

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 - 25 Franson Crescent

Date: May 22, 2026

To: Etobicoke York Community Council

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

Wards: 7 - Humber River-Black Creek

SUMMARY

This staff report concerns a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

This report responds to an application submitted by the property owner of 25 Franson Crescent requesting approval for a site-specific Fence Exemption under Section 447-1.2B (1) and Section 447-1.2C (1) of Toronto Municipal Code Chapter 447 – Fences.

The purpose of this report is to advise Community Council regarding the application submitted by the property owner of 25 Franson Crescent seeking approval for an existing wood fence that exceeds the maximum permitted height requirements. Municipal Licensing and Standards staff conducted a site inspection and obtained measurements of the existing fence panels from roadway inward. The measurements confirm that all existing fence panels located along the front driveway exceed the maximum permitted height prescribed by Chapter 447 – Fences.

Panel 1: The wood fence panel measures 1.6 metres in height, exceeding the permitted by-law height of 1.2 metres by 0.4 metres. Including the post and cap, the total height is 1.8 metres, exceeding the permitted height by 0.6 metres. The fence is not an open mesh chain-link fence or equivalent open-fence construction within 2.4 metres from the lot line where the driveway begins, as required under the by-law. Staff further determined that Panel 1 creates a sight line obstruction.

Panels 2 and 3: The wood fence panels measure 1.6 metres in height, exceeding the permitted by-law height of 1.2 metres by 0.4 metres. Including the post and cap, the total height is 1.8 metres, exceeding the permitted height by 0.6 metres. The fence sections extending beyond the front wall of the dwelling exceed the maximum permitted height of 1.2 metres.

RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, West District recommends that Etobicoke York Community Council:

1. Refuse to grant the application for exemption by the owner of 25 Franson Crescent because the fence fails to comply with the provisions of Toronto Municipal Code, Chapter 447 Fences.

FINANCIAL IMPACT

There is no financial impact to the City of Toronto.

DECISION HISTORY

There are no previous Fence Exemption decisions for this property

COMMENTS

The subject property municipally known as 25 Franson Crescent is developed with a single-family detached residential dwelling.

The application was initiated because of a public complaint.

The property owner submitted a Fence Exemption application on April 8, 2026, seeking relief from Toronto Municipal Code, Chapter 447 – Fences. The request is to permit the existing front yard wood fence to exceed the maximum permitted height requirements, citing privacy concerns related to neighbouring harassment and police involvement.

Toronto Municipal Code Chapter 447 – Fences
Section 447-1.2B (1) – 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 metre away on either side of the fence, exceed the height set out in the Table for the fence.

Section 447-1.2C (1) – Open-Fence Construction Required

Any fence within 2.4 metres of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway.

Staff reviewed the application, supporting materials, and conducted site inspections. Despite the rationale provided by the property owner respecting privacy and security concerns, the existing fence configuration does not comply with the prescribed height and visibility requirements of Toronto Municipal Code Chapter 447 – Fences.

Staff further determined that the fence located adjacent to the driveway creates a sight line obstruction that may negatively impact visibility for pedestrians and vehicles.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT
Front Yard	Driveway 2nd and 3rd Panel	Existing wood fence exceeds 0.6 metres in height.	Chapter 447-1.2B (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
Front Yard	Driveway 1st Panel	Existing wood fence exceeds 0.6 metres in height.	Chapter 447-1.2C (1) Any fence within 2.4 metres of any driveway shall be an open mesh chain-link fence or of an equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins so as not to obstruct the view of the boulevard or highway 1.2 metres.

CONTACT

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SIGNATURE

Brian Nogueira
District Manager, West District
Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: iView Map of Property – 25 Franson Crescent - City of Toronto.

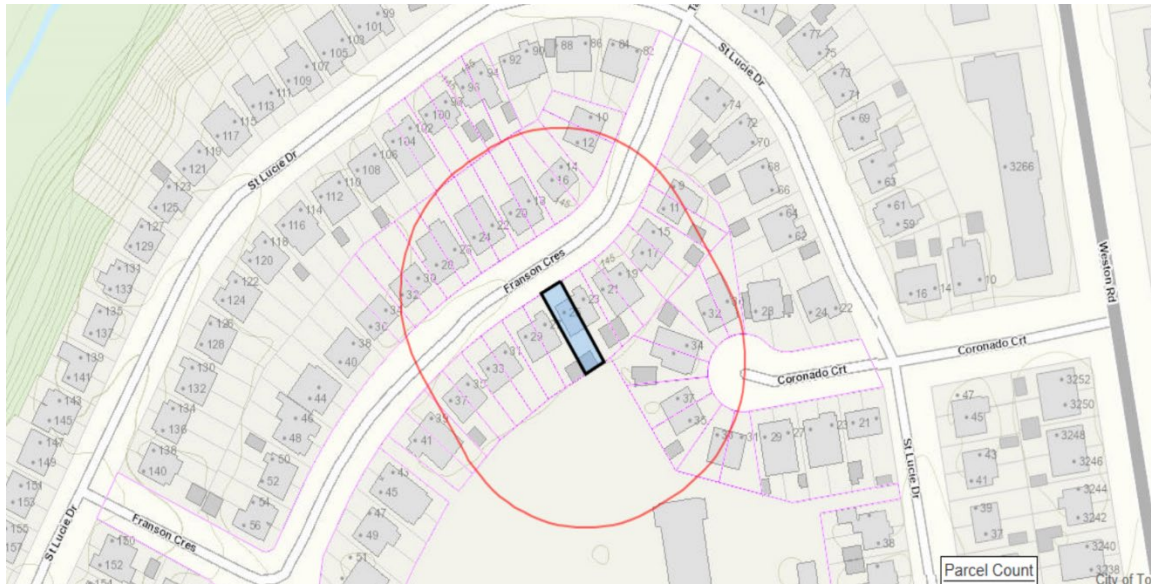
Attachment 2: View of wood fence located along the driveway area. Photo taken by Officer - 25 Franson Crescent, City of Toronto.

Attachment 3: Full length view of existing wood fence located along the driveway area. Photo taken by Officer - 25 Franson Crescent, City of Toronto.

Attachment 4: Measurement of wood fence post and cap. Photo taken by Officer - 25 Franson Crescent, City of Toronto.

Attachment 5: View of driveway and adjacent sidewalk. Photo taken by Officer - 25 Franson Crescent, City of Toronto.

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Attachment 5: View of driveway and adjacent sidewalk. Photo taken by Officer - 25 Franson Crescent, City of Toronto.

