similar synthetic material) designed to mimic the appearance of boxwood foliage.
- Average range of height of 2.75 to 3.0 metres.
- Maximum height permitted is 2m.

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

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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 289 Barton Avenue, 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 289 Barton Ave.

## COMMENTS

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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	Perimeter fence, east west, 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 <b>2 meters</b> 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
<b>9</b>	<b>Any other fence</b>	<b>2.0 metres</b>	2.5 metres	No maximum

## City Council Decisions

May 22, 23, and 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

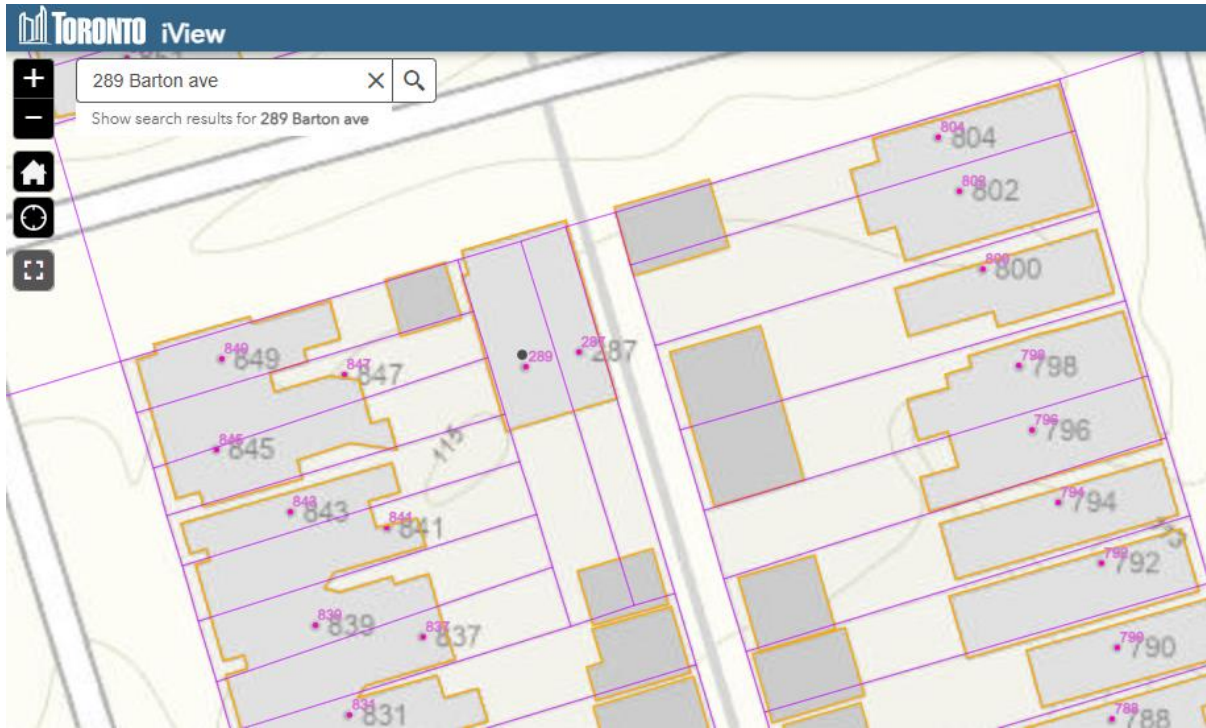
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- Attachment 1: Geospatial Information System (GIS) – 289 Barton Ave. – City of Toronto.
- Attachment 2: iView Map of Property with satellite image – 289 Barton Ave. - City of Toronto.
- Attachment 3: Photograph depicting front of 289 Barton Ave, looking south, view from street
- Attachment 4: Photograph depicting entry to rear yard from side yard and fence construction supporting under artificial boxwood polyethylene privacy screen, of 289 Barton Ave, looking south.
- Attachment 5: Photograph depicting rear yard of 289 Barton Ave., looking south
- Attachment 6: Photograph depicting rear yard of 289 Barton Ave., looking southeast
- Attachment 7: Photograph depicting rear yard of 289 Barton Ave., looking southwest
- Attachment 8: Photograph depicting rear yard of 289 Barton Ave., looking northwest
- Attachment 9: Photograph depicting rear yard of 289 Barton Ave., looking northwest
- Attachment 10: Photograph depicting rear yard of 289 Barton Ave., looking northeast
- Attachment 11: Photograph depicting northwestern fence, of 2.75 metres in height. Maximum height for the fence is 2m.
- Attachment 12: Photograph depicting southwestern fence, of 2.9 metres in height. Maximum height for the fence is 2m.
- Attachment 13: Photograph depicting south fence, of 3.0 metres in height. Maximum height for the fence is 2m.
- Attachment 14: Photograph depicting northeastern fence, of 2.8 metres in height. Maximum height for the fence is 2m.

Attachment 1: Geospatial Information System (GIS) – 289 Barton Ave. – City of Toronto.



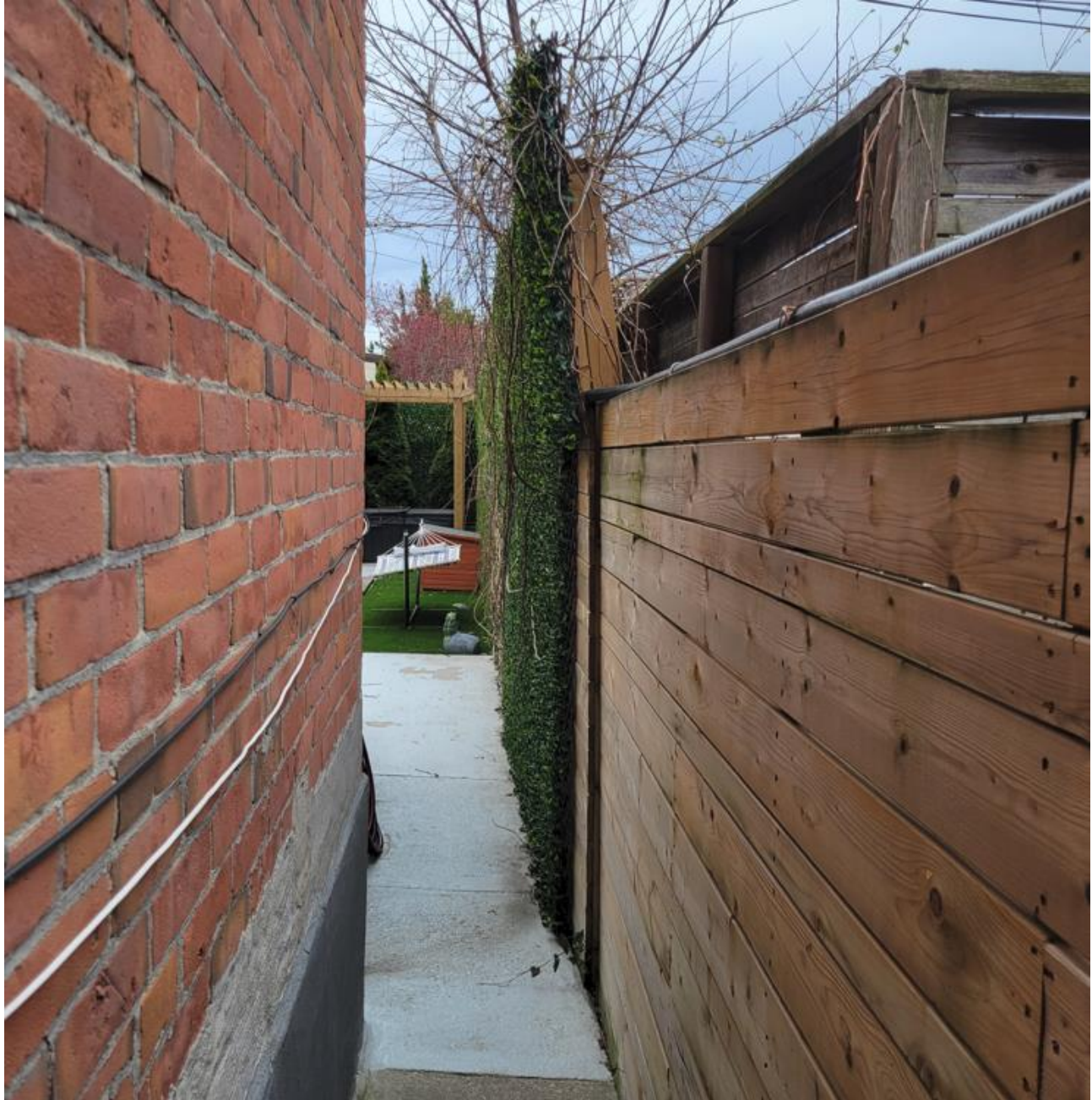
Attachment 2: iView Map of Property with satellite image – 289 Barton Ave. - City of Toronto.



Attachment 3: Photograph depicting front of 289 Barton Ave, looking south, view from street



Attachment 4: Photograph depicting entry to rear yard from side yard and fence construction supporting under artificial boxwood polyethylene privacy screen, of 289 Barton Ave, looking south.



Attachment 5:

Photograph depicting rear yard of 289 Barton Ave., looking south



Attachment 6:

Photograph depicting rear yard of 289 Barton Ave., looking southeast



Attachment 7:

Photograph depicting rear yard of 289 Barton Ave., looking southwest



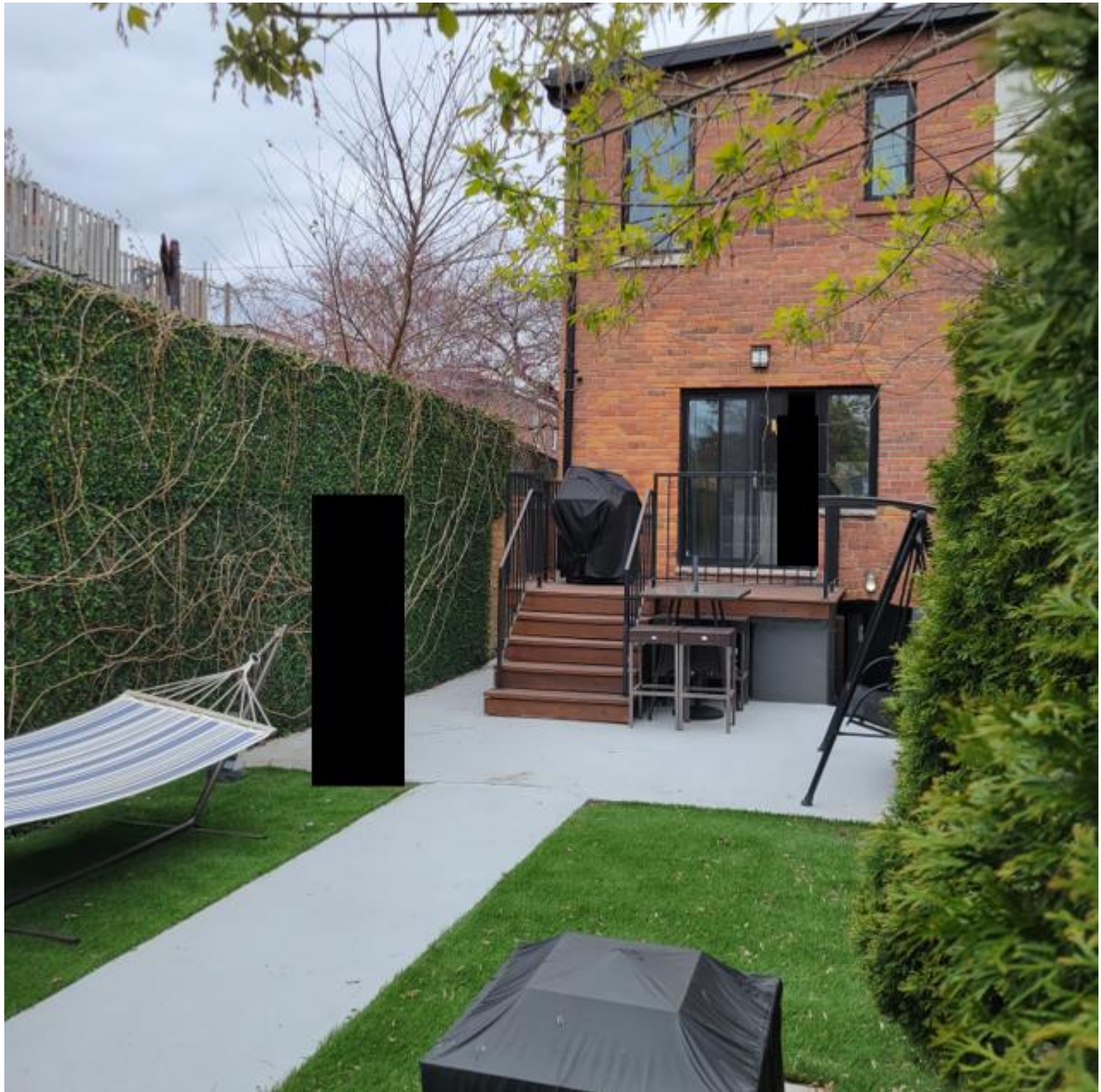
Attachment 8:

Photograph depicting rear yard of 289 Barton Ave., looking northwest



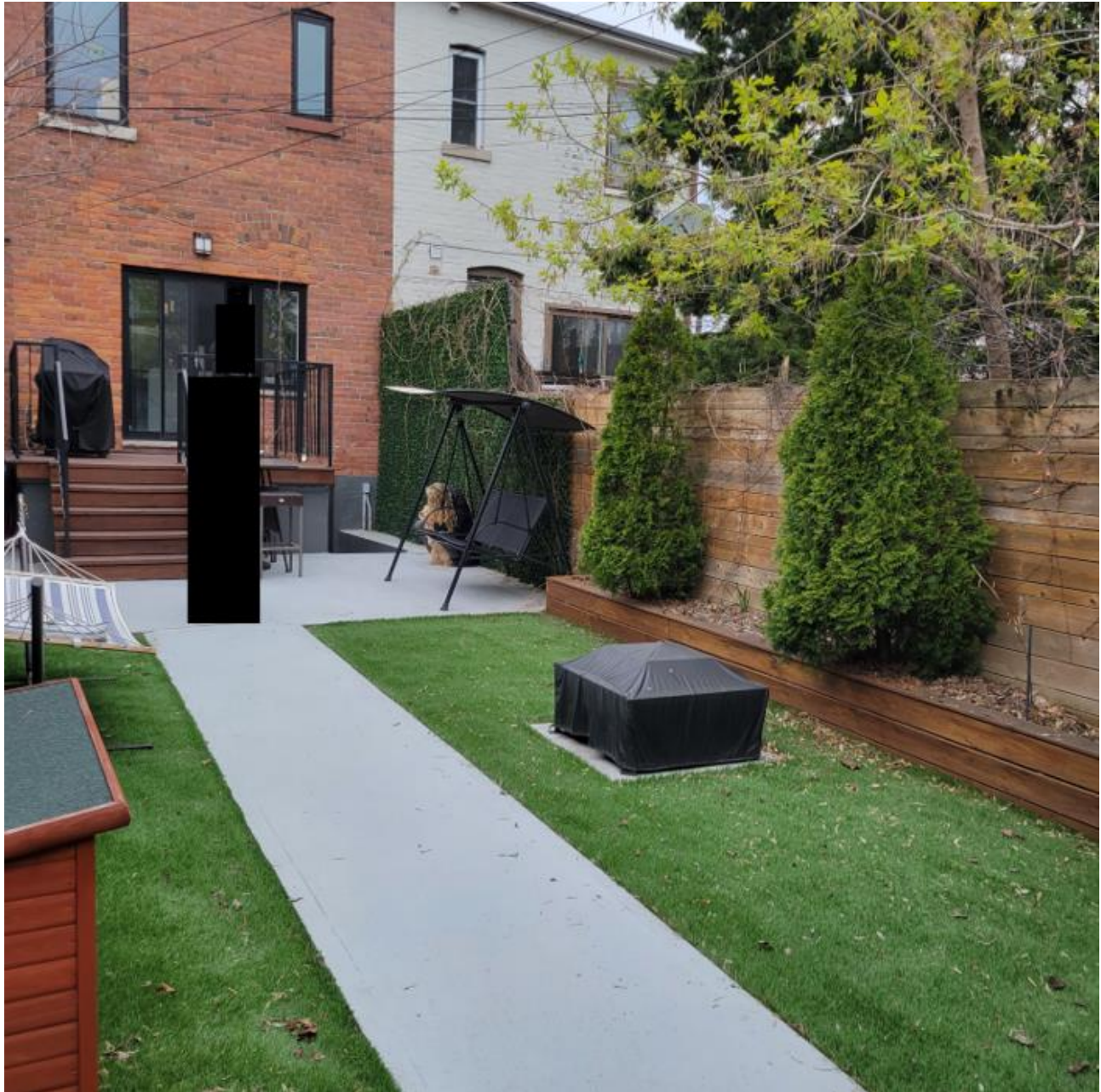
Attachment 9:

Photograph depicting rear yard of 289 Barton Ave., looking northwest



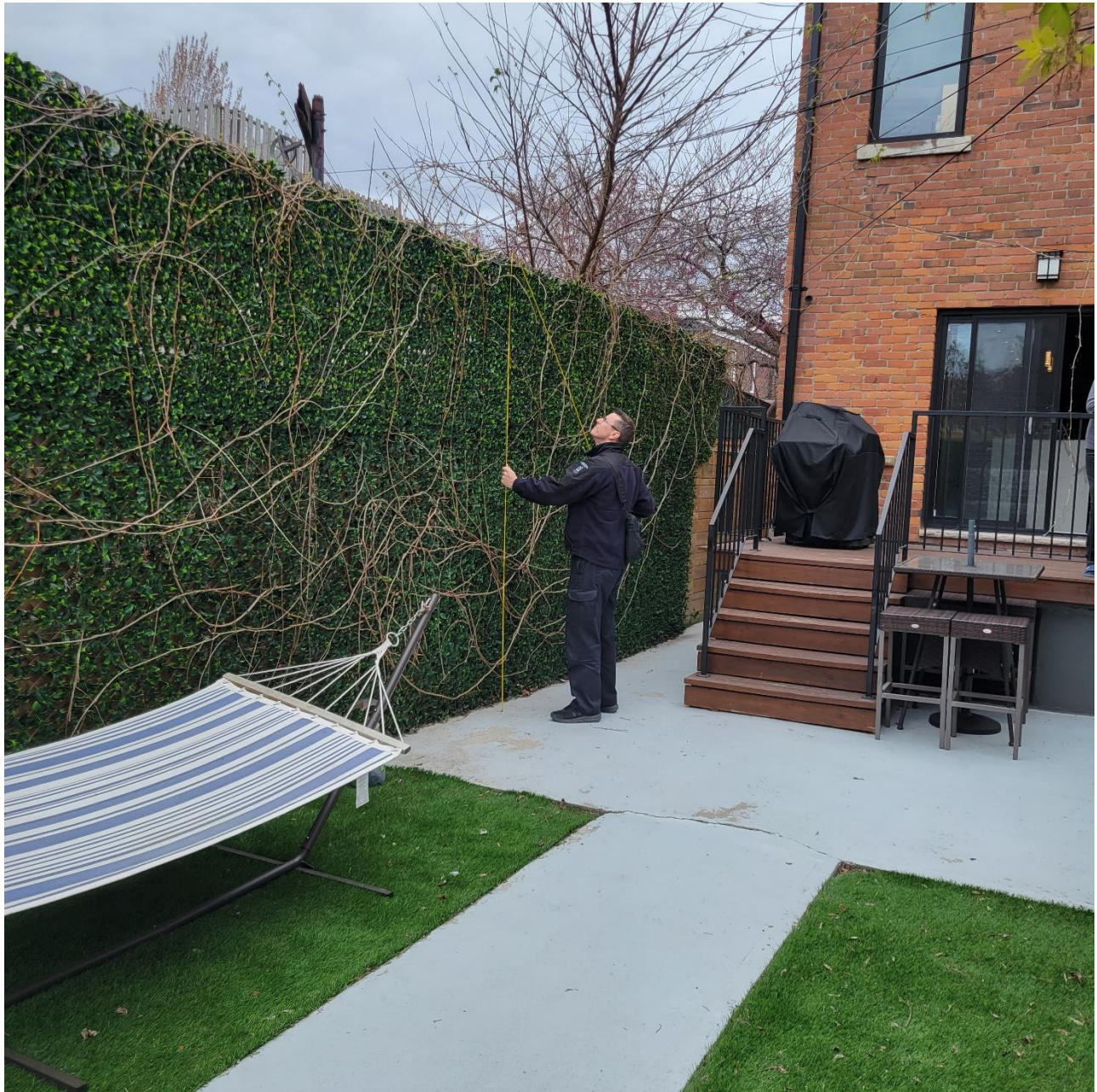
Attachment 10:

Photograph depicting rear yard of 289 Barton Ave., looking northeast



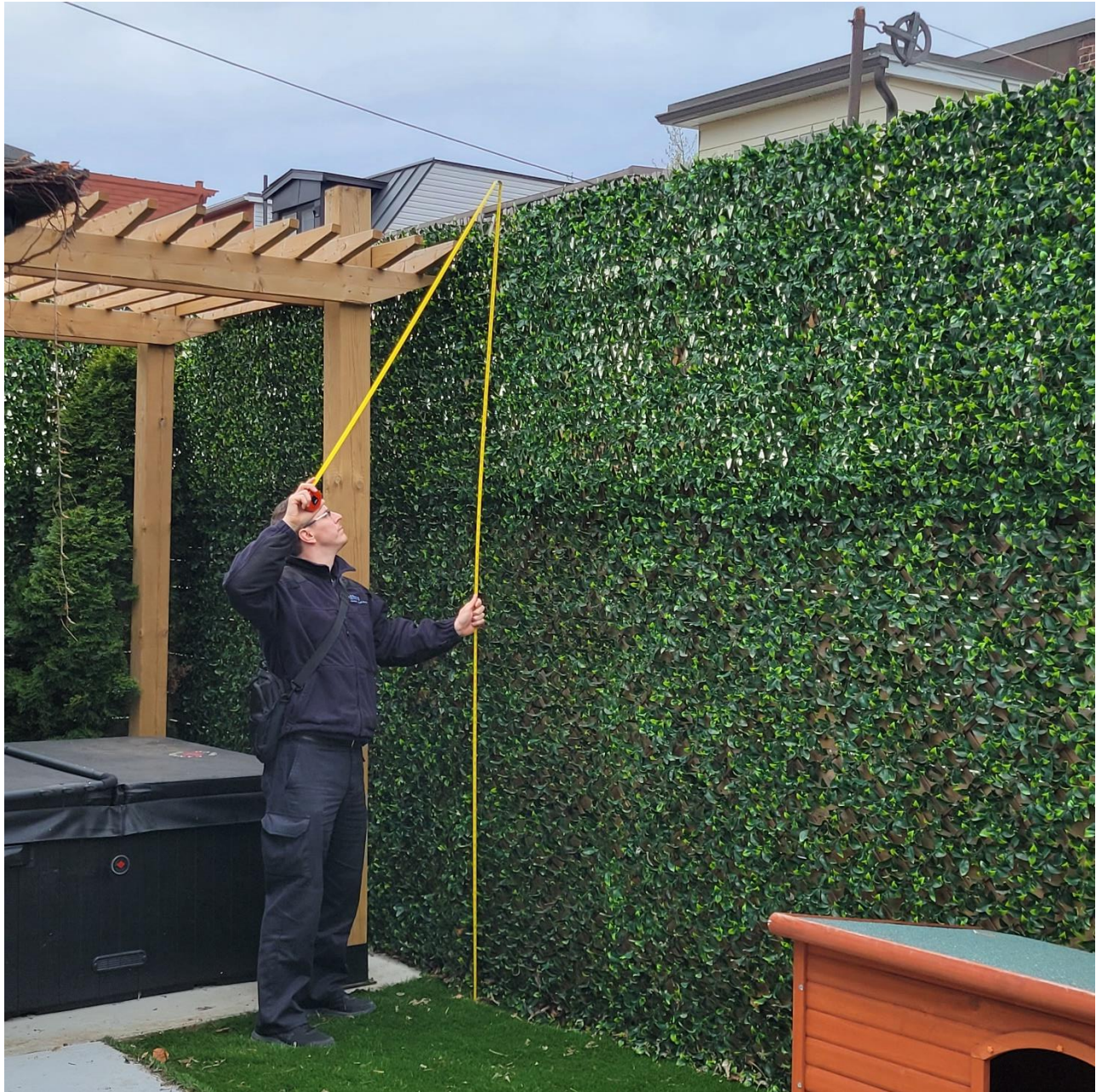
Attachment 11:

Photograph depicting northwestern fence, of 2.75 metres in height. Maximum height for the fence is 2m.

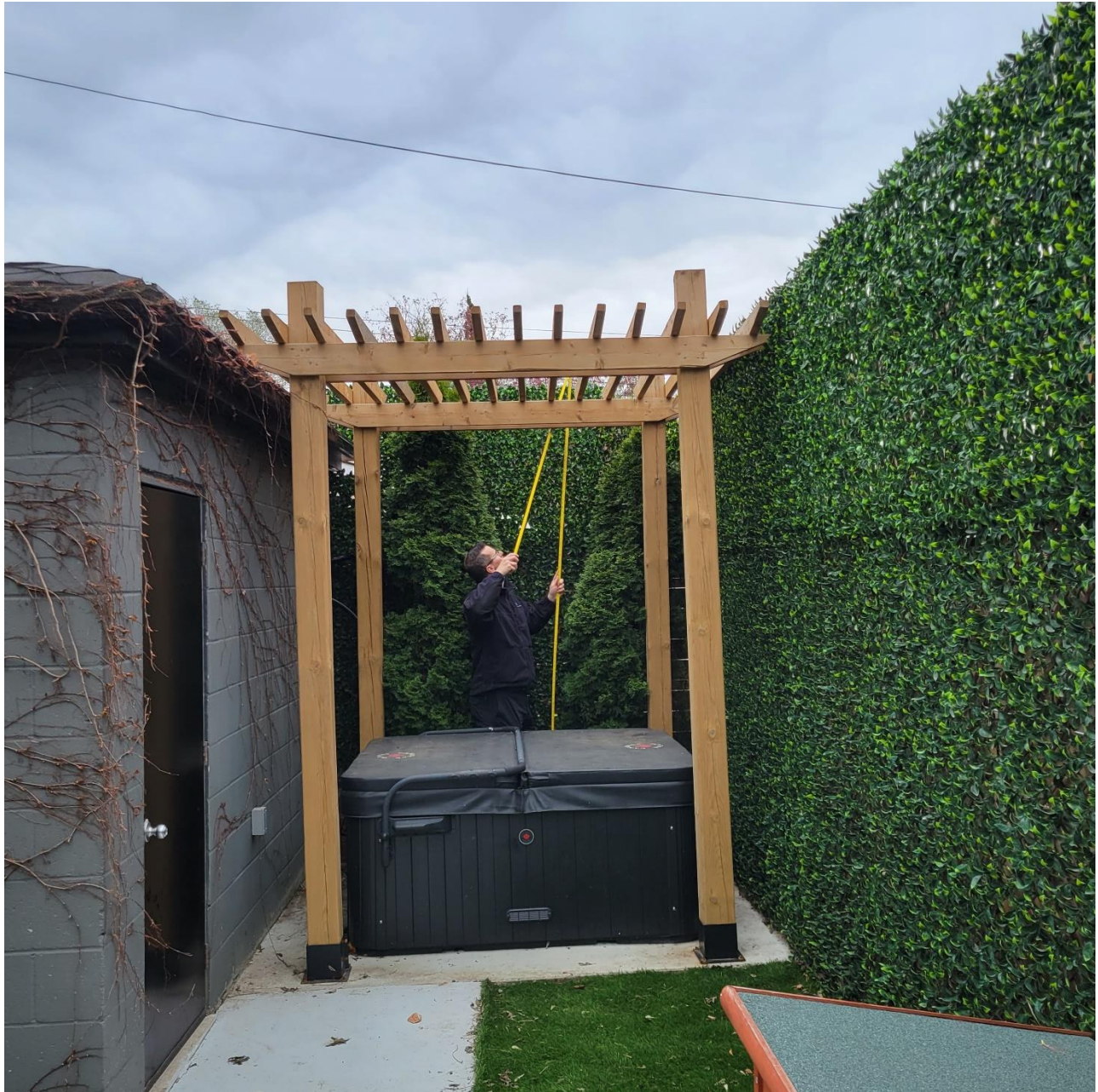


Attachment 12:

Photograph depicting southwestern fence, of 2.9 metres in height. Maximum height for the fence is 2m.



Attachment 13: Photograph depicting south fence, of 3.0 metres in height. Maximum height for the fence is 2m.



Attachment 14:

Photograph depicting northeastern fence, of 2.8 metres in height. Maximum height for the fence is 2m.

