

45 Montye Avenue - Application for Fence Exemption

Date: May 28, 2026

To: Toronto and East York Community Council

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

Wards: Ward 4 – Parkdale- High Park

SUMMARY

The Applicant for 45 Montye 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 front yard not to exceed 2.0 metres in height

The Applicant for 45 Montye Avenue is requesting an exemption for their;

- Existing wooden fence
- Front fence – western lot line fence at a height of 2.1 metres and at a length of 2.7 meters

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 front yard not to exceed 2.0 metres in height

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 front yard not to exceed 2.0 metres in height

1. Refuse to grant an exemption to Chapter 447, Fences, to the property owner of 45 Montye 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 are no previous Fence Exemption decisions on this 45 Montye Avenue.

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 fence – Western lot line	Fence height is currently 2.2 metres which exceeds the 2 metres allowed in the bylaw.	Chapter 447 Section 1.2. B (1) – Restrictions on Fences; Height 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	2.0 metres	2.0 metres	2.0 metres

	highway does not include a public lane); and within 2.4 metres of a driveway			
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 public highway (public highway does not include a public lane)	2.0 metres	2.0 metres	No maximum
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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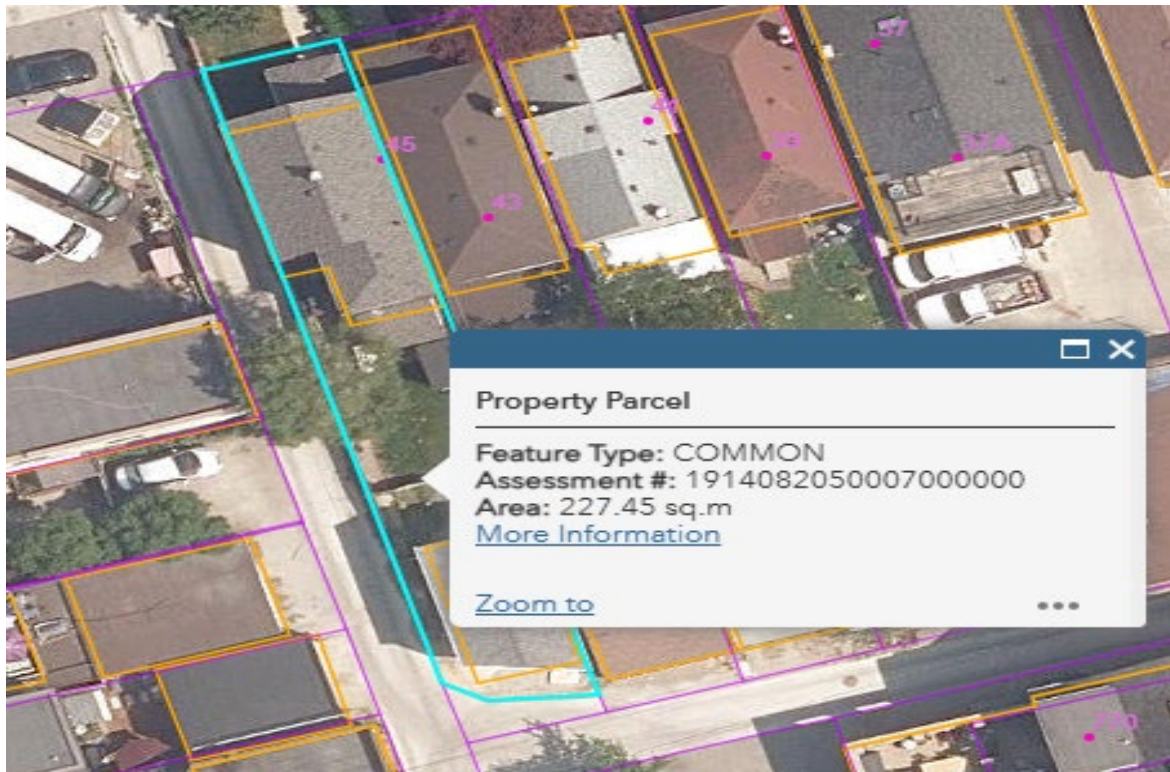
SIGNATURE

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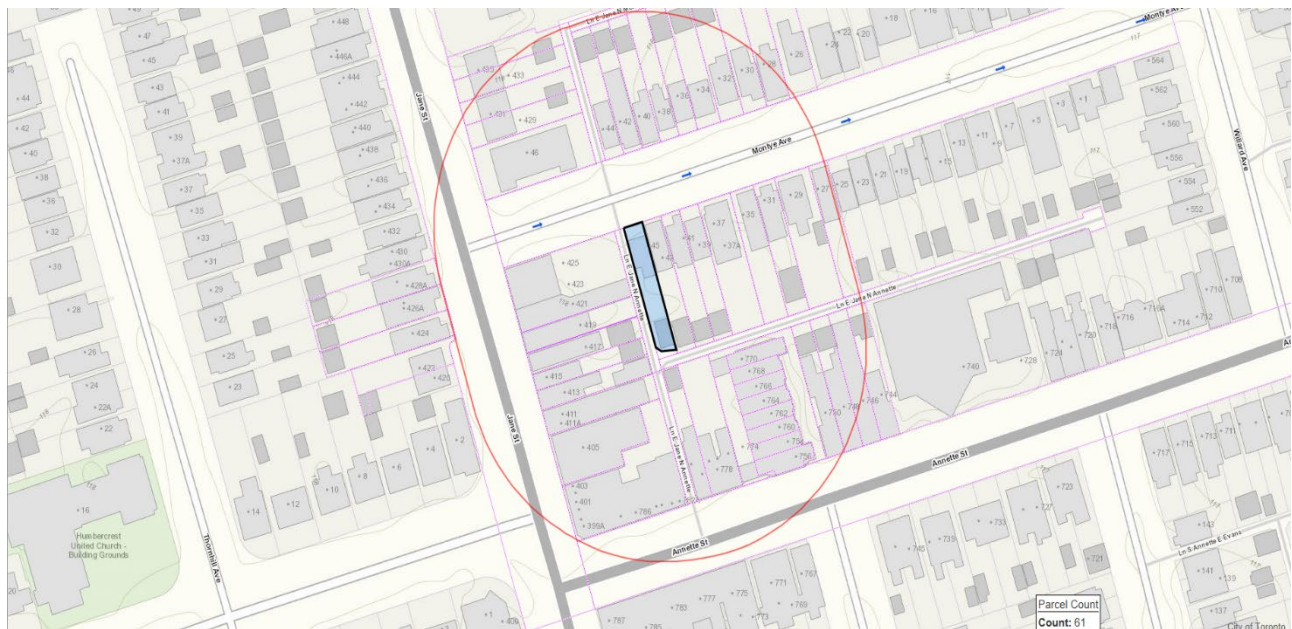
ATTACHMENTS

Attachment 1:	iView Map of Property – 45 Montye Avenue - City of Toronto.
Attachment 2:	Geospatial Information System (GiS) – 45 Montye Avenue
Attachment 3:	Overview of front yard
Attachment 4:	Front Yard – Western lot line measurement
Attachment 5:	Front Yard – zoomed measurement confirmation

Attachment 1: iView Map of Property – 45 Montye Avenue - City of Toronto



Attachment 2: Geospatial Information System (GiS) – 45 Montye Avenue



Attachment 3: Overview of front yard



Attachment 4: Front Yard – Western lot line measurement



Attachment 5: Front Yard – zoomed measurement confirmation

