



BY-LAW NO. 2022-099

**A BY-LAW OF THE CORPORATION OF THE TOWN OF
BRACEBRIDGE TO REGULATE FENCES IN THE TOWN OF
BRACEBRIDGE**

WHEREAS Section 8 of the Municipal Act, S.O. 2001, (hereinafter referred to as the "Municipal Act") provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

AND WHEREAS Section 11 of the Municipal Act provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein including, among other things, fences;

AND WHEREAS Section 391 of the Municipal Act authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS pursuant to Section 425 of the Municipal Act, a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

AND WHEREAS pursuant to Section 426 of the Municipal Act, no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS pursuant to Section 429 of the Municipal Act, a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act;

AND WHEREAS pursuant to Section 436 of the Municipal Act, the municipality may enter upon any land at any reasonable time for the purpose of carrying out an inspection to determine compliance with this by-law;

AND WHEREAS pursuant to Section 446(1) of the Municipal Act, a municipality may direct or require a person to do a matter or thing and that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

AND WHEREAS pursuant to Section 446(3) of the Municipal Act, a municipality may recover the costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS within the Town of Bracebridge Approved 2022 Municipal Budget and Business Plan, Project PD-04 provides for a review of the Fence By-law and set fines, it is deemed it expedient to review and update Fence By-law No. 2008-046;

AND WHEREAS by motion 22-PD-088 the Council of The Corporation of the Town of Bracebridge deems it expedient to pass such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. **SHORT TITLE**

1.1 This By-law may be referred to as the Fence By-law.

2. **DEFINITIONS**

2.1 **Adjacent** means directly abutting.

2.2 **Building** means a structure having a roof supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

2.3 **Community Facilities** means properties used with the primary purpose of serving the educational, health and social needs of the community including, but not necessarily limited to, educational facilities, places of worship, hospitals, health care and social service agencies, childcare and elder care facilities, libraries, public auditoria, fire stations, police stations, recreation facilities, cemeteries and federal, provincial and municipal government facilities.

2.4 **Corner Lot** means a lot situated at the intersection of and abutting upon two (2) or more streets, or upon two parts of the same street, the adjacent sides of which street or streets have an angle of intersection not more than 135 degrees. In the event of a curved corner, the corner of the building lot shall be that point on the lot line abutting a street nearest to the point of intersection of the said tangents.

2.5 **Council** means the Municipal Council for The Corporation of the Town of Bracebridge.

2.6 **Defacement** means to spoil or mar the exterior surface of a fence by drawing, inscribing or painting letters, pictures, illustrations, graffiti or other visible markings onto the fence. This definition is not intended to prevent or preclude the painting or staining of the exterior surface of a fence in a solid and uniform stain or colour.

2.7 **Director of Planning and Development** means the Director of Planning and Development of the Corporation of the Town of Bracebridge, or their designate.

2.8 **Driveway Visibility Triangle** means a triangular area formed within a lot by the intersection of a driveway line and a highway or street line or the projections thereof and a straight line connecting them 4.57 metres from their point of intersection.

2.9 **Electrical Fence** means a fence through which electricity passes.

2.10 **Erect** includes the alteration, construction, placement, relocation or installation of any fence or significant portion thereof.

2.11 **Exterior Surface** means the side of the fence facing away from the owner's property, or if one exists, away from the primary building or structure on the lot.

2.12 **Fence** means any wall, barrier or free standing barricade, other than a building, which has been erected as a means to enclose, separate, provide privacy or divide, in whole or in part, a property, yard or other land. The Town does not include a retaining wall or trees, including hedging, in the definition of a fence.

- 2.13 **Gate** means any swinging or sliding barrier used to fill in or close an access in a fence.
- 2.14 **Grade** means the average elevation of the finished surface of the ground adjoining a fence, exclusive of any artificial embankments or berms.
- 2.15 **Hazardous Material** means any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance and, for the purposes of this By-law, includes, but is not limited to, the following materials: razor wire, barbed wire or any other sharp projections attached to a fence, or electrical fences carrying a voltage of more than 12 volts.
- 2.16 **Height** means the vertical distance, measured between the finished grade and the highest horizontal surface forming the top of the fence.
- 2.17 **Lot** means:
- 2.17.1 A parcel of land:
- i. The whole of which can be legally conveyed without approval pursuant to the Planning Act, as amended; and
 - ii. No part of which can be transferred without such an approval; and
 - iii. Which is not described in a registered condominium description; or
- 2.17.2 Two or more parcels of land that are:
- i. Deemed to be one lot by the Town's Zoning By-law, as amended; or
 - ii. Required to be transferred together by agreement made pursuant to the Planning Act, as amended; or
- 2.17.3 The whole of a parcel of land described in a description registered under section 2 of the Condominium Act, 1998, S.O. 1998, c. 19, except:
- i. In a vacant land condominium, a unit shall be deemed to be one lot; and
 - ii. In the case of a resort commercial land use that includes associated accommodation units within one or more condominium descriptions that share central management and resort amenities on one contiguous area of land, the entire land area of the resort commercial establishment shall be deemed to be one lot.
- 2.18 **Lot Line** means the boundary of a lot or its vertical projection.
- 2.19 **Non-Residential Property** means all lands in which the primary use is not for human habitation.
- 2.20 **Officer** means an employee of the Town of Bracebridge appointed to enforce by-laws and policies adopted by the Town. For the purpose of this by-law, Officer shall include but not be limited to the Chief Building Official, Deputy Chief Building Official, Property Standards Officers and Building Inspectors.

- 2.21 **Owner** means the person who holds registered title to a piece of property and includes a trustee acting on behalf of the registered owner, the estate of a registered owner, a person with a leasehold interest in the land or the duly authorized agent of any such owner. Such agents include all persons involved in the installation of, excavation for, or erection of a fence.
- 2.22 **Person** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and includes the heirs, executors or other legal representatives of that person.
- 2.23 **Planning Act** means The Planning Act, R.S.O. 1990, c. P.13.
- 2.24 **Public Authority** means any federal, provincial, district or municipal agency, and includes any commission, board, authority, or department established by such agency.
- 2.25 **Residential Property** means all lands in which the primary use is for human habitation.
- 2.26 **Sight Triangle** means a triangular area formed within a corner lot by the intersecting lot lines abutting the streets or the projections thereof and a straight line connecting them 7.62 metres from their point of intersection. Where the two street lines do not intersect at a point, the point of intersection of the two street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangent to the street lines.
- 2.27 **Street** means a public thoroughfare for vehicular and/or pedestrian traffic, which is assumed and maintained by or under the jurisdiction of the Province of Ontario, District Municipality of Muskoka or the Town and, for the purposes of this By-law, includes a private lane or vehicular right-of-way.
- 2.28 **Street Line** Means the limit of the *street* or *road* allowance as the dividing line between a *lot* and a *street* or *road*.
- 2.29 **Structure** means anything that is erected, built or constructed or parts joined together and permanently located on or in the ground or attached to any other structure permanently located on or in the ground. Structural development shall include new buildings, additions, enlargements, septic tanks and leaching beds.
- 2.30 **Town** means the Corporation of the Town of Bracebridge.
- 2.31 **Town's Zoning By-law** means the Town's Comprehensive Zoning By-law, as amended.
- 2.32 **Yard** means a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted in the Town's Zoning By-law, as amended. More specifically:
- 2.32.1 **Exterior Side Yard** means a side yard immediately adjacent to a street line, as defined within the Town's Zoning By-law.
- 2.32.2 **Front Yard** means the portion of the lot extending across the full width of the lot between the front lot line, as defined within the Town's Zoning By-law, as amended, and the nearest wall of any building or structure on the lot for which there is a required yard.

- 2.32.3 **Rear Yard** means that portion of the lot extending across the full width of the lot between the rear lot line, as defined within the Town's Zoning By-law, as amended, and the nearest wall of any building or structure on the lot for which there is a required yard.
- 2.32.4 **Required Yard** means the minimum yard required by the provisions of the Town's Zoning By-law, as amended.
- 2.32.5 **Side Yard** means that portion of the lot extending from the front yard to the rear yard between the side lot line, as defined within the Town's Zoning By-law, as amended, and the nearest wall of any main building on the lot for which there is a required yard.

3. APPLICATION OF THE BY-LAW

- 3.1 This by-law applies to all fences erected in the Town on and after the date of enactment of this by-law, except as provided in section 3.2 of this by-law.
- 3.2 Save and except Subsection 4.9, Sections 4, 5, 6, 7, 8, 9 and 10 of this by-law do not apply to a fence that on the date of enactment and passage of this by-law was already erected and legally existed, unless such fence is, in the opinion of the Chief Building Official or their designate, substantially altered, in which case such fence shall comply with the provisions of this by-law.
- 3.3 In the event of any conflict between the provisions of this by-law and any provisions of the Planning Act, as amended, or the Town's current or successive Zoning By-law, as amended, or any other Town by-law relating to fencing, the regulation with the more restrictive provisions pertaining to fencing shall govern.
- 3.4 Sections 5, 6, 7 and 8 of this by-law shall not apply to fencing provisions specifically contained in site plans or site plan agreements approved or executed by the Town under the provisions of the Planning Act, as amended, which may require increased height for the purposes of privacy or screening.
- 3.5 This by-law does not apply to fences erected by a public authority.

4. GENERAL PROVISIONS

- 4.1 No person shall erect, or cause to be erected, a fence in the Town that does not comply with this and any other applicable law or by-law.
- 4.2 The height of a fence shall be measured from the grade at the base of the fence to the top of the fence. If there is a height discrepancy between the two sides of the fence, the height shall be measured from the higher grade to the top of the fence where erected at grade.
- 4.3 No person shall erect, or cause to be erected, a fence in the Town within any sight triangle unless its height is less than or equal to 0.91 metres.
- 4.4 No person shall erect, or cause to be erected, a fence in the Town within any driveway visibility triangle unless its height is less than or equal to 0.91 metres.
- 4.5 No person shall erect, or cause to be erected, a fence in the Town that obstructs or interferes with storm water drainage, natural watercourses, public rights-of-way, access to utilities or access to easements.

- 4.6 No person shall erect, or cause to be erected, any fence that extends onto Town owned lands without the express written consent of the Town.
- 4.7 No person shall erect, or cause to be erected, a fence in a floodway as defined by the most current mapping available from the Town of Bracebridge; District Municipality of Muskoka; and/or applicable provincial or federal ministry or body.
- 4.8 No person shall erect, or cause to be erected, a fence in the Town unless the fence is:
 - 4.8.1 Stable;
 - 4.8.2 Vertical;
 - 4.8.3 Suitable for the purpose; and
 - 4.8.4 Erected and supported in a manner adequate to the design of the entire fence, as determined by the Chief Building Official or their designate.
- 4.9 An owner shall ensure that fences are kept:
 - 4.9.1 In good repair;
 - 4.9.2 In a safe and structurally sound condition;
 - 4.9.3 Free of hazards; and
 - 4.9.4 Free of markings or other defacements on the exterior surface and if such markings or other defacements are evident, they shall be removed and the surface refinished as necessary within a reasonable period of time, as determined by the Chief Building Official or their designate.
- 4.10 Persons erecting or causing the erection of a fence with an exterior surface bordering on an adjacent street shall ensure that a finished side is presented on that exterior surface.
- 4.11 A person erecting, or causing the erection of a fence shall use the material as specified below for the type of property on which the fence is being erected:
 - 4.11.1 On a residential property, commercial property and for community facilities:
 - i. Wood;
 - ii. Chain link;
 - iii. Polymer/plastic;
 - iv. Vinyl;
 - v. Steel;
 - vi. Wrought iron;
 - vii. Aluminum;
 - viii. Welded wire;

- ix. Composite wood; and
- x. Solid walls (brick/concrete/stone).

4.11.2 On an industrial property:

- i. Any of the materials noted in subsection 4.11.1, above,
- ii. Barbed wire, in accordance with section 9.2 herein;
- iii. Page wire; and
- iv. High-tensile wire.

4.11.3 On an agricultural property:

- i. Any of the materials noted in subsections 4.11.1 and 4.11.2, above; and
- ii. An electric fence that is designed and erected to contain animal livestock and/or to act as a deterrent to predators of such livestock in accordance with Section 10 below.

5. RESIDENTIAL HEIGHT REGULATIONS

5.1 No person shall erect, or cause to be erected, a fence on a residential property in the Town, having regard for sight triangles and driveway visibility triangles, that is higher than:

5.1.1 Front yard: 1.22 metres; and

5.1.2 Side and Rear Yards: 2.44 metres.

Refer to Schedule "A" for illustration of height provisions pertaining to fencing on a residential lot.

6. EXCEPTIONS TO RESIDENTIAL HEIGHT REGULATIONS

6.1 Gates may exceed the residential height regulations by a maximum of 0.30 metres.

6.2 Archways forming part of a gate may exceed the maximum residential height regulations by 0.61 metres unless located in the front yard where the maximum height regulation may be exceeded by 0.91 metres.

6.3 Decorative caps on structural posts may exceed the residential height regulations to a maximum of 0.15 metres.

6.4 Where the rear yard or side yard of a residential property is adjacent to an inter-regional (Provincial) highway or an arterial street, as described in Schedule "B" attached to this by-law, and where the grade level at the crown of the highway or street is higher than the grade at the base of the fence, the maximum height restriction with respect to that portion of fence immediately contiguous to the highway or street shall be measured from the crown of the highway or street to the top of the fence, but in no event shall such portion of the fence immediately adjacent to the highway or street exceed a height of 3.05 metres in a rear yard or side yard as measured from the base to the top of the fence.

- 6.5 Where the rear yard or side yard of a residential property is adjacent to a non-residential property, the maximum height permitted with respect to that portion of fence immediately adjacent to the non-residential property shall be no higher than 3.05 metres.
- 6.6 No person shall erect, or cause to be erected, a fence for a tennis court on a residential property where the fence exceeds 3.05 metres in height.

7. NON-RESIDENTIAL HEIGHT REGULATIONS

- 7.1 No person shall erect, or cause to be erected, a fence on a non-residential property in the Town, having regard for sight triangles and driveway visibility triangles, that is higher than:
- 7.1.1 Front yard: 2.44 metres; and
- 7.1.2 Side and Rear Yards: 3.05 metres.

8. EXCEPTIONS TO NON-RESIDENTIAL HEIGHT REGULATIONS

- 8.1 Where the rear yard or side yard of a non-residential property is adjacent to one of the land uses listed in section 8.1.1 to 8.1.6 below, the maximum height permitted with respect to that portion of fence immediately adjacent to such land uses shall be no higher than 3.66 metres:
- 8.1.1 A public utility;
- 8.1.2 A railway right-of-way;
- 8.1.3 An installation for the generation and/or distribution of electricity;
- 8.1.4 A pipeline or associated compressor station;
- 8.1.5 A storage site for explosives or chemicals; or
- 8.1.6 A sludge pit or similar or related purpose.
- 8.2 No person shall erect, or cause to be erected, a fence for a tennis court on a non-residential property where the fence exceeds 3.05 metres in height.

9. FENCES OF HAZARDOUS MATERIALS

- 9.1 No person shall erect, or cause to be erected, along any highway or street adjacent to residential land or on any land used for residential purposes a fence that contains or is constructed of any hazardous material.
- 9.2 No person shall erect, or cause to be erected, a barbed wire fence as permitted in industrial zones, unless the portions of the fence wholly or partly constructed with barbed wire are higher than 2.44 metres and the barbed wire or other barbed material is on metal brackets to a maximum total height not exceeding 3.05 metres, unless the fence is immediately adjacent to a land use specifically referenced in Subsections 8.1.1 through 8.1.6, whereby maximum permitted height shall not exceed 3.66 metres.

10. ELECTRICAL FENCES

10.1 No person shall erect, or cause to be erected, an electrical fence on any land with the following exception:

10.1.1 An electrical fence using direct current may be erected on land while it is being lawfully used for agricultural purposes, provided such fence:

- i. Carries an electrical trickle charge of not more than 12 volts;
- ii. Is designed and erected solely to contain livestock and/or to act as a deterrent to predators of such livestock; and
- iii. Has attached thereto, at not more than 12.19 metres intervals along the fence, a warning that the fence carries low voltage electricity.

11. **ADMINISTRATION – FENCE VARIANCES**

11.1 If for any reason the owner or person in control of a fence is unable to comply with the provisions and regulations under this by-law, such person may apply to the Town Council for a variance from the provisions and regulations of this by-law.

11.2 Every application for a variance from this by-law shall be in writing and delivered to the Director of Planning and Development, and shall contain the prescribed variance fee, as per the Town's Fees and Charges By-law, as amended, and the following supporting documentation:

11.2.1 Address of the subject property and legal description;

11.2.2 A signed declaration by the property owner that the information contained in the subject application and attached plans are true to the best of the owner's knowledge;

11.2.3 The name, e-mail address, mailing address and telephone number of the property owner/applicant/agent and/or contractor, as applicable; and

11.2.4 Two sets of the following:

- i. A property survey or scaled drawing (a property survey or sketch by an Ontario Land Surveyor may be required);
- ii. A site plan, if applicable;
- iii. Reference to the section of this by-law for which the variance is being sought;
- iv. Rationale for the variance that is being sought;
- v. Specifications pertaining to the description of the fence, including construction material and height;
- vi. Specifications pertaining to the erection and installation of the fence including drawings and/or a sketch; and
- vii. A statement as to whether the proposed fence will be temporary or permanent.

- 11.3 Upon receipt of the variance application, the Director of Planning and Development will direct that a report be prepared for Committee's consideration that shall contain staff's opinion on the merits of the application and recommendations on denying or granting the variance with the applicable terms and conditions of approval, if any.
- 11.4 The Town shall notify, by first class mail, the applicant and neighbouring property owners within 39.62 metres of the applicant's property lines, or anyone else who has requested in writing to be notified, within ten (10) days of the hearing date of the Committee. If the interested persons including the applicant or neighbours do not attend at the appointed time and place, the Committee may proceed in the absence of such persons and the applicant or neighbours will not be entitled to further notice of the proceedings. The Town may also circulate to any public authorities as it sees fit, depending on circumstances.
- 11.5 In deciding whether to recommend the exemption to Council, the Committee shall consider:
- 11.5.1 The application;
 - 11.5.2 The report by staff;
 - 11.5.3 Any special circumstances or conditions applying to the fence referred to in the application;
 - 11.5.4 Whether strict application of the provisions of this by-law would result in practical difficulties or unnecessary hardship for the applicant, inconsistent with the general intent and purpose of this by-law;
 - 11.5.5 Whether the fence will alter or otherwise have a negative impact on the character of the area; and
 - 11.5.6 Any other written submission received.
- 11.6 In deciding whether to recommend the variance to Council, the Committee shall give the applicant and any person, either in favour or opposed to the application, an opportunity to be heard.
- 11.7 Council may grant the variance, in whole or in part; may grant the variance subject to terms and conditions; or may refuse to grant the variance. The decision of Council shall be final.

12. **OFFENCES AND PENALTIES**

- 12.1 Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a fine in accordance with the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 12.2 Each day on which a contravention of any provision of this by-law occurs shall constitute a separate offence under this by-law as provided for in section 429(2) of the Municipal Act, S.O. 2001, c. 25.
- 12.3 Every person guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine, and the Regional Senior Justice of the Ontario Court of Justice shall be requested to establish set fines in accordance with Schedule "C" of this by-law.

13. **ADMINISTRATION AND ENFORCEMENT**

- 13.1 An Officer exercising a power or performing a duty under this by-law, at all reasonable times, may enter upon land for the purpose of carrying out an inspection, taking photographs and obtaining evidence to determine whether the property complies with this by-law and may be accompanied by other Town employees or agents for this purpose.
- 13.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, either directly or indirectly, an Officer in the lawful exercise of a power or duty under this by-law.
- 13.3 Where an Officer exercising a power or performing a duty under this by-law has confirmed that a property is not maintained in accordance with the requirements of this by-law, the Officer may, in addition to verbally directing the owner to bring the property into compliance, serve the owner a notice in writing directing the owner to bring the property into compliance with the by-law requirements.
- 13.4 A written notice to the owner of a property may be served personally upon the owner of the property or sent by registered mail to the last known address of the owner according to the current assessment rolls. If sent by registered mail, the notice shall be deemed to have been served on the fifth day after mailing.
- 13.5 Where an owner, having been served with a notice in the manner described in Subsection 13.4, fails to comply with the notice within the time specified, an Officer may, upon producing appropriate identification when so requested, enter onto the property at a reasonable time and carry out any or all of the work required to bring the property into compliance with this by-law.
- 13.6 When an Officer exercising a power or performing a duty under this by-law deems a violation under this by-law to pose an immediate risk to public health or safety, the notice provisions contained in Subsection 13.4 may be waived and an emergency notice shall be posted on the property requiring immediate action or other remediation. No person shall fail to comply with an emergency order within the period of time specified on the emergency order.
- 13.7 Any items or materials removed from a property during work to remedy non-compliance as conducted by the Town or an agent of the Town may be immediately disposed of by the Town or an agent of the Town without further notice to the property owner.
- 13.8 Once served upon an owner in accordance with Subsection 13.4, a notice shall remain in effect on a property for the duration of the calendar year and further notices to the owner for similar violations within the same calendar year are not required.
- 13.9 Where the Town has conducted remedial works as described in Subsection 13.5, all expenses incurred by the Town in doing the work as well as any related administrative fees, shall be deemed to be taxes and may be collected by action or the costs may be added to the tax roll for the property and collected in the same manner as taxes.
- 13.10 The Town assumes no liability for property damage or personal injury resulting from remedial action or work undertaken with respect to any person or property that is subject to this by-law.

14. **SCHEDULES AND TABLES**

- 14.1 Schedules “A”, “B”, “C” and “D”, attached hereto, hereby form part of this by-law.

15. **VALIDITY AND SEVERABILITY**

- 15.1 Every provision of this by-law is declared severable from the remainder and if any such provision of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the by-law.

16. **FORCE AND EFFECT**

- 16.1 This by-law shall come into force and effect on the date the set fines are approved by the Regional Senior Justice of the Ontario Court of Justice.

17. **REPEAL**

- 17.1 On the date this by-law comes into effect, By-law No. 2008-046 and any amendments made thereto, shall be repealed.

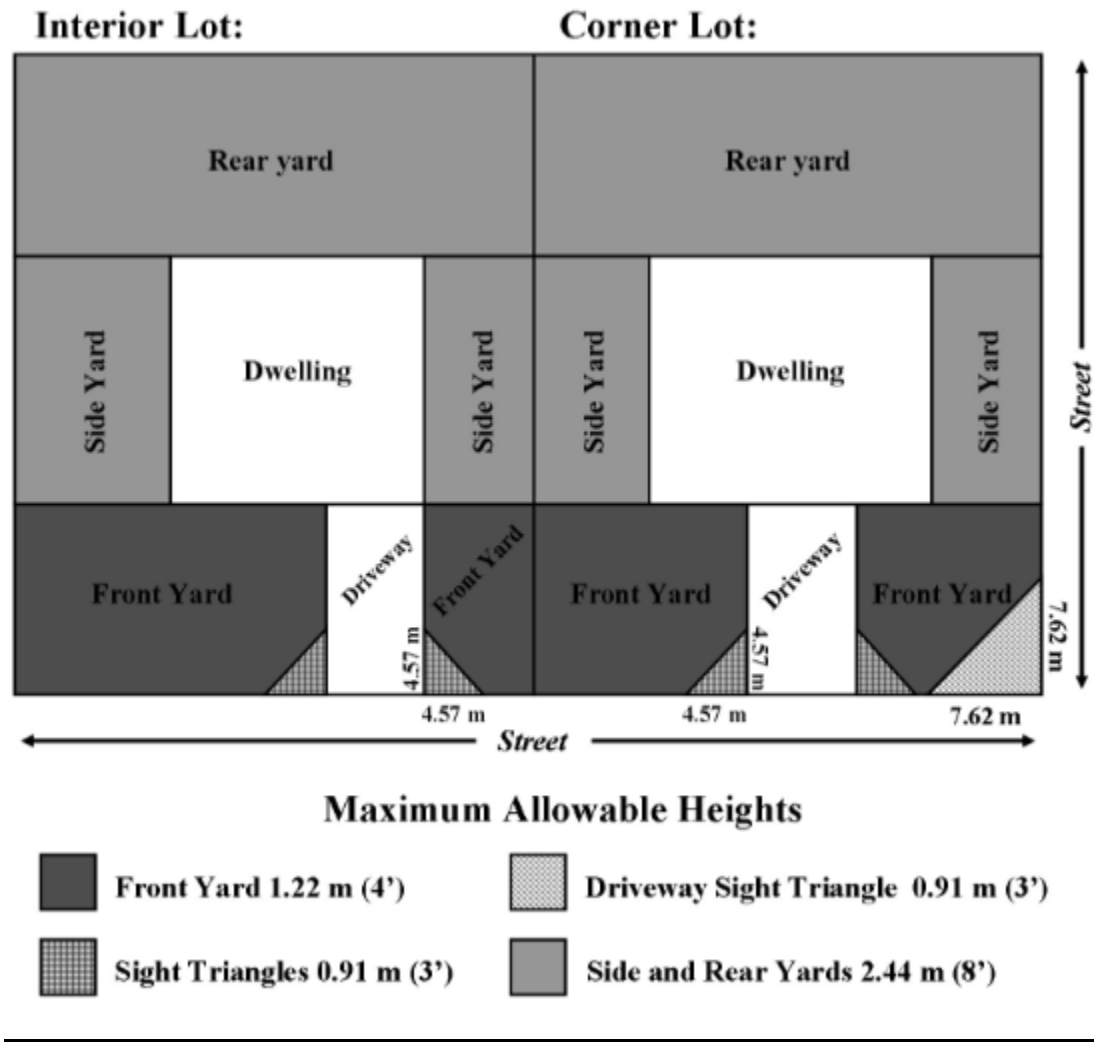
READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF DECEMBER, 2022.

Mayor, Rick Maloney

Director of Corporate Services/Clerk,
Lori McDonald

SCHEDULE “A”

Illustration of residential lots and maximum fence heights within yards



SCHEDULE “B”
(Subsection 6.4)

Inter- regional (Provincial) Highways:

1. Highway 11
2. Highway 118 East, east of Highway 11

Arterial Highways or Streets:

1. Beaumont Drive
2. Bonnie Lake Road
3. Cedar Lane
4. Doe Lake Road
5. Ecclestone Drive
6. Entrance Drive
7. Fraserburg Road
8. Muskoka District Road 118 West, west of Highway 11
9. Manitoba Street
10. Monck Road
11. Santa’s Village Road
12. Taylor Road
13. Uffington Road
14. Wellington Street

SCHEDULE "C"
SET FINE AMOUNTS
Provincial Offences Act – Part 1

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provisions Creating or Defining Offence	COLUMN 3 Set Fine
1.	Erect fence exceeding permitted height in sight triangle	4.3	\$350.00
2.	Erect fence exceeding permitted height in driveway visibility triangle.	4.4	\$350.00
3.	Erect fence that obstructs or interferes with storm drainage/natural watercourse/rights-of-way/access to utility or easement	4.5	\$350.00
4.	Erect fence on Town owned lands without written consent	4.6	\$350.00
5.	Erect fence in floodway	4.7	\$350.00
6.	Erect fence not stable	4.8.1	\$350.00
7.	Erect fence not vertical	4.8.2	\$350.00
8.	Erect fence not suitable for purpose	4.8.3	\$350.00
9.	Erect fence not adequately supported	4.8.4	\$350.00
10.	Owner fail to maintain fence in good repair	4.9.1	\$350.00
11.	Owner fail to keep fence in safe condition	4.9.2	\$350.00
12.	Owner fail to keep fence free of hazard	4.9.3	\$350.00
13.	Owner fail to keep fence free of defacement	4.9.4	\$350.00
14.	Erect fence with finished side not facing street	4.10	\$350.00
15.	Erect fence with other than specified material	4.11	\$350.00
16.	Erect residential property fence exceeding permitted height	5.1	\$350.00
17.	Erect tennis court fence on residential property exceeding permitted height	6.6	\$350.00
18.	Erect non-residential property fence exceeding permitted height.	7.1	\$350.00
19.	Erect tennis court fence on non-residential property exceeding permitted height	8.2	\$350.00
20.	Erect fence containing hazardous material	9.1	\$350.00
21.	Erect industrial fence with barbed wire below specified height	9.2	\$350.00
22.	Erect electrical fence contrary to regulations	10.1	\$350.00
23.	Hinder or obstruct Officer performing duty under by-law	13.2	\$500.00
24.	Fail to comply with Emergency Order	13.6	\$500.00

NOTE: The general penalty provision for the offences listed above is subsection 12.1 of the By-law No. 2022-0XX, a certified copy of which has been filed.

SCHEDULE “D”**Metric Conversion Table****Length**

Metric	Imperial
0.04 m.	1 ½ in.
0.05 m.	2 in.
0.10 m.	4 in.
0.15 m.	6 in.
0.30 m.	1 ft.
0.46 m.	1 ft., 6 in.
0.61 m.	2 ft.
0.91 m.	3 ft.
1.07 m.	3ft., 6 in.
1.22 m.	4 ft.
1.52 m.	5 ft.
1.83 m.	6 ft.
2.44 m.	8 ft.
3.05 m.	10 ft.
3.66 m.	12 ft.
4.57 m.	15 ft.
6.01 m.	20 ft.
7.62 m.	25 ft.
12.19 m.	40 ft.
39.62 m.	130 ft.