

## Frequently Asked Questions

### Do I need a building permit to construct a fence? What about a retaining wall?

No, you do not need a permit to build a fence. If you are building a retaining wall 1.2m or higher, a building permit is required. In addition to ensuring compliance with the Land Use Bylaw for the height of a “fence”, a structural engineer is required to design and approve the retaining wall, to ensure the wall can resist the lateral loads.

### What can I make my fence of?

By definition, a fence includes wood, masonry, wire, metal and other similar materials. A hedge is not considered a fence, however, the height maximum is only 0.7m in a sight triangle.

### Are lattices, trellises or post caps included in height calculations?

The “top of any part of a fence” is included when measuring height. If you had masonry pillars at the front of a residential property, the maximum height of any part of the pillar would be 1.3m.

### Can my fence go on Municipal property?

The District does not permit fences to encroach on its property. Even though you may be responsible for maintaining that property, you do not technically “own” it. Therefore it is very important for you to have an accurate depiction of where your property lines are located. A survey is the best source of information to indicate how far from your house your property lines are located.

### Does my neighbour have to pay for half the costs?

There are no District regulations that require cost sharing for fences located on the property line. If you agree on locating the fence on the shared property line, you may be able to come to an understanding on sharing costs, but it is up to the parties involved. The District would be unable to get involved.

### Who is responsible for fence maintenance?

Typically, whoever erected the fence is responsible for its maintenance and upkeep.

### Are there special requirements for swimming pool fences?

While the District does not have a specific bylaw about fencing around swimming pool areas, you may wish to provide fencing for safety reasons. The height regulations would apply in this case; for example, a maximum 1.9m fence could be constructed in the rear yard of a Residential zoned property.

*This pamphlet is intended for general guidance only.*

*Applicants should consult all of the District of Central Saanich bylaws for specific requirements and procedures.*

June 2013

## Central Saanich



# Fence Regulations

## What is a fence?

In general terms, a fence is considered a barrier enclosing an area, typically near or at the property line, and may include wood panels, chain link, lattice or other decorative and/or functional screening.

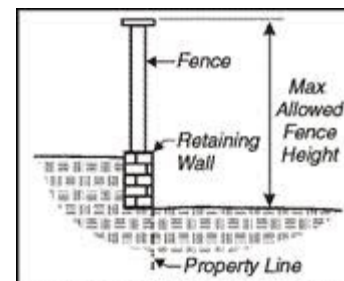
The District of Central Saanich Land Use Bylaw #1309 defines a fence as:

*“a vertical barrier of wood, masonry, wire, metal or other materials erected to enclose, screen or separate areas, and includes a railing, retaining wall, gate, pickets, trellis, tower or other screening.”*

Currently, the Land Use Bylaw regulates the height of fences, depending on the location and zoning. Further details on permitted height is provided on the following pages.

The Land Use Bylaw defines fence height as:

*“the vertical distance between the top of any part of a fence and highest natural ground elevation within 1 metre in every direction of all parts of the fence.”*



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## Where can my fence be located?

Your fence can only be constructed on your own property, unless you and your adjoining neighbour can agree to place it directly on the shared property line.

The most accurate way to measure the location of your property line is with a survey or to locate the surveyor’s iron pins at the corners of your property. There is no standard setback from the sidewalk or the street to your property line. The District may have site or survey information in your property file which could provide you with dimensions from an existing building to the adjacent property line.

## Land Use Bylaw and Fence Heights

### Residential properties (R zones)\*

- Between the front property line and the front yard setback line, the maximum height is 1.3m (4.2')
- Between the front yard setback line and the rear lot line, the maximum height is 1.9m (6.2')

### CORNER Residential or Institutional properties (R or P zones)

- For a CORNER lot, adjacent to the street, the maximum height is 1.3m (4.2')

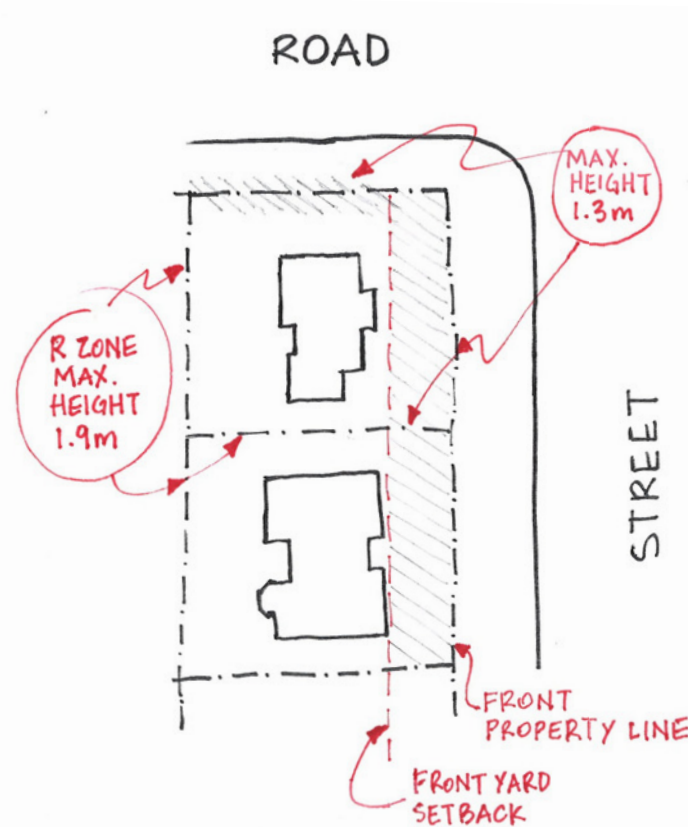
### Commercial, Institutional or Industrial properties (C, P or I zones)

- Between the front property line and the front yard setback line, the maximum height is 1.3m (4.2')
- Between the front yard setback line and the rear lot line, the maximum height is 2.5m (8.2')

### Agricultural properties (A-1 zones)

- The same regulations apply as for Commercial zones, except they shall not apply to an open mesh, netting or wire fence erected on any part of a lot in an Agricultural zone for the purpose of crop protection. Deer fencing is also exempt!

\* Residential Apartment or Residential Attached uses (with three or more units) and Community Care Facilities (RP zone) with six or more beds, are permitted 1.9m (6.2') maximum fence height in any part of the lot.



## Land Use Bylaw and Fence Heights

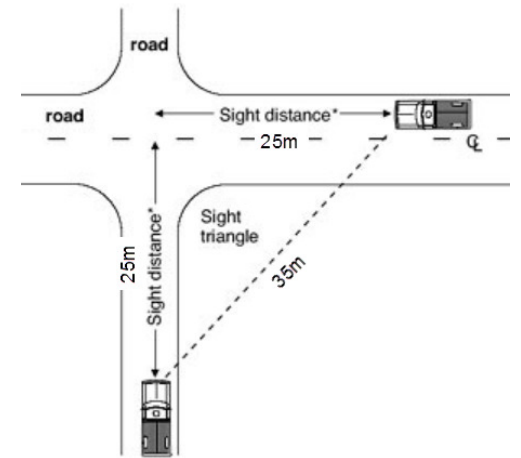
In addition to the height requirements, the District also has regulations relating to “sight triangles” A site triangle is intended to provide increased visibility at intersections for the safety of pedestrians and motorists at corner lots and in some cases, near driveways.

A “Sight Triangle” is defined as

“a corner of a lot located between abutting streets and a line connecting points on the centre lines of intersecting streets abutting the lot located 25m from the intersection of said centre lines”.

A Sight Triangle shall not be obstructed by:

- a fence, wall or structure erected to a height greater than 0.7 metres; or
- a hedge, bush, shrub, tree or other growth.



## Shoreline and Riparian Area Properties (near streams, watercourses)

The District of Central Saanich has designated land as Development Permit areas in order to carefully manage the sensitive shoreline, ecologically fragile terrestrial ecosystems and aquatic ecosystems. Development permits are generally required for disruption of soil within 15m (49.2') of the natural boundary of the sea, 30m from natural boundary or high bank of stream or watercourse, and areas identified as sensitive terrestrial ecosystems.

This is a brief overview of the Development Permit requirements relating to Shoreline and Sensitive Ecosystems within the District. For specific requirements, please refer to the Shoreline or Riparian Development Permit Guides and the OCP (Schedules D, E and F)

Activities requiring a Development Permit

- Removal, alteration or disruption of vegetation or soils
- Construction of trails, docks, wharfs and bridges or creation of impervious or semi-impervious surfaces (such as driveways and paths)

Activities **EXEMPT** from a Development Permit

- Placement of non-permanent structures like benches, tables, garden ornaments
- Yard maintenance activities within existing landscaped areas, such as vegetation planting and minor soil disturbances that does not alter the general contours of the land
- **CONSTRUCTION OF A FENCE**, IN COMPLIANCE WITH THE LAND USE BYLAW, SO LONG AS NO NATIVE TREES ARE REMOVED AND THE DISTURBANCE OF NATIVE VEGETATION IS RESTRICTED TO 0.5M ON EITHER SIDE