

21 Caines Avenue - Request for Fence Exemption

Date: May 29, 2026

To: North York Community Council

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

Wards: 18 - Willowdale

SUMMARY

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

The report responds to an application submitted by the property owner of 21 Caines Avenue requesting approval for a site-specific Fence Exemption under Section 447-1.2B(1) of Toronto Municipal Code Chapter 447 – Fences.

The property owner is seeking Council's permission to maintain a wrought iron fence approximately 1.4 metres in height surrounding the entire perimeter of the property, including the driveway, which contains two gates. The fence is of open-faced construction and does not pose a sightline obstruction. In addition, there is 1 pencil cedar located 2 metres from the driveway on the west side 1.9 metres in height within 2.4 metres of the city lot.

The front yard fence does not comply with the requirements set out in Chapter 447 of the Toronto Municipal Code, which requires that any fence in a front yard; and within 2.4 metres of a lot line abutting a public highway shall not exceed 1.2 metres in height. In addition, no vegetation shall be permitted to grow or object permitted to be placed in such a way as to obstruct the view through a fence.

RECOMMENDATIONS

The Acting District Manager, Municipal Licensing and Standards, East District recommends that North York Community Council:

1. Refuse to grant the application for exemption by the owner of 21 Caines Avenue 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 Municipal Licensing and Standards Division inspected the subject property October 13, 2024, and a Notice of Violation was issued. The owner 21 Caines Avenue submitted the Fence Exemption application on November 18, 2024.

The existing fence, including the pencil cedar, violates the City of Toronto Municipal Code, Chapter 447-1.2B(1) exceeds 1.2 metres within 2.4 metres of a public highway as well as Chapter 447-1.2D permitting vegetation to grow that obstructs view through fence.

Fence height.:

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).

Construction Standards:

1. Fence height.

B(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.

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) must not exceed 1.2 metres.

2. Obstructions prohibited.

D. No vegetation shall be permitted to grow or object permitted to be placed in such a way as to obstruct the view through a fence under Subsection C.

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT
Front Yard	Front	Maintain pencil cedar.	Chapter 447-1.2D No vegetation shall be permitted to grow or object permitted to be placed in such a way as to obstruct the view through a fence under Subsection C.
Front Yard	Front	Maintain fence (including gates) as construction	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. 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) shall not exceed 1.2 metres in height.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment A: iView Map of Property – 21 Caines Road, City of Toronto

Attachment B: Front of Property and fence.

Attachment C: Front of property and front yard.

Attachment D: Front of property pencil cedar.

Attachment A: iView Map of Property – 21 Caines Road, City of Toronto



Attachment B: Front of Property and fence (including gates and pencil cedar). Taken by Municipal standards staff.



Attachment C: Front of property taken on angle to include entire front yard fence. Taken by Municipal standards staff.



Attachment D: Front of property taken of pencil cedar. Taken by Municipal standards staff.



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