

Request for a Fence Exemption to the Toronto Municipal Code, Chapter 447 - 31 McDonald Avenue

Date: May 1, 2026

To: Scarborough Community Council

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

Wards: 20 - Scarborough Southwest

SUMMARY

This staff report concerns a matter for which the Scarborough 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 31 McDonald 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 vertical wooden fence in the rear yard, where the south side fence measures approximately 2.16 metres (7 feet 1 inch) in height, and the north side fence measures approximately 2.24 metres (7 feet 4 inches) in height. Both sides of the rear yard fence measure approximately 21.5 metres (70 feet) in length.

This fence does not comply with the height requirements set out in Chapter 447 of the Toronto Municipal Code, which limits the maximum height of a rear yard fence to 2.0 metres.

RECOMMENDATIONS

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

1. Refuse to grant the application for exemption by the owner of 31 McDonald 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 property on September 18, 2024, at which time a Notice of Violation was issued. In support of this report, a current inspection was conducted on April 23, 2026, to confirm existing conditions remain substantially unchanged. The owner of 31 McDonald Avenue submitted the Fence Exemption application on September 27, 2024.

The proposed fence violates the City of Toronto Municipal Code, Chapter 447-1.2B(1) - Fence Height

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

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GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT
Rear	Rear South Facing	Wooden Fence exceeds the height of 2m permitted by the chapter	Chapter 447 Section 447-1.2B (1) - Any other fence 2.0 metres
Rear	Rear North Facing	Wooden Fence exceeds the height of 2m permitted by the chapter	Chapter 447 Section 447-1.2B (1) - Any other fence 2.0 metres

CONTACT

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SIGNATURE

Christina Savella
Acting District Manager, East District
Municipal Licensing and Standards

ATTACHMENTS

Attachment A: iView Map of Property – 31 McDonald Avenue. City of Toronto

Attachment B: Rear yard south facing fence. Taken by Municipal Licensing and Standard Staff.

Attachment C: Rear yard south facing fence measurement. Taken by Municipal Licensing and Standard Staff.

Attachment D: Rear yard north facing fence. Taken by Municipal Licensing and Standard Staff.

Attachment E: Rear yard north facing fence measurement. Taken by Municipal Licensing and Standard Staff

Attachment A: iView Map of Property – 31 McDonald Avenue. City of Toronto



Attachment B: Rear yard south facing fence. Taken by Municipal Licensing and Standard Staff.



Attachment C: Rear yard south facing fence measurement. Taken by Municipal Licensing and Standard Staff.



Attachment D: Rear yard north facing fence. Taken by Municipal Licensing and Standard Staff.



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