

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 - 8 Markwood Crescent

Date: May 22, 2026

To: Etobicoke York Community Council

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

Wards: 2 Etobicoke Centre

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 8 Markwood Crescent requesting approval for a site-specific Fence Exemption under Section 447-1.2B (1) of Toronto Municipal Code Chapter 447 – Fences.

The purpose of this report is to advise Community Council regarding an application by the property owner of 8 Markwood Crescent for a site-specific Fence Exemption, pursuant to Section 447-1.2B (1) of Toronto Municipal Code, Chapter 447 – Fences.

The property owner is seeking Community Council's permission to maintain an existing 3 panel wood fence with lattice on the Northwest side of the property. The first panel extend beyond the front wall of the house.

Second and Third Panels: The applicable by-law fence height requirement is 2.0 metres. The fence has an overall height of 2.18 metres (including posts and lattice), consisting of 1.8 metres of solid wood fencing and a 0.355 metre lattice portion. The fence exceeds the permitted height by 0.18 metres

First Panel: The applicable by-law fence height requirement is 1.2 metres. The fence has an overall height of 2.18 metres (including posts and lattice), consisting of 1.8 metres of solid wood fencing and a 0.355 metre lattice portion.

The first panel exceeds the permitted height by 0.98 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 8 Markwood 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 8 Markwood 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 24, 2026, seeking relief from Toronto Municipal Code, Chapter 447 – Fences. The request is to permit the existing side yard fence to exceed the maximum permitted height, citing privacy concerns related to neighbouring commercial film production activities, including associated lighting, noise, and trespassing impacts.

Staff confirm the wood fence consists of a three-panel wood fence with lattice along the northwest side of the property. The first panel extends beyond the front wall of the dwelling but not beyond the front porch of the house.

The second and third panels exceed the maximum permitted height of 2.0 metres by 0.18 metres. The first panel, subject to a 1.2 metre height limit due to its location forward of the dwelling, exceeds the by-law by 0.98 metres.

The overall fence height, including posts and lattice, is 2.18 metres across all panels.

The existing fence does not comply with the prescribed height requirements. While the second and third panels present a minor exceedance, the first panel exceeds the permitted height more significantly due to its forward location. The application is therefore before Community Council for consideration of a site-specific exemption.

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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 metre away on either side of the fence, exceed the height set out in the Table for the fence.

Despite the rationale provided by the property owner, the fence remains non-compliant with the prescribed height requirements of the Municipal Code.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT
Side Yard	Northwest Side	Wood fence second and third panels height is 2.18 metres. The by-law limit is 2.0 metres. 0.18 metres (exceeds permitted height)	Chapter 447-1.2B (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 2.0 metres.
Side Yard	Northwest side – extends beyond the front wall of the dwelling	Wood fence first panel - beyond front wall of house exceed 1.2 metres. The fence exceeds the permitted height by 0.98 metres	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

CONTACT

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SIGNATURE

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Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: iView Map of Property – 8 Markwood Crescent - City of Toronto.

Attachment 2: Full-length view of the wood fence. Photo taken by officer - 8 Markwood Crescent, City of Toronto.

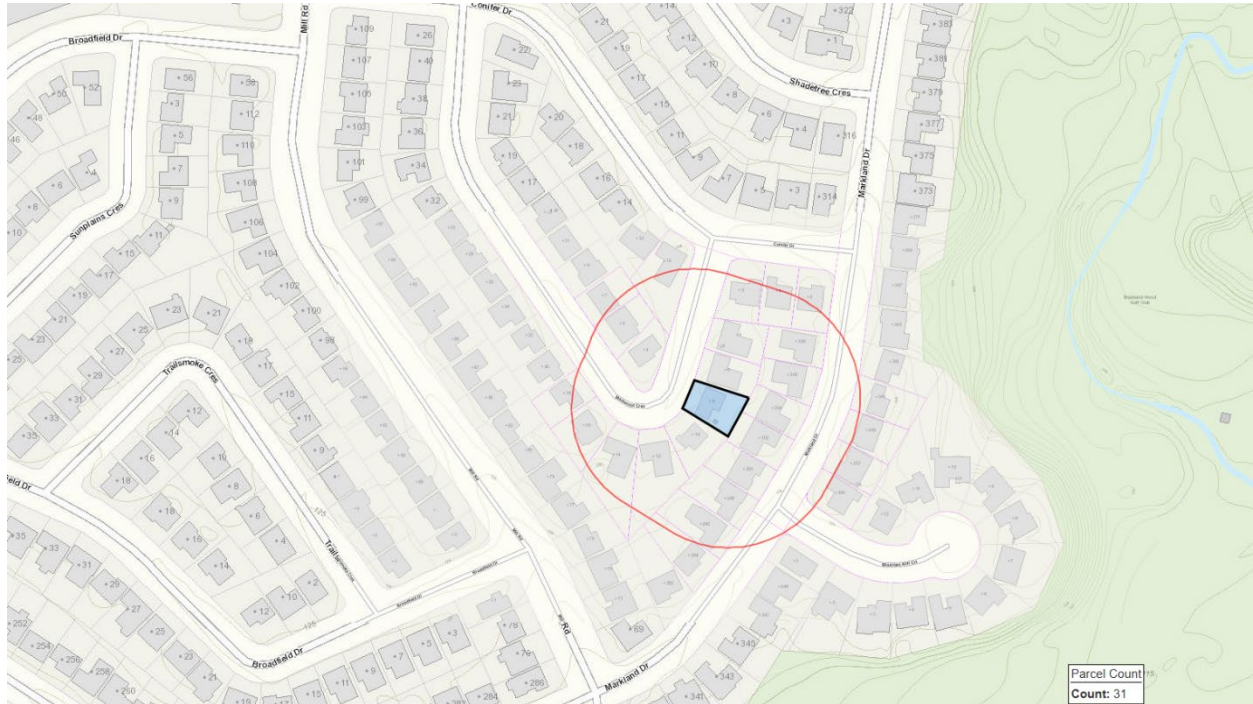
Attachment 3: View of the first panel of the wood fence extending beyond the front wall of the dwelling but not beyond the front porch. Photo taken by officer - 8 Markwood Crescent, City of Toronto.

Attachment 4: Full-length view of the wood fence. Photo taken by officer - 8 Markwood Crescent, City of Toronto.

Attachment 5: Full-length view of the wood fence from the neighbouring property side. Photo taken by officer - 8 Markwood Crescent, City of Toronto.

Attachment 6: Full-length view of the wood fence. Photo taken by officer - 8 Markwood Crescent, City of Toronto.

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Attachment 4: Full-length view of the wood fence. Photo taken by officer - 8 Markwood Crescent, City of Toronto.



Attachment 5: Full-length view of the wood fence from the neighbouring property side.
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