

116 Presley Avenue - Application for Fence Exemption

Date: June 8, 2026

To: Scarborough Community Council

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

Wards: Ward 20 – Scarborough Southwest

SUMMARY

The Applicant for 116 Presley Avenue has requested Scarborough Community Council to exempt their property from the following by-law requirements:

City of Toronto Municipal Code Chapter 447 1.2B(1) – Restrictions on Fences; Height and 447 1.2C(1) - Open Fence Construction Required

The fence in the front yard on the north side of the property is within 2.4 meters of a driveway and is not made of open fence construction.

The gate in the side yard on the north side of the property has a height of 2.44 meters. This is higher than the allowable 2 meters.

The fence in the side and rear yard on the east side of the property has a height ranging from 2.39 meters to 2.49 meters. This is higher than the allowable 2 meters.

The fence in the rear yard on the west side of the property has a height ranging from 2.39 meters to 2.49 meters. This is higher than the allowable 2 meters.

The fence in the side and rear yard on the south side of the property has a height ranging from 2.39 meters to 2.48 meters. This is higher than the allowable 2 meters.

The gate in the side yard on the south side of the property has a height of 2.36 meters. This is higher than the allowable 2 meters.

The fence in the front yard on the south side of the property has a height of 2.34 meters. This is higher than the allowable 2 meters.

The fence in the front yard on the south side of the property is within 2.4 meters of a driveway and is not made of open fence construction.

Municipal Licensing and Standards Division has inspected the subject property and issued a notice of violation of City of Toronto Municipal Code Chapter 447 1.2(B)(1).

RECOMMENDATIONS

The Acting District Manager, Municipal Licensing and Standards, East District recommends that Scarborough Community Council, pursuant to City of Toronto Municipal Code Chapter 447 - Fences

Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 116 Presley Avenue, for the existing fence described in the Summary of this report.

FINANCIAL IMPACT

There is no financial impact to the City of Toronto.

DECISION HISTORY

There is no previous decision history

COMMENTS

Municipal Licensing and Standards Inspection Results:

The existing fence violates the City of Toronto Municipal Code, Chapter 447 – Fences requirements

GENERAL LOCATION	SPECIFIC LOCATION	CONSTRUCTION and DEFICIENCY	BY-LAW SECTION and REQUIREMENT*
Front yard	Front yard - North Side	Fence is within 2.4 meters of a driveway and not made of open fence construction.	Chapter 447 Section 1.2 C(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;
Side Yard	Side Yard - North Side	Gate height is 2.44 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2.0 meters.
Side and Rear Yard	Side and Rear yard – East Side	Fence height is between 2.39 meters and 2.49 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.
Rear Yard	Rear yard – West Side	Fence height is between 2.39 meters and 2.49 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.
Side and Rear Yard	Side and Rear yard – South Side	Fence height is between 2.39 meters and 2.48 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.
Side Yard	Side Yard - South Side	Gate height is 2.36 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.

Front Yard	Front Yard - South Side	Fence height is 2.34 meters, which is greater than the 2 meters allowed in the bylaw.	Chapter 447 Section 1.2 B(1) – Restrictions on Fences; Height Maximum allowable height is 2 meters.
Front Yard	Front Yard - South Side	Fence is within 2.4 meters of a driveway and not made of open fence construction.	Chapter 447 Section 1.2 B(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;

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: iView Map of Property – 116 Presley Avenue.

Attachment 2: Supervisor's photo -Fence in front yard- north side - Not made of open fence construction.

Attachment 3: Supervisor's photo -Overview of Side/rear yard fence/gate- north side.

Attachment 4: Supervisor's photo - Side yard gate- north side - gate height (2.44 meters)

Attachment 5: Supervisor's photo - Side and Rear yard fence- north side - fence height (2.39 meters to 2.49 meters)

Attachment 6: Supervisor's photo -Overview of rear yard fence - west side.

Attachment 7: Supervisor's photo - Rear yard fence- west side - fence height (2.39 meters to 2.49 meters)

Attachment 8: Supervisor's photo -Overview of Side/rear yard fence/gate - south side.

Attachment 9: Supervisor's photo - Rear/side yard fence- south side - fence height (2.39 meters to 2.48 meters)

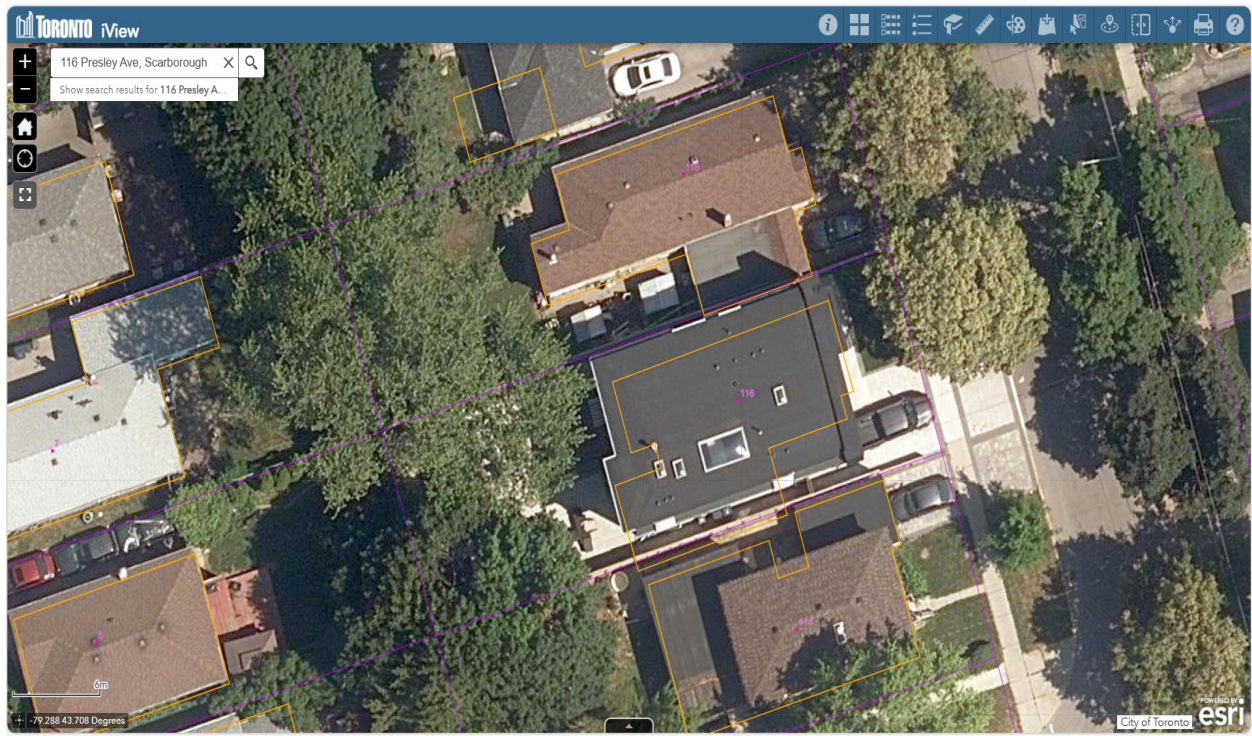
Attachment 10: Supervisor's photo - Side yard gate- south side - gate height (2.36 meters)

Attachment 11: Supervisor's photo -Overview of Front yard fence - south side.

Attachment 12: Supervisor's photo - Front yard fence- south side - fence height (2.34 meters)

Attachment 13: Supervisor's photo -Fence in front yard- south side - Not made of open fence construction.

Attachment 1: iView Map of Property – 116 Presley Avenue- City of Toronto.



Attachment 2: Supervisor's photo -Fence in front yard- North Side - Not made of open fence construction.



Attachment 3: Supervisor's photo -Overview of Side/rear yard fence/gate- north side.



Attachment 4: Supervisor's photo - Side yard gate- north side - gate height (2.44 meters)



Attachment 5: Supervisor's photo - Side and Rear yard fence- north side - fence height (2.39 meters to 2.49 meters)



Attachment 6: Supervisor's photo -Overview of rear yard fence - west side.



Attachment 7: Supervisor's photo - Rear yard fence- west side - fence height (2.39 meters to 2.49 meters)



Attachment 8: Supervisor's photo -Overview of Side/rear yard fence/gate - south side.



Attachment 9: Supervisor's photo - Rear/side yard fence- south side - fence height (2.39 meters to 2.48 meters)



Attachment 10: Supervisor's photo - Side yard gate- south side - gate height (2.36 meters)



Attachment 11: Supervisor's photo -Overview of Front yard fence - south side.



Attachment 12: Supervisor's photo - Front yard fence- south side - fence height (2.34 meters)



Attachment 13: Supervisor's photo -Fence in front yard- south side - Not made of open fence construction.

