

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 - 3100 Weston Road

Date: June 3, 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 owner of 3100 Weston Road requesting a site-specific Fence Exemption under Toronto Municipal Code, Chapter 447, Sections 447-1.2A(2) and 447-1.2B(1) – Fences.

The owner is seeking approval to maintain an existing aluminum fence approximately 3.0 metres in height with barbed wire installed along the top, located along portions of the north and west sides of the property. The application also proposes the construction of additional fence sections along the south side of the property to match the existing fence.

Municipal Licensing and Standards staff determined that the existing and proposed fencing exceeds the maximum permitted height permitted under Chapter 447 and includes barbed wire, a prohibited fence component. As a result, a Notice of Violation was issued, and the owner subsequently submitted a Fence Exemption application.

Given that the fence does not comply with the height and construction requirements of Toronto Municipal Code, Chapter 447 – Fences, staff are of the opinion that the requested exemption is not supportable.

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 3100 Weston Road 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 3100 Weston Road is developed with a single-family detached residential dwelling.

The application was initiated following a public complaint regarding the height and construction of the existing perimeter fence. Municipal Licensing and Standards staff inspected the property and determined that the fence does not comply with the requirements of Toronto Municipal Code, Chapter 447 – Fences.

The owner submitted a Fence Exemption application on May 6, 2026, seeking approval to maintain an existing aluminum fence with barbed wire installed along the top and to construct additional fence sections of a similar design. The owner advised that the fence is intended to address concerns related to unauthorized access, trespassing, and property damage.

The existing fence is approximately 3.0 metres in height and is located along portions of the north and west sides of the property. Chapter 447, Section 447-1.2B(1) limits the maximum permitted fence height in these locations to 2.0 metres.

In addition, the fence incorporates barbed wire along the top. Chapter 447, Section 447-1.2A(2) prohibits the use of barbed wire or other sharp materials unless the fence is otherwise permitted by the Municipal Code to exceed 2.5 metres in height and the barbed wire is installed in accordance with the prescribed standards.

As the existing fence is not permitted to exceed 2.0 metres in height in the side and rear yard locations where it is installed, the barbed wire does not meet the conditions under which it may be permitted. Consequently, both the height of the fence and the inclusion of barbed wire require relief from the provisions of Chapter 447 through the Fence Exemption process.

The existing fence exceeds the maximum permitted height and contains barbed wire topping that does not comply with the requirements of Chapter 447. As a result, the

fence is in contravention of Sections 447-1.2B (1) and 447-1.2A (2) of the Municipal Code.

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.

A. Restrictions on fence.

(2) No barbed wire, chicken wire or other barbed or sharp material shall be used in any fence unless the fence is permitted by Subsection B to exceed 2.5 metres in height and the barbed or sharp material is installed at a height of not less than 2.5 metres on metal brackets inclined towards the enclosed area at an angle of 45 degrees.

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

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT
North	Rear Yard	Existing aluminum fence with barbed wire topping installed on fence approximately 3.0 metre in height exceeds maximum permitted height of 2.0 m	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.
West	Rear Yard	Existing aluminum fence with barbed wire topping installed on fence approximately 3.0 metre in height exceeds maximum permitted height of 2.0 m	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.

North	Rear Yard	Barbed wire topping installed on fence	Chapter 447-1.2A (2) No barbed wire, chicken wire or other barbed or sharp material shall be used in any fence unless the fence is permitted by Subsection B to exceed 2.5 metres in height and the barbed or sharp material is installed at a height of not less than 2.5 metres on metal brackets inclined towards the enclosed area at an angle of 45 degrees.
West	Rear Yard	Barbed wire topping installed on fence	Chapter 447-1.2A (2) No barbed wire, chicken wire or other barbed or sharp material shall be used in any fence unless the fence is permitted by Subsection B to exceed 2.5 metres in height and the barbed or sharp material is installed at a height of not less than 2.5 metres on metal brackets inclined towards the enclosed area at an angle of 45 degrees.

CONTACT

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SIGNATURE

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Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: iView Map of Property — 3100 Weston Road, City of Toronto.

Attachment 2: West side fence with barbed wire interior and exterior views. Photo taken by officer. 3100 Weston Road, City of Toronto.

Attachment 3: Full view of the north and west sides of the property. Photo taken by officer. 3100 Weston Road, City of Toronto.

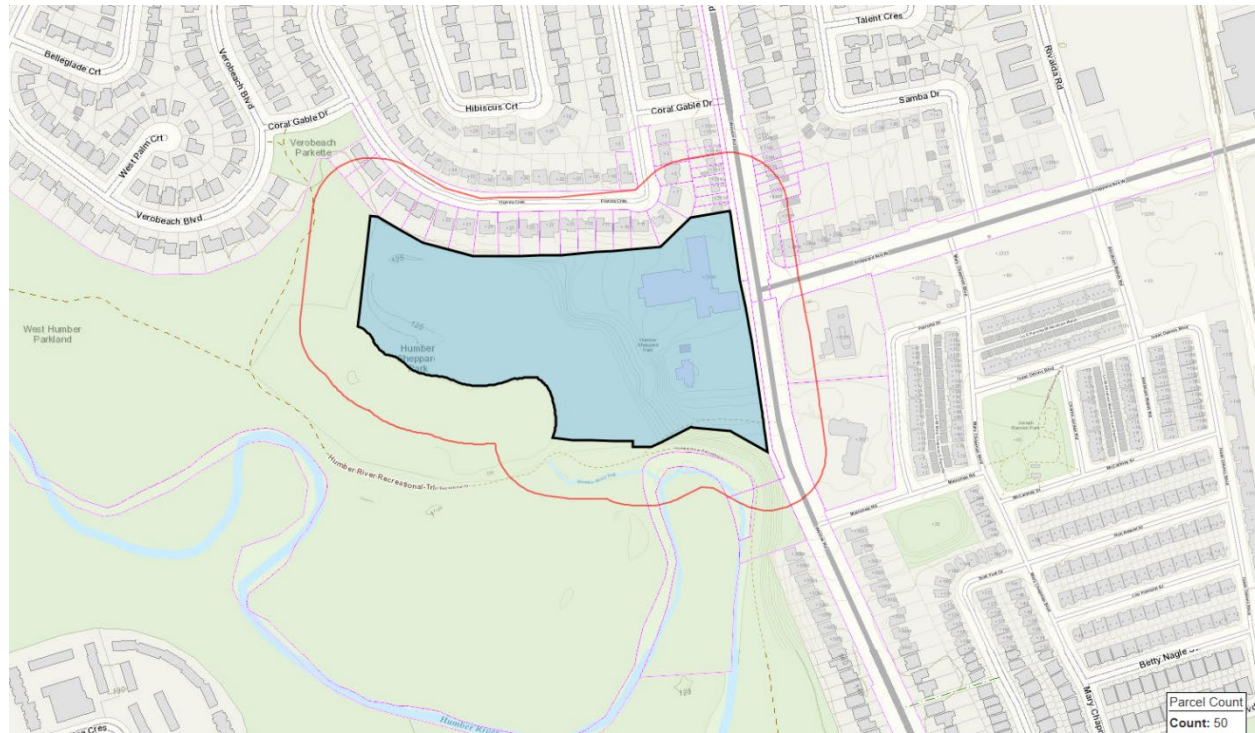
Attachment 4: North property line fence with barbed wire. Photo taken by officer. 3100 Weston Road, City of Toronto.

Attachment 5: North side fence with barbed wire. Photo taken by officer. 3100 Weston Road, City of Toronto.

Attachment 6: Existing fence with barbed wire interior and exterior orientations. Photo taken by officer. 3100 Weston Road, City of Toronto.

Attachment 7: West fence with barbed wire overlooking adjacent field. Photo taken by officer. 3100 Weston Road, City of Toronto.

Attachment 1: GIS Map of Property — City of Toronto.



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