

## Proposed Amendments

### Fence By-law:

1. Delete the words “noise attenuation” from section 2.0(2).
2. Replace the words “other forms” in Schedule A section (2)(f) with “all forms”.
3. Delete the definition of *Owner* and replace it with the following definition:  
“Owner” means a registered owner of a *Property*, and includes but is not limited to any owner in trust, mortgagee in possession or *Person* who is a tenant or has care or control of any *Property*.
4. Delete the words “and includes an *Owner*” from the definition of *Person*.
5. Delete the definition of *Grade* and replace it with the following definition:  
“Grade” means elevation of the ground surface of the land at the point of the erection of the *Fence*.
6. Delete the definition of *Property* and replace it with the following definition:  
“Property” means a building or structure or part of a building or structure, and includes the lands appurtenant thereto, including all mobile homes, mobile buildings, mobile structures, outbuildings, *Fences* and *Erections* thereon whether heretofore or hereafter *Erected*, and includes *Vacant Land*.
7. Delete the definition of *Height* and replace it with the following definition:  
“Height” when used in relation to a *Fence*, means the vertical distance measured between the *Grade* to the highest point of the *Fence*, and that in instances where the *Grade* is different on two sides of a *Fence*, the lowest point of the *Grade* shall be used to measure the *Height* of the *Fence*;
8. Add the definition of *Vacant Land* to read it as follows:  
“Vacant Land” means land not being used, with no buildings or structures on the land or being built on the land, other than open space lands and not devoted to the practice of farming.

9. Delete the definition of *Public Highway* and replace it with the following definition:

“Public Highway” means any portion of a *Highway* under the jurisdiction of municipal, provincial or federal government or its agencies, boards, commissions, departments or other bodies and includes *Public Road Allowance*.
10. Add the definition of *Public Road Allowance* to read as follows:

“Public Road Allowance” means road allowances made by the Crown surveyors that are located in the *City* and road allowances, highways, streets and lanes shown on a registered plan of subdivision.
11. Delete subsection 5.0(1)(b) and replace it with the following:
  - (b) any barbed wire, chicken wire or other barbed or sharp material that is used in accordance with this subsection shall be at least 2.5 metres in *Height* and shall be installed on metal brackets inclined towards the enclosed area at an angle of 45 degrees.
12. Delete the words “fence location” from section 7.0(1).
13. Add section 2.0(5) to read as follows:
  - (5) Despite section 2.0(1), this By-law does not apply to the location of the *Fences*.
14. Delete section 9.0(4) and renumber the sections accordingly.
15. Delete section 9.0(1) and replace it with the following:

No *Owner* shall excavate or *Erect*, or *Make Changes to a Fence*, or cause or allow excavation or *Erection of a Swimming Pool* without first obtaining the appropriate *Swimming Pool Enclosure Permit* certifying approval from the *Director of Development Engineering*, for the construction of a *Swimming Pool Enclosure* for the *Swimming Pool*.
16. Add the definition of *Make Changes to a Fence* to section 3.0(1) to read as follows:

“Make Changes to a Fence” means alter, reconstruct or replace an existing *Fence*, but does not include normal maintenance and repair.

17. Delete the words “any notice or other information” and replace it with the words “any notice, order or other information” in section 13.0(1).
18. Add the words “or notice” after each word “order” in sections 14.0(7) and 14.0(8).
19. Replace the word “apples” with “applies” in section 19.0(2).
20. Add the words “ensure that” after the words “required to” in Schedule A section (3).
21. Delete the first instance of the word “when” after the words “close and lock” in Schedule A section (4).
22. Add the definition of *Service Entrance* to read as follows:

“Service Entrance” means the entrance into a building, which is normally used by *Persons* entering such building for the purposes of delivering goods or rendering maintenance service as opposed to the main or principal entrance and shall include a door giving access to a garage.
23. Delete section (3)(e) in Schedule A and replace it with the following and renumber the sections accordingly:
  - (e) If the gate is a single gate:
    - a. be self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 metres above grade; and
    - b. be kept locked at all times except when the enclosed area is in use.
  - (f) If the gate is double gate:
    - a. have one gate that is self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 metres above grade;
    - b. have a second gate that is equipped with a lockable drop bolt that extends down into concrete, asphalt, or paving stones by a minimum of 25 millimetres; and

- c. be kept locked at all times, included keeping the lockable drop bolt in the locked position, except when the enclosed area is in use.

24. Add section (3)(j) in Schedule A to read as follows:

- (j) All automatic closing devices and their power back-up systems shall be in compliance with the applicable product and installation standards of the Canadian Standards Association.

25. Add a provision to Part 9.0 to allow the cancellation of swimming pool permit applications, which are deemed incomplete, after a period of 3 months.

26. Add a provision to Part 9.0 to allow the cancellation of swimming pool permit applications, which are deemed abandoned, after a period of 6 months.

27. Add a provision to Part 9.0 setting up refunds policy for incomplete or abandoned swimming pool permit applications. Refunds should be provided as following: 80% refunds, if the application is cancelled prior to review; 50% refunds, if the application is cancelled after commencement of review, prior to permit issuance and the pre-construction site inspection has not been conducted; 40% refunds, if the application is cancelled after commencement of review, prior to permit issuance and the pre-construction site inspection has been completed.