

## **47 Atlas Avenue - Application for Fence Exemption**

**Date:** March 6, 2026

**To:** Toronto and East York Community Council

**From:** Central District Manager, Investigation Services, Municipal Licensing and Standards

**Wards:** Ward 12 – Toronto- St. Paul's

### **SUMMARY**

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The Applicant for 47 Atlas Avenue has requested Toronto and East York Community Council to exempt their property from the following by-law requirements:  
City of Toronto Municipal Code Chapter 447, Section 1.2.B(1) fence in rear yard not to exceed 2.0 metres in height

The Applicant for 47 Atlas Avenue is requesting an exemption for their;

- Existing wooden board on board fence to remain
- Rear fence – Southern lot line fence height of 2.7 meters at a length of 12.5 metres
- Rear fence – Eastern lot line fence height of 2.48 meters at a length of 7.3 metres
- Rear fence – Northern lot line fence height of 2.37 meters at a length of 12.5 metres

Municipal Licensing and Standards Division has inspected the subject property and issued a notice of violation of City of Toronto Municipal Code Chapter 447 Section 1.2.B(1) fence in rear yard not to exceed 2.0 metres in height.

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## RECOMMENDATIONS

The District Manager, Municipal Licensing and Standards, Central District recommends that Toronto and East York Community Council pursuant to City of Toronto Municipal Code Fences Chapter 447 Section 1.2.B(1) fence in rear yard not to exceed 2.0 metres in height

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 47 Atlas Avenue for the existing fence described in the Summary of this report.

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## FINANCIAL IMPACT

There is no financial impact to the City of Toronto.

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## DECISION HISTORY

There are no previous Fence Exemption decisions on 47 Atlas Avenue

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## 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*  |
|------------------|--------------------------------|--|--|
| Rear Yard        | Rear fence – Southern lot line | Fence height is currently 2.7 metres which exceeds the 2 metres allowed in the bylaw.  | Chapter 447 Section 1.2. B (1) – Restrictions on Fences; Height<br><br>Maximum allowable height is 2 metres. |
| Rear yard        | Rear fence – Eastern lot line  | Fence height is currently 2.48 metres which exceeds the 2 metres allowed in the bylaw. | Chapter 447 Section 1.2. B (1) – Restrictions on Fences; Height<br><br>Maximum allowable height is 2 metres. |

|           |                                |  |  |
|-----------|--------------------------------|--|--|
| Rear Yard | Rear fence – Northern lot line | Fence height is currently 2.37 metres which exceeds the 2 metres allowed in the bylaw. | Chapter 447 Section 1.2. B (1) – Restrictions on Fences; Height<br><br>Maximum allowable height is 2 metres. |
|-----------|--------------------------------|--|--|

City of Toronto Municipal Code, Chapter 447 Fences Bylaw set out the requirements in respect to the health, safety and well-being of persons in the City of Toronto regarding structures, including fences. Among other requirements, Chapter 447 sets out requirements for maximum fence heights depending on where the fence is located on the property, as well as if the fence is on a residential or non-residential property. There are also specific height maximums for hedges, shrubs and other vegetation that acts as a fence.

| Item | Description of Fence  | Fence on Single or Multiple residential property | Fence on non-residential property | Hedge, shrub, or other vegetation that acts as fence |
|------|---|--|-----------------------------------|--|
| 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                                       | 1.2 metres                        | 1.2 metres   |
| 2    | Fence in a front yard; and not within 2.4 metres of a lot line abutting a public highway (public highway does not include a public lane)  | 2.0 metres                                       | 2.0 metres                        | No maximum   |
| 3    | Fence not in a front yard; and within 2.4 metres of a side lot line abutting a public highway (public highway does not include a public lane); and within 2.4 metres of a driveway  | 2.0 metres                                       | 2.0 metres                        | 2.0 metres   |
| 4    | Fence not in a front yard; and between 2.4 metres from a side lot line abutting a public highway (public highway does not include a public lane) and the nearest wall of the main building extended to the rear lot line; and within 2.4 metres of a driveway | 2.0 metres                                       | 2.5 metres                        | No maximum   |
| 5    | Fence on an unroofed deck; and not in a front yard; and not within 2.4 metres of a lot line abutting a  | 2.0 metres                                       | 2.0 metres                        | No maximum   |

|   |  |            |            |            |
|---|--|------------|------------|------------|
|   | public highway (public highway does not include a public lane)   |            |            |            |
| 6 | Fence not in a front yard that also is not a fence under Items 3, 4 or 5 of this Table; and abutting a multiresidential property, a non-residential property, a public highway or a public walkway | 2.5 metres | 2.5 metres | No maximum |
| 7 | Fence abutting a rapid transit right of way  | 2.5 metres | No maximum | No maximum |
| 8 | Fence for a tennis court, a baseball diamond or other recreational facility  | 3.0 meters | No maximum | No maximum |
| 9 | Any other fence  | 2.0 metres | 2.5 metres | No maximum |

**City Council Decisions**

May 22, 23, & 24 2018, City Council adopted the following:

1. City Council amend Chapter 447, Fences, to allow fences that are located in a front yard between two private properties to be a maximum of 2.0 metres in height and specify that this does not apply to fences within a 2.4 metre distance from a front lot line.
2. City Council amend Chapter 447, Fences, to remove maximum height requirements for any hedge, shrub, or other vegetation that acts as a fence, except when the hedge, shrub, or vegetation is within a 2.4 metre distance from a lot line abutting a public highway, other than a public lane

**CONTACT**

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Kathryn Goodwin - Supervisor  
Municipal Licensing and Standards  
Investigation Services – Central District  
Tel. 647-463-6051  
Email: kathryn.goodwin@toronto.ca

**SIGNATURE**

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Cameron Culver

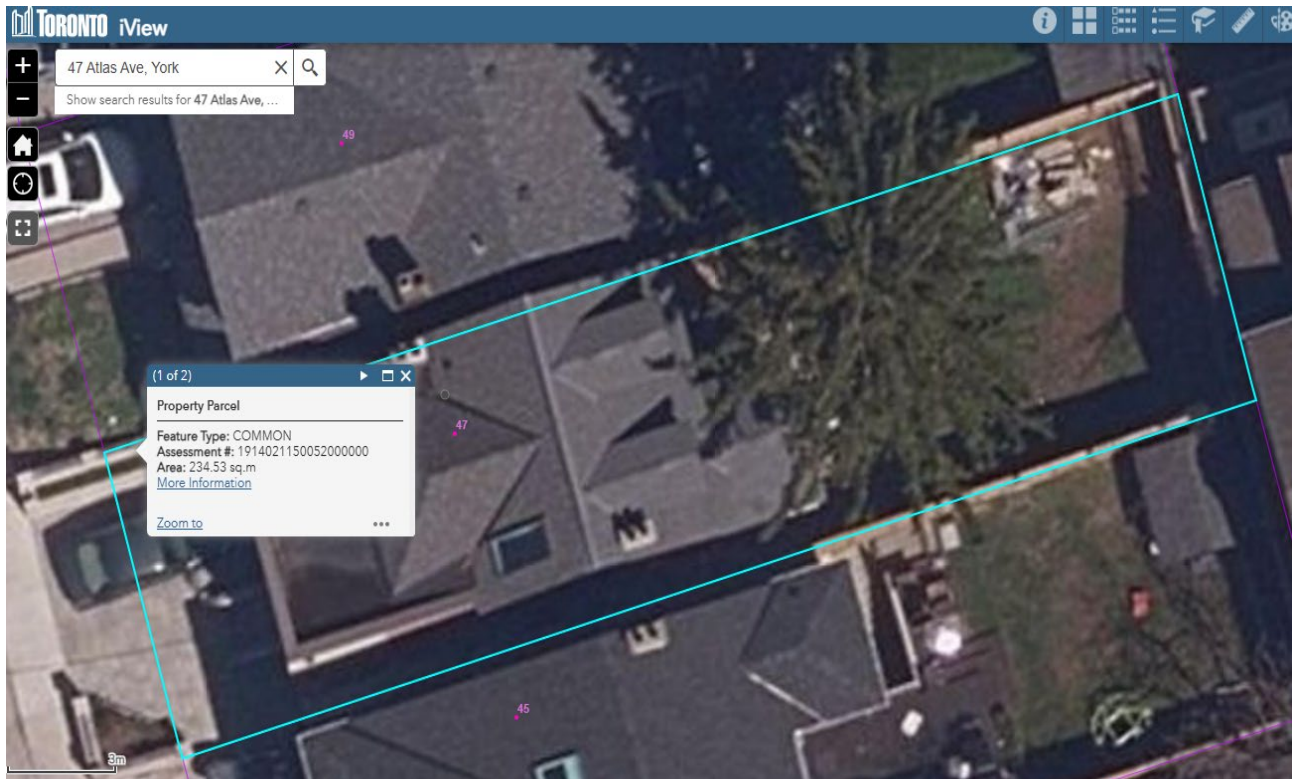
Cameron Culver - Central District Manager  
Investigation Services  
Municipal Licensing & Standards  
433 Eastern Avenue, Building B  
416-395-7035

## **ATTACHMENTS**

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- Attachment 1: iView Map of Property – 47 Atlas Avenue - City of Toronto.
- Attachment 2: Geospatial Information System (GiS) – 47 Atlas Avenue
- Attachment 3: Overview of rear yard
- Attachment 4: Rear fence – Southern lot line
- Attachment 5: Rear fence – southern lot line – zoomed measurement confirmation
- Attachment 6: Rear fence – Eastern lot line
- Attachment 7: Rear fence – Eastern lot line - zoomed measurement confirmation
- Attachment 8: Rear fence – Northern lot line
- Attachment 9: Rear fence – Northern lot line - zoomed measurement confirmation

Attachment 1: iView Map of Property – 47 Atlas Avenue - City of Toronto.



Attachment 2: Geospatial Information System (GIS) – 47 Atlas Avenue



Attachment 3: Overview of Rear Yard



K. GOODWIN #6190  
February 25, 2026 11:48 a.m.

Attachment 4: Rear fence – Southern lot line



Attachment 5: Rear fence – southern lot line – zoomed measurement confirmation

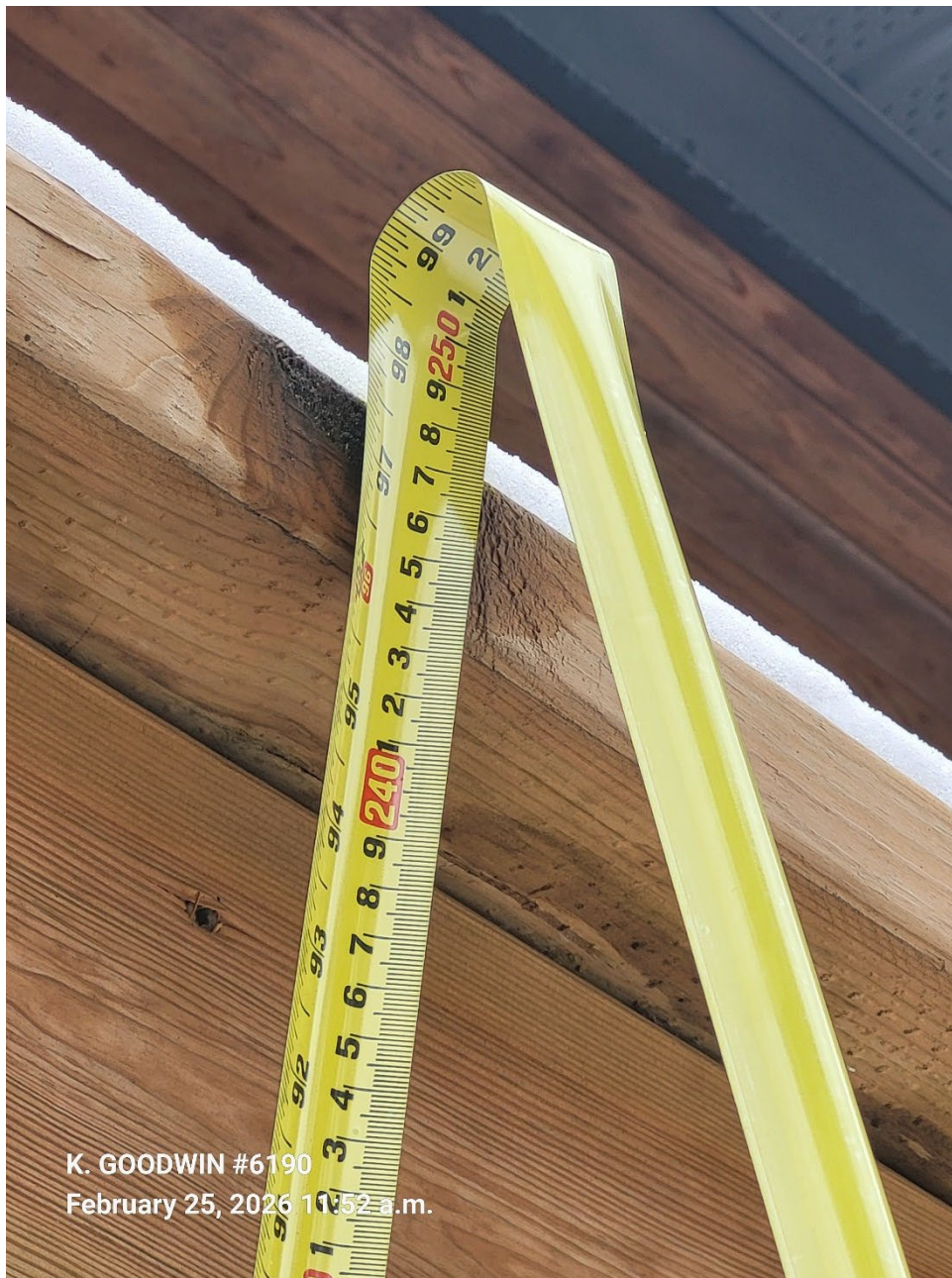


Attachment 6: Rear fence – Eastern lot line



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Attachment 7: Rear fence – Eastern lot line - zoomed measurement confirmation



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February 25, 2026 10:52 a.m.

Attachment 8: Rear fence – Northern lot line



Attachment 9: Rear fence – Northern lot line - zoomed measurement confirmation

