



## **TOWN OF AURORA**

### **Fence Guide**

#### **PLANNING AND DEVELOPMENT SERVICES**

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Excerpt from the town of Aurora By-law regulating Fences, By-law 4753-05.P, as amended:

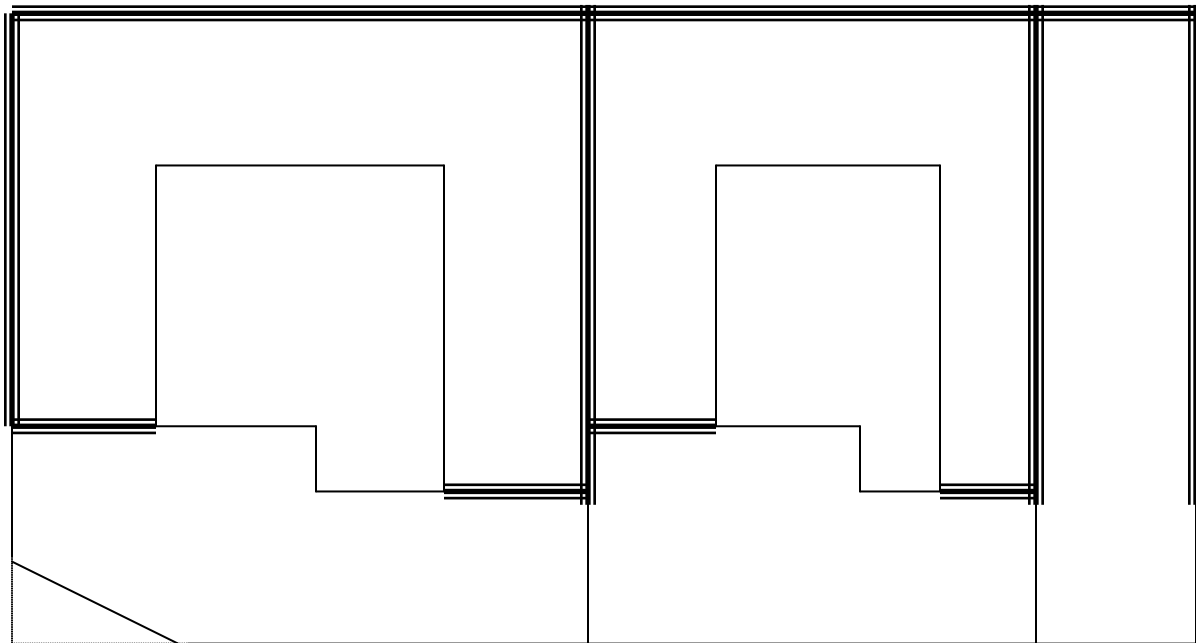
## **PART 2 – HEIGHT AND SETBACKS FOR FENCES**

- 2.1.1.1 No person, tenant or owner of land within the Town shall erect, caused to be erected or own or maintain or have a fence anywhere in the Town of Aurora except in accordance with the provisions of the Fence By-law 4753.-05.P.
- 2.1.1.2 On a single residential property:
- (a) where a lot line abuts a single residential property, a public highway or publicly owned land, no fence shall exceed 2m (6.56ft.) in height.
  - (b) where a lot line abuts an apartment residential property, no fence shall exceed 2.5m (8.2ft.) in height.
  - (c) where a lot line abuts non-residential properties, no fence shall exceed 3.7m (12.1 ft.) in height. (The Building Department may require an Engineer's design).
  - (e) notwithstanding any other provisions in this by-law, no fence shall exceed 1m (3.3 ft.) in height in any front yard.
- 2.1.10.1 Notwithstanding the provisions of Section 2.1.10 a wood fence may be placed in the (4623-04.P) front yard of 15516 Leslie Street.

**Illustration of yards:**

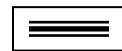
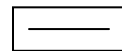
**Rear Yard**

**Rear Yard**



**Sight or Daylighting Triangles**

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation shall not be erected or permitted to grow to a height greater than one (1) metre above the grade of the streets that abut the lot within the triangular area enclosed by the intersecting street lines for a distance of six (6) metres from their point of intersection.

-  (a) Max. 2.0m high fence
-  (b) Max. 1.0m high fence

Excerpt from the Line Fences Act R.S.O. 1990, Chapter L. 17 and in conjunction with the Town of Aurora By-law 4753-05.P, being a By-law to apportion the cost of division fences.

Website for the Line Fences Act (<http://www.mah.gov.on.ca/PageFactory.aspx?PageID=176>)

**Owner of Land May Construct Boundary Fence**

3. An owner of land may construct and maintain a fence to mark the boundary between the owner's land and adjoining lands. R.S.O 1990, c. L.17, s. 3. – **See Section 4 of By-law 4753-05.P**

**Owner May Require Award To Be Obeyed**

11. (1) Where the award specifies that a portion or all of the fence shall be repaired, constructed, reconstructed, maintained or kept up by one adjoining owner and that adjoining owner fails to obey the award, the other adjoining owner may by notice served on the first adjoining owner or the occupant of the land of the first adjoining owner, require the first adjoining owner to obey the award. R.S.O 1990, c. L.17, s. 11 (1). – **See Section 6 & 7 of By-law 4753-05.P**

### **Service of Notice**

(2) A notice served by an adjoining owner under subsection (1) shall be served in the same manner as a notice to an owner or occupant is served by the clerk under section 4. R.S.O 1990, c. L.17, s. 11 (2).

### **Completion of Work by Owner**

(3) If the notice is not obeyed within two weeks after it has been served, the owner desiring to enforce the award may do or complete the work that the award directs and may immediately institute proceedings to recover the value of the work done or completed and the costs of the proceedings from the owner of the adjoining land. R.S.O 1990, c. L.17, s. 11 (3). – **See Section 6 & 7 of By-law 4753-05.P**

### **Entry on Property of Adjoining Owner**

(4) An owner, or any person acting on the owner's behalf, in doing or completing work pursuant to an award under section 8 or under subsection (3) or under subsection 13 (7), may enter on the property of the adjoining owner to the extent that it is necessary to do or complete the work, but in making such entry or doing or completing such work shall do no unnecessary spoil or waste. R.S.O 1990, c. L.17, s. 11 (4).

### **Obstruction an Offence**

(5) No person shall obstruct or threaten to obstruct a person entering onto property or doing or completing work in accordance with subsection (4) and every person who contravenes this subsection is guilty of an offence. R.S.O 1990, c. L.17, s. 11 (5).