



## **FENCES - OVERHEIGHT FENCES IN FRONT YARDS**

*Authority - Director of Planning*

*Effective May 11, 1999*

*Amended January 21, 2002 and August 26, 2019*

Section 10.9 of the Zoning and Development by-law states that fences not exceeding 1.2 m in height shall be permitted in the front yard. The Director of Planning has the discretion, through the issuance of a “conditional” development permit, to permit a fence or similar structure exceeding this height. For the purposes of the by-law, the term “fence” includes arbors, archways, boundary fences, gates, pergolas, screens, trellises, walls and similar structures. The following criteria will be referenced to process conditional development applications seeking relaxation of the 1.2 m height limit for fences in the front yard.

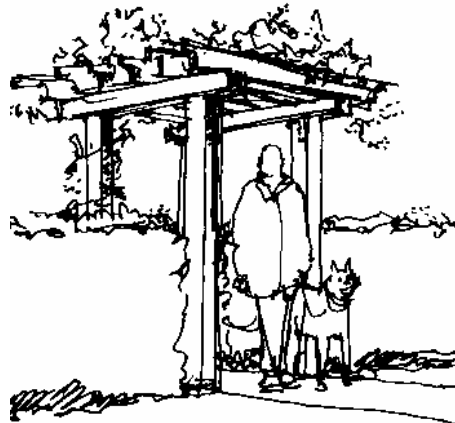
### **Intent**

The intent of the 1.2 m height limit for fences in front yards is to enable the gardens and landscape of private homes to contribute to the character and visual enjoyment of the public realm of the street. The openness and visibility of the front yard also contributes to the safety and amenity of the neighbourhood by enabling casual surveillance of the street by residents. Although it may limit visibility to and from the garden, a hedge or similar planting is nonetheless a positive contribution that a garden can offer to the public realm and to the environment, and is not subject to the regulations applying to fences. The scale and design of fence elements over 1.2 m should be generally compatible with the streetscape.

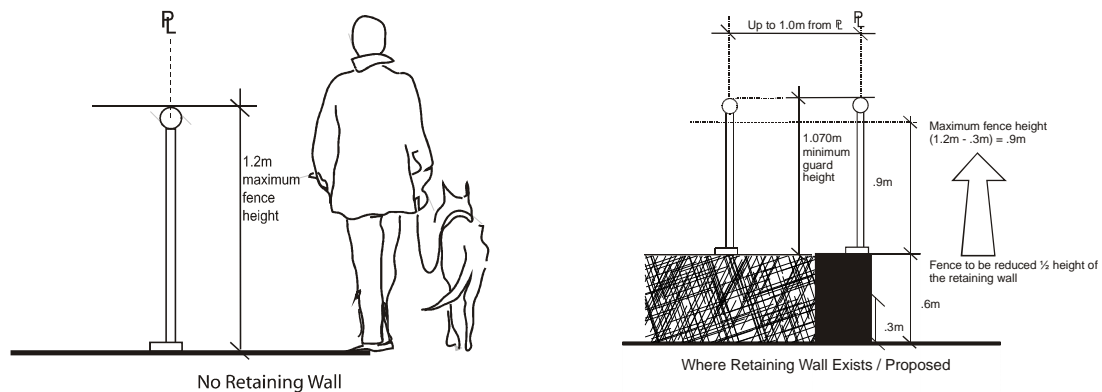
### **Conditions**

The Director of Planning will consider relaxation of the 1.2 m height limit for fences in front yards that meet the above intent in the following circumstances:

- (1) to enable articulation of a pedestrian gate and gate posts. An overheight pedestrian gate should be primarily transparent to allow views to and from the garden. An overheight pedestrian gate should generally reflect the width of the pedestrian entry path it marks. Except for intermittent posts, the remainder of the fence in the front yard should comply with the 1.2 m height limit.



- (2) to enable articulation of a gate and gate posts on a vehicular drive. An overheight vehicular gate should be primarily transparent to allow views to and from the garden. An overheight vehicular gate should not exceed the width of the vehicular drive it marks. As in (1) above, except for intermittent posts, the remainder of the fence in the front yard should comply with the 1.2 m height limit.
- (3) to enable a freestanding pergola or arbor that introduces a pedestrian entry path. Pergolas and arbors should generally not exceed a height of approximately 2.5 m, nor cover a ground area of more than approximately 2.0 m<sup>2</sup>. The pergola or arbor should be at or near (starting within approximately 1.0 m of) the front property line.
- (4) on sites where the City Building Inspector deems a “guard” (minimum 1.070 m) is required at the top of a retaining wall for reasons of safety in accordance with the Vancouver Building By-law. The Building By-law requires in some circumstances that differences in elevation exceeding 600 mm be protected by guards, however, in the Zoning and Development By-law where a fence is erected or placed above a common boundary retaining wall (or within 1.0 m of a common boundary retaining wall) the maximum permissible height of a fence is reduced by half the height of the retaining wall. Therefore, a 1.2 m fence in the front yard on top of (or within 1.0 m of) a 600 mm retaining wall would be considered as overheight. In making a decision, the Director of Planning will take into consideration the natural topography of the land and whether the safety concern is the result of unnecessary alterations of grade. Existing natural grades should be retained wherever possible. Where a grade change is unavoidable due to unusual site circumstances, it should be done in a way that is compatible with the topography and grades of adjacent properties. Where agreement can be reached with the City Building Inspector, the Director of Planning may look to other means such as plantings to address pedestrian safety issues resulting from a drop in grade.



## Notification

In considering relaxation of fence height limitations, the Director of Planning may notify neighbouring property owners deemed necessary, and have regard to general neighbourhood response concerning suitability of the proposed overheight fence elements to the streetscape.

## Areas where Council Approved Design Guidelines apply

In making a decision regarding fences in discretionary zones where the landscape, site treatment, and fencing is reviewed as part of a conditional development permit application, the Director of Planning will have regard first to the applicable guidelines of that zone.