



DATE: May 1, 2019

TO: Hon. Mayor & Members of Council

CC: Tim Simmonds, Interim City Manager
Mary Reali, Deputy City Manager, Community Services
Todd Coles, City Clerk

FROM: Gus Michaels, Director, By-law & Compliance, Licensing & Permit Services

Re: **Fence By-law Review – Fence Heights**

Purpose

Amend the Committee of the Whole Report on the Fence By-law Review, by revising the existing permissible fence heights. The proposed amendment establishes more permissive height restrictions for fences, under specific circumstances. The proposed heights are in line with those of other surrounding municipalities and address the diverse and changing needs of residents.

Recommendations

1. Amend fence height limits as outlined in the following Table:

No	Description	Fence on single or multiple residential property	Fence on non-residential property	Hedge, shrub or other vegetation that acts as a fence
1	Fence in a front yard and within 2.4 metres (7 ft 10 in) of a lot line abutting a public highway*	1.2 metres (3 ft 11 in)	1.2 metres (3 ft 11 in)	1.2 metres (3 ft 11 in)
2	Fence in a front yard and not within 2.4 metres (7 ft 10 in) of a lot line abutting a public highway*	2.0 metres (6 ft 7 in)	2.0 metres (6 ft 7 in)	No maximum
3	Fence not in a front yard and within 2.4 metres (7 ft 10 in) of a side lot line abutting a public highway* and within 2.4 metres (7 ft 10 in) of a driveway	2.5 m (8 ft 2 in)	2.5 m (8 ft 2 in)	2.5 m (8 ft 2 in)
4	Fence not in a front yard and between 2.4 metres (7 ft 10 in) from a side lot line abutting a public highway* and	2.5 m (8 ft 2 in)	2.5 m (8 ft 2 in)	No maximum

No	Description	Fence on single or multiple residential property	Fence on non-residential property	Hedge, shrub or other vegetation that acts as a fence
	the nearest wall of the main building extended to the rear lot line; and within 2.4 metres (7 ft 10 in) of a driveway			
5	Fence on an unroofed deck and not in a front yard and not within 2.4 metres (7 ft 10 in) of a lot line abutting a public highway*	2.0 metres (6 ft 7 in) above surface of deck	2.0 metres (6 ft 7 in) above surface of deck	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 multi- residential property, a non-residential property, a public highway* or a public walkway	2.5 metres (8 ft 2 in)	2.5 metres (8 ft 2 in)	No maximum
7	Fence abutting a rapid transit right of way	2.5 metres (8 ft 2 in)	No maximum	No maximum
8	Fence abutting a tennis court, baseball diamond or other recreational facility	3.0 metres (9 ft 10 in)	No maximum	No maximum
9	Any other fence	2.0 metres (6 ft 7 in)	2.5 metres (8 ft 2 in)	No maximum

* The term "public highway" has the same meaning as in the Highway Traffic Act and includes any street, road, sidewalk, boulevard, or any other portion of a highway, but does not include a public lane.

2. Include a schedule of diagrams to illustrate various fence height limits.

Background

With ongoing development and the intensification of built form in many parts of the city, privacy, noise attenuation and safety are becoming increasingly important for residents. The proposed height standards take these issues into account and does not otherwise have an adverse impact on any other fence height standards, as established through, and in accordance with, the development and planning processes. The proposed fence heights were developed following consultation with relevant staff, including Development Planning.

Respectfully Submitted,



Gus Michaels

Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services