



City of Richmond

Report to Committee

To: General Purposes Committee
From: James Cooper, Architect AIBC
Director, Building Approvals

Date: September 21, 2020
File: 08-4430-01/2020-Vol 01

Barry Konkin
Director, Policy Planning

Re: Referral Response: Regulating Fencing Materials

Staff Recommendations

1. That Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122, respecting changes to fence regulations (including the prohibition of masonry as a permitted fence material for lands regulated under Section 14.1 of the Agriculture Zone), be revised as outlined in this report.
2. That Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122, respecting changes to fence regulations (including the prohibition of masonry as a permitted fence material for lands regulated under Section 14.1 of the Agriculture Zone), as revised, be given second reading.
3. That staff be directed to maintain the current bylaw regulations for fence materials – including masonry – in all zones in urban areas that permit single detached residential uses.

James Cooper, Architect AIBC
Director, Building Approvals

Barry Konkin
Director, Policy Planning

BK/JC:bk
Att. 1

REPORT CONCURRENCE		
ROUTED TO: Law	CONCURRENCE <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER
SENIOR STAFF REPORT REVIEW	INITIALS: JC	APPROVED BY CAO

Staff Report

Origin

This staff report responds to two separate Council referrals.

At the April 14, 2020 Council meeting, Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122 received first reading, and the following referral was passed:

That staff examine the use of concrete, masonry, and metal products for fencing and/or walls, including form, structure, content of materials, and report back.

At the May 19, 2020 Public Hearing for Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122, the following referral was passed by Council:

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10122 be referred back to staff to remove the use of masonry materials in the ALR within the Zoning Bylaw.

This report responds to these referrals, and presents proposed amending bylaws to Richmond Zoning Bylaw No. 8500, and to the City's Building Regulation Bylaw No. 7230 to provide updated regulations regarding permitted fence construction and materials for development on lands regulated by Section 14.1 of the Richmond Zoning Bylaw No. 8500 - the Agriculture Zone. This report also recommends that no changes to fence regulations and materials in all zones in urban areas that permit single detached residential use be considered.

This report supports Council's Strategic Plan 2018-2022 Strategy #6 Strategic and Well-Planned Growth:

Leadership in effective and sustainable growth that supports Richmond's physical and social needs.

6.1 Ensure an effective OCP and ensure development aligns with it.

Analysis

Based on the Council referrals listed above, staff propose that Council endorse the following:

- Revised Bylaw 10122 to amend Richmond Zoning Bylaw No. 8500 to regulate fence construction and materials, with specific regulations for lots regulated under Section 14.1 of Richmond Zoning Bylaw No. 8500 - the Agriculture Zone.

This report also recommends that following a Public Hearing for revised Bylaw 10122, Council consider final adoption to Bylaw 10144 to amend Building Regulation Bylaw No. 7230 to address a number of construction and permit issues associated with fences. This Bylaw was previously given first, second and third readings, at the April 14, 2020 Council meeting. No Public Hearing is required for this bylaw amendment.

Staff have reviewed the referral from the April 14, 2020 Council meeting regarding regulation of fence materials in all zones in urban areas that allow single detached residential use, and are of

the opinion that there is little advantage in prohibiting masonry, brick, stone and stone-like materials, and decorative metal as fencing materials in all zones in urban areas that permit single detached residential use. This is largely due to fence durability of masonry fences and single detached house design trends which utilize a wide range of fence materials. It is recommended that no additional changes to fence regulations for properties in urban areas that permit single detached residential use be considered.

Should Council wish to proceed with regulations for all zones in urban areas which permit single detached residential uses, Council direction on the scope and nature of regulatory changes desired would be appropriate.

For other residential development (i.e., multi-family), the character of fencing type, form, character and height are addressed in conjunction with applicable design guidelines and Development Permit requirements as per the Official Community Plan; moreover, fence character is secured through a Rezoning application, and subsequent Development Permit. The development application review process provides the opportunity for staff to ensure that fencing is consistent with endorsed design guidelines.

Staff have conducted an environmental scan of fencing regulation in nearby municipalities (Vancouver, Burnaby, New Westminster, Surrey and Delta) and found that none of these jurisdictions currently regulate materials for fencing. This is noted in an attachment to the staff report dated March 5, 2020 (Attachment 1).

Local Government Act and Fence Regulation

As context for the discussion of fence character and materials, staff note that it is unlawful for the City to prohibit a land owner to install a fence along any property line for securing their property, but as per the *Local Government Act*, Council is able to regulate these structures, including materials, siting, height and setbacks. Further to these *Local Government Act* powers, the City can regulate fence materials, so long as regulations do not conflict with the guidance of the *BC Building Act*.

Proposed Bylaw Amendments for Agriculture Zone (Bylaw 10122)

Fencing Regulations

As directed by Council at the May 19, 2020 Public Hearing, staff have made amendments to proposed Bylaw 10122, to provide new regulations for fencing construction and materials in Section 14.1 of Richmond Zoning Bylaw No. 8500 – the Agricultural Zone. Specific amendments proposed include:

- Removal of the provision to allow masonry fencing and any associated concrete and metal decorative elements along the portion of the farm home plate that fronts onto the closest road. The use of below ground concrete (poured concrete footings) shall be limited to provision of structural stability only. This will ensure that fences in the Agriculture Zone are constructed of a limited palette of materials, which capture the agrarian character of these areas.

- Fencing for lands regulated by Section 14.1 of Richmond Zoning Bylaw 8500 – the Agriculture Zone – is limited to fencing of an agrarian character, as described in the previous staff report (Attachment 1). Masonry piers or gate posts will also not be permitted.

The recommended bylaw amendment to remove provisions regarding use of masonry for fences along the farm home plate frontage (as recommended in the staff report dated March 5, 2020 in Attachment 1) specifically addresses the comments and direction provided by Council at the May 19, 2020 Public Hearing.

As presented to Council and considered at the Public Hearing on May 19, 2020, other amendments such as limiting fences to agrarian materials, as well as height measurement for fences have been retained in revised Richmond Zoning Bylaw No. 8500 Amendment Bylaw 10122.

Additional Bylaw Amendments in all zones in urban areas that permit single detached residential use (Not Recommended)

Staff are of the opinion that there is little advantage in prohibiting masonry, brick, stone and stone-like materials, and decorative metal as fencing materials in all zones in urban areas that permit single detached residential use. It is recommended that no changes to fence regulation in all zones in urban areas that permit single detached residential use be considered.

Staff would like to provide some information that Council might bear in mind when considering regulations for fences in all zones in urban areas that permit single detached residential use.

Fence durability

There are positive attributes associated with the use of other more durable materials than wood for fencing. With the damp climate of the Lower Mainland, the life span of a wooden fence can be reduced, particularly in recent years, as first growth cedar for fencing is scarce, and the more open grain of contemporary second growth cedar products is less resilient and more susceptible to rot.

Masonry, including brick and stone, or a combination of these materials, is often used in combination with metal bars or pickets spanning between piers offers a fence with a longer lifespan, reducing long-term costs to the homeowner. With proper construction methods and detailing – including soil compaction under piers / pillars, masonry, wood and metal fences will not sag or collapse.

Single Detached House Design Trends

The use of masonry and like material for fences has become a common aspect of single detached dwelling construction. Regulation of permitted fencing materials would be a unique regulation in the Lower Mainland and would limit the range of personal choice for homeowners and the design community. This may result in less diversity and opportunity to provide innovative solutions tailored to homeowners and fence style and materials compatible with existing neighbourhood character. There may be opposition from the building community and homeowners arising from such a change, as limiting the choice of materials for fencing in single

detached zones also has potential to result in homogeneity in fence materials and streetscape, reducing the variation and character achieved by allowing a wider palette of materials.

Staff recommend that no changes to fence materials in all zones in urban areas that permit single detached residential use be considered. In order to ensure that fences – including masonry - are well built and constructed properly, staff recommend approval of Building Regulation Bylaw No. 7230, Bylaw Amendment 10144 which will require a Building Permit application for all fences and elements requiring a concrete foundation in order to validate proper construction. Currently, Building Regulation Bylaw No. 7230 does not require an application for any fence construction.

Should Council wish to consider options for regulation of fences in all zones in urban areas that permit single detached residential use, staff have identified two options for Council consideration for regulating fence materials in all zones which permit single detached residential use.

1. Status quo (*Recommended*):

Staff have reviewed the issue of materials regulation for fences in all zones in urban areas that permit single detached residential use, and are of the opinion that with better construction methods as required by application for Building Permit, the amendments provided in Building Bylaw No. 7230 Amendment Bylaw 10144, unsightly fences can be avoided, while preserving the opportunity for homeowners' personal design choice.

2. Amend all zones which allow single detached residential use to prohibit masonry fences (*Not Recommended*):

Should Council wish to proceed with regulations for all zones in urban areas which permit single detached residential uses, staff would request Council direction on the scope and nature of regulatory changes desired. If so directed, staff will report back with recommended bylaw changes.

Amendments to Richmond Building Regulation Bylaw No. 7230 – Amendment Bylaw 10144

The attached Richmond Building Regulation Bylaw No. 7230, Amendment Bylaw 10144 is the same bylaw that was presented to Committee and Council previously. This bylaw received first, second, and third reading on April 14, 2020, and may be considered for final adoption, once Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122, has been adopted. There are no changes proposed to Bylaw 10144, but there are aspects of this bylaw which staff feel are important to note again at this time.

Definition of Structure

The proposed Building Regulation Bylaw No. 7230, Amendment Bylaw 10144 includes a revised definition of 'structure' which captures a masonry wall or fence, ensuring that a Building Permit is required for these structures. As the recommended amendments in this report deal with fencing in those zones which allow single detached residential use, this amendment is still required to ensure that walls and fences in multi-family residential and other zones will require a Building Permit.

Building Permit Requirements

While the amendments to Richmond Zoning Bylaw No. 8500 proposed in this report will prohibit the construction of masonry fences on lands regulated by Section 14.1 of the Richmond Zoning Bylaw 8500 – the Agriculture Zone, staff recommend that a Building Permit be required for a masonry fence in all zones that allow single detached residential use. This will ensure that masonry fences in all zones in urban areas that allow single detached residential uses are constructed properly and safely.

In addition, it should be noted that if Council approves the recommended amendments to fence regulations for properties regulated under Section 14.1 of the Richmond Zoning Bylaw 8500 – the Agriculture Zone – as outlined in this report, there is still an opportunity for property owners to apply for a Development Variance Permit (DVP) for fencing regulations.

Further, if Council wishes to prohibit masonry and metal for fences in all zones in urban areas that permit single detached residential use, it would not preclude a homeowner from applying for a DVP to permit a masonry fence to be constructed.

Financial Impact or Economic Impact

None.

Conclusion

As directed by Council at the May 19, 2020 Public Hearing, staff have reviewed revisions to fencing regulations, including specific regulations for fencing for properties located within the Agriculture Zone. Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122 has been revised to remove any provisions to allow masonry fencing in this zone. All fence materials in the Agriculture Zone will be of an agrarian nature.

It is recommended that Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122, be revised to include the prohibition of masonry as a permitted fence material for lands regulated under Section 14.1 of the Agriculture Zone, and be given second reading. Staff are of the opinion that the regulation of fencing materials in all zones in urban areas that permit single detached residential use has a number of disadvantages, and would recommend that no changes be made at this time.

Should Council wish to proceed with regulations for all zones in urban areas which permit single detached residential uses, staff would request Council direction on the scope and nature of regulatory changes desired. If so directed, staff will report back with recommended bylaw changes.


September 21, 2020

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In order to regulate the construction of fences as described in this report, it is further recommended that Building Regulation Bylaw No. 7230, Amendment Bylaw 10144, be adopted following the adoption of Richmond Zoning Bylaw No. 8500, Amendment Bylaw 10122, as revised.



Serena Trachta
Manager, Plan Review



John Hopkins
Program Manager, Policy Planning

BK/JC:bk

Attachment 1: Staff Report Dated March 5, 2020



**City of
Richmond**

To Council - Apr 14, 2020
Report to Committee
 To Planning - Apr 7, 2020

To: Planning Committee
From: James Cooper, Architect AIBC
 Director, Building Approvals
 Barry Konkin
 Director, Policy Planning

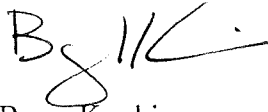
Date: March 5, 2020
File: 08-4430-01/2020-Vol
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Re: Fence Regulations Addressing Height and Materials

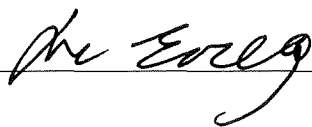


Staff Recommendation

1. That Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10122, respecting changes to fence regulations, be introduced and given first reading, and
2. That Building Regulation Bylaw No. 7230, Amendment Bylaw No. 10144, requiring a permit for fences constructed with concrete foundations, be introduced and given first, second and third readings.


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Att. 4

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
Finance	<input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO 

Staff Report

Origin

At the November 5, 2019 Planning Committee meeting, the following referral motion was passed:

That staff review Richmond Zoning Bylaw No. 8500 to examine:

- 1) regulations for building fences and walls, including the definition of a fence and a wall;*
 - 2) materials that can be used, including the possible elimination of masonry and iron; and*
 - 3) tree planting restrictions;*
- and report back.*

This report supports Council's Strategic Plan 2018-2022 Strategy #6 Strategic and Well-Planned Growth:

Leadership in effective and sustainable growth that supports Richmond's physical and social needs.

6.1 Ensure an effective OCP and ensure development aligns with it.

The referral was a result of public concerns regarding unpermitted construction of a concrete planter along the 181 m (594 ft) frontage of a property on No. 2 Road, which is zoned "Agriculture (AG1)." This report responds to the referral by providing information on current fence regulations in the City of Richmond and presents a bylaw for Council's consideration which would amend current fence regulations.

After investigating provisions to regulate tree planting, staff have determined that there are legal issues regarding imposition of regulations for fencing in the Agricultural Land Reserve (ALR) that are more appropriately addressed by the City Solicitor in a separate memorandum to Council offering legal advice on the matter.

Findings of Fact

Current Fence Regulations

Fences and walls are different types of structures. Richmond Zoning Bylaw No. 8500 and Building Regulation Bylaw No. 7230 contains existing interpretations and regulations for fences. Currently, both Richmond Zoning Bylaw No. 8500 and Building Regulation Bylaw No. 7230 provide a definition of 'fence,' but not 'wall.'

Bylaw No. 8500 Section 3.4 defines a fence:

“Fence means a structure used as an enclosure or for screening purposes around all or part of a lot.”

Bylaw No. 7230 Section 3.4 defines a fence:

“Fence means a structure bounding an area of land designed to limit access to or from the area or to screen the area from view.”

Fence regulations are provided in Section 6 of Richmond Zoning Bylaw No. 8500 and limit fence heights along arterial roads and in residential and non-residential zones. Barbed wire, razor wire and barbed tape obstacle, and electrified wire are prohibited in residential zones and permitted in other zones under certain conditions. Other materials, including masonry and iron (ornamental metal), are not currently regulated. See Attachment 1 for an excerpt of Richmond Zoning Bylaw No. 8500 current fence regulations.

In addition, in a report to committee dated June 6, 2017, staff noted that it is unlawful for the City to prohibit front yard fences or gates, but as per the *Local Government Act*, Council is able to regulate these structures, including siting, height, materials and setbacks.

Fence Regulation Research

In examining Richmond’s fence regulations, staff have conducted an environmental scan of fence requirements in other municipalities in and around Metro Vancouver (Attachment 2). The results of the scan indicate the following:

- Some municipalities do not define ‘fence’; however, some definitions of ‘structure’ include fences.
- Most municipalities do not define ‘wall.’
- All municipalities limit fence height in residential zones.
- Some municipalities limit fence height in agricultural zones.
- Most municipalities do not regulate fence material with the exception of Coquitlam which has prohibited unadorned cast in place concrete which is termed “wall” and not fence.

Following the environmental scan, staff examined the City’s current regulations and identified a series of recommended bylaw amendments for Council’s consideration. The proposed amendments are included in Bylaw No. 10122.

Analysis

The public and Council recently raised concerns regarding concrete supported structures on agriculturally zoned properties and how such structures are regulated by existing zoning definitions. In order to address the November 5, 2019 Planning Committee referral, staff have examined existing fencing regulations and related definitions in Richmond Zoning Bylaw No. 8500, to identify areas where these regulations could be improved.

Based on the analysis, it is recommended that regulations pertaining to fence construction in agriculture zones be amended to achieve the intended agrarian character of these areas. Ornate or masonry style fences will be prohibited in agricultural zones outside of the street frontage associated with the principal dwelling. Fencing materials outside of the street frontage shall be agrarian in character consisting of materials and dimensions as defined in this report. This report also proposes amendments to clarify how the vertical height of fences is measured. Proposed Bulletins 43 and 44 (Attachments 3 and 4) have been created to clarify this information for the public.

Amendments to Richmond Zoning Bylaw No. 8500

Staff have identified opportunities to improve regulations to provide more clarity regarding fencing. The following amendments to Richmond Zoning Bylaw No. 8500 are recommended:

Amendments to Section 3.4 – Use and Term Definitions (Applicable to All Zones)

Proposed Amendments		Comments
Height, fence	Means the vertical distance between the average finished site grade measured at a point 1.0 m from both sides of the property line to the top of the fence.	<ul style="list-style-type: none"> - Replacement of 'average landscape grade' with 'average finished site grade.' Finished site grade is consistent with the language in the zoning bylaw and is defined. - Replacement of 'both sides of the fence' to 'both sides of the property line.' This accounts for fences that may be built 1.0 m or more from the property line. - This amendment will be applicable in all zones.
Agrarian Materials, fence	<p>The following are suitable materials and design for construction of agrarian fencing in the agriculture zones.</p> <ol style="list-style-type: none"> 1. Wood Post and Rail, minimum spacing between horizontal members shall be 0.3 m; <ol style="list-style-type: none"> a. Diagonal cross bracing permitted if bracing between posts; 2. Metal post and rail, minimum 0.3 m spacing between horizontal members; 3. Wood Post and welded wire mesh; 4. Steel Post and welded wire mesh; 5. Wood pickets, 8 cm minimum distance between pickets. 	<ul style="list-style-type: none"> - No current definition exists.

Amendments to Section 6.8 – Fence Limitations in Residential Zones

Proposed Amendments		Comments
6.8.3	Fence height shall be measured at the average finished site grade between points measured 1.0 m from both sides of the property line to the top of the fence.	- Replacement of 'measured at the point at which the fence intersects the ground' to reflect the same fence height measurements as prescribed in the definition of 'height, fence.'

Amendments to Section 6.9 – Fence Limitations in All Other Zones

Proposed Amendments		Comments
6.9.1	No fence constructed in the agricultural zones and site specific zones that govern farm businesses shall exceed 2.4 m in height, with the following exceptions: a) Fence height shall not exceed 2.0 m where the fence is located in the side yard of a single detached housing unit; b) Fence height shall not exceed 1.2 m where the fence is located in the front yard (or yard fronting a public way) of a single detached housing unit.	- Amend the height limitations from 2.0 m to 1.2 m in the front yard of a single detached housing unit on agricultural properties, to create consistency of height in the front yard.
6.9.3	Fence height shall be measured at the average finished site grade 1.0 m from both sides of the property line to the top of the fence.	- Addition of the same fence height provision in Section 6.8.3 to regulate fence height in non-residential zones as well.
6.9.4	The following are suitable materials and design for construction of agrarian fencing in the agriculture zones. a) Wood Post and Rail, minimum spacing between horizontal members shall be 0.3 m; i. Diagonal cross bracing permitted if bracing between posts; b) Metal post and rail, minimum 0.3 m spacing between horizontal members; c) Wood Post and welded wire mesh; d) Steel Post and welded wire mesh; e) Wood pickets, 8 cm minimum distance between pickets.	- No current definition exists.

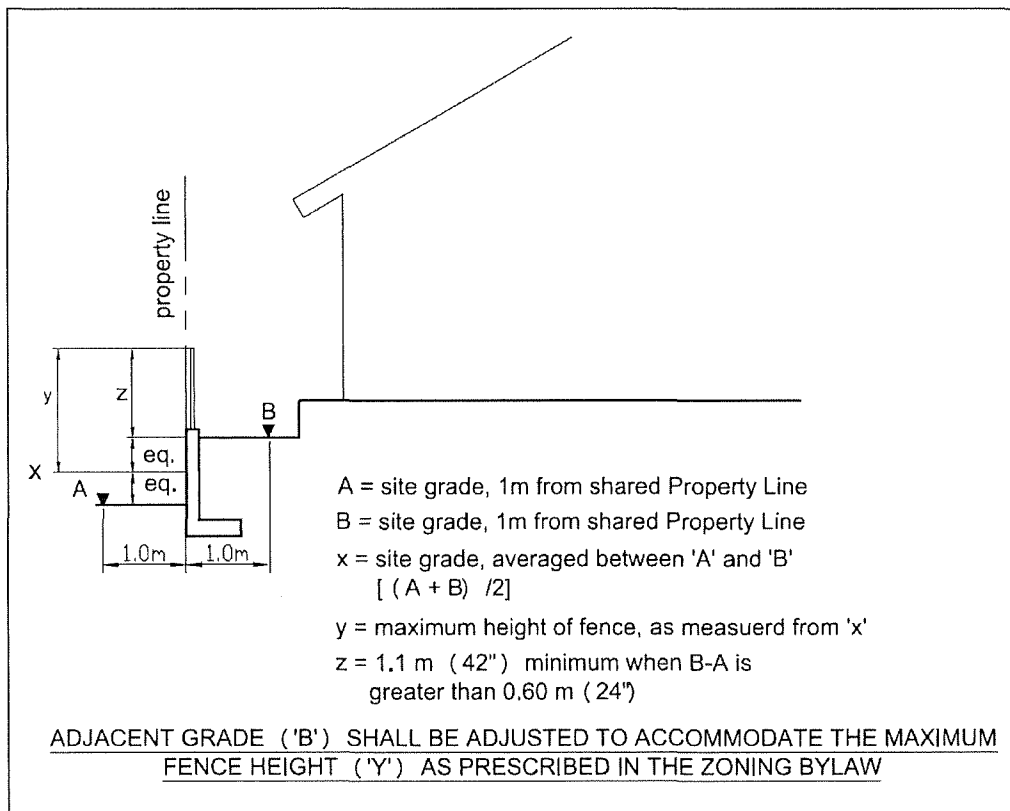
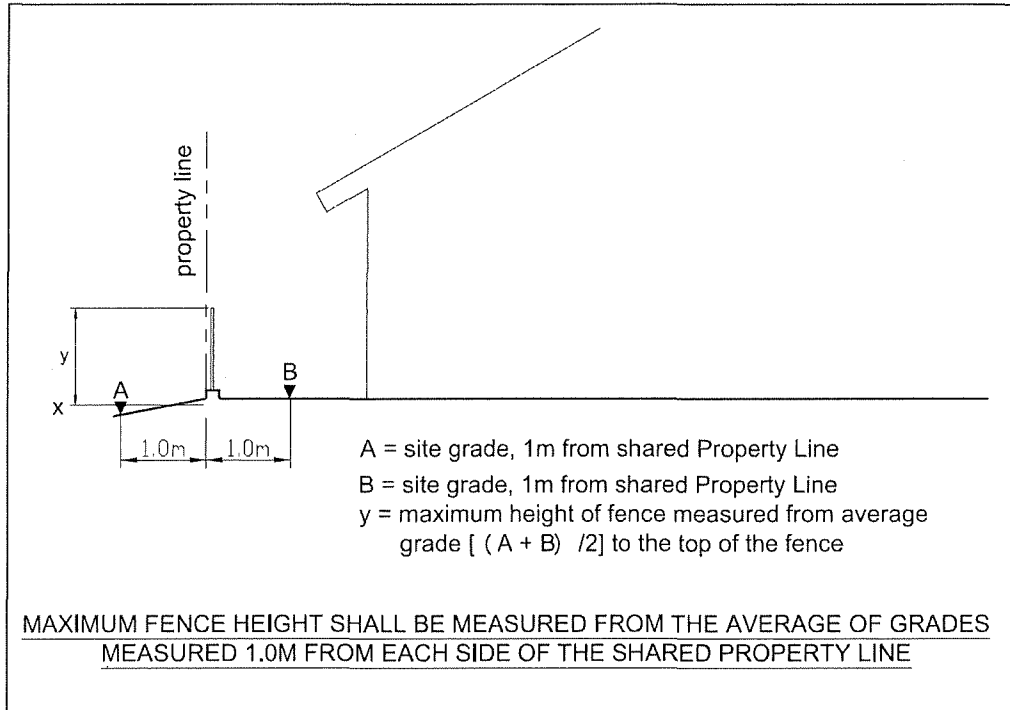
<p>6.9.5</p>	<p>In agricultural zones,</p> <ul style="list-style-type: none"> a) The fence shall be constructed of materials limited to fence agrarian materials, to the satisfaction of the Director, Building Approvals. b) Any gate providing farm access (even when such gate also provides access to a single detached housing unit) is required to comply with the agrarian materials. c) Masonry fences shall only be permitted along property lines fronting a public road. <ul style="list-style-type: none"> i. No masonry fence or its above grade components shall exceed 1.2 m in height and 0.3 m in width. Height to include an additional 0.15 m appurtenance allowance for piers spaced no closer than 3.65 m edge to edge. ii. No masonry fence below grade components shall exceed 0.43 m in width of fence footing and 0.8 m square for pier footings. iii. Total masonry fence length shall be further limited to the width of the single detached dwelling fronting the public road plus 6 m. 	<ul style="list-style-type: none"> - Addition of provisions to regulate the materials, height, width, and location of fences in agricultural zones.
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Amendments to Section 4 – General Development Regulations (4.12 Projections into Yards in All Zones)

Proposed Amendments		Comments
<p>4.12.1</p>	<p>No building, structure, feature or portion thereof shall be developed, used, occupied, constructed, erected, modified, converted, enlarged, reconstructed, altered, placed, maintained or added to within any required yard except as follows, provided that they meet the provisions of the British Columbia Building Code. The exceptions below do not apply to the 4 m side yard setback in properties with an AG1 agricultural zone when that same setback is used to accommodate farm access.”</p>	<ul style="list-style-type: none"> - Amend the projections into side yards such that they do not apply to farm access roads that are 4 m or less.

In order to provide clarity, Staff have created the following diagrams to illustrate some aspects of the Amendments. These illustrations will be contained in proposed Bulletins 43 & 44.

Illustrations clarifying the Amendments:



Amendments to Building Regulation Bylaw No. 7230

Current Building Regulation Bylaw No. 7230 does not require a permit for a fence. In order to enforce proposed limitations on the footing sizes as recommended in Richmond Zoning Bylaw No. 8500, and encourage applicants to limit the use of concrete, the following amendment to Building Regulation Bylaw No. 7230 is recommended to require that a building permit be secured for fencing with a concrete foundation.

Amendments to Part SIXTEEN – INTERPRETATION

Proposed Amendments		Changes to Existing Provisions
Structure	Means all or part of a construction, whether fixed to, supported by, sunk into, or located in land, water or airspace, and includes freestanding sign structures over 3.0 m in height and supporting structures for such signs, and includes a sewage holding tank, but excludes landscaping, paving, a fence without concrete foundations, or a retaining wall under 1.0m in height.	- Clarifying that a fence with a concrete foundation requires a permit.

Financial Impact

None.

Conclusion

This report responds to a Council referral to examine regulations for fences and fence materials, particularly masonry. Staff recommend regulating fence heights and materials in agricultural zones. It is recommended that Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10122 be introduced and given first reading and that Richmond Building Bylaw No. 7230, Amendment Bylaw No. 10144 be introduced and given first, second and third readings.

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ST:aa

- Attachment 1: Excerpt from Richmond Zoning Bylaw No. 8500 of Current Fence Regulations
- Attachment 2: Summary Table of Environmental Scan
- Attachment 3: Building Bulletin 43 Residential Zones: Fence Heights
- Attachment 4: Building Bulletin 44 Agricultural Zones: Fence Heights and Materials

Current Fence Regulations in Richmond Zoning Bylaw No. 8500

Section 3.4 – Use and Term Definitions

- Fence** Means a structure used as an enclosure or for screening purposes around all or part of a lot.
- Height, fence** Means the vertical distance between the average landscape grade 1.0 m from both sides of the fence to the top of the fence.
- Screen** Means a continuous wall, fence, compact evergreen hedge or combination thereof, supplemented with landscape planting, which would effectively screen from view the area that it encloses.
- Structure** Means a construction of any kind whether fixed to or supported by or sunk into land or water including towers, flag poles, swimming pools, docks, signs and tanks, but does not include areas of hard-surfacing.

Section 6 – Landscaping and Screening

6.2 General

- 6.2.9 For a lot fronting onto a local arterial road or a major arterial road, a solid masonry or brick fence up to a maximum fence height of 1.2 m is permitted within the required front yard setback area, but any mechanical or manual gate must be located at least 6.0 m from the front lot line.

6.8 Fence Limitations in Residential Zones

- 6.8.1 No fence constructed in residential zones and site specific zones that include residential uses shall exceed 2.0 m in height. Furthermore, a fence located in the front yard, or any part of a yard between the principal building and the front lot line, shall not exceed 1.2 m in height.
- 6.8.2 Where a fence is located along a lot line that abuts:
- a) a zone other than a residential zone; or
 - b) a site specific zone that governs residential uses;
- the maximum fence height shall be 2.4 m along that lot line only.
- 6.8.3 Fence height shall be measured at the point at which the fence intersects the ground.
- 6.8.4 An outdoor play space provided on a property zoned for residential child care use shall be enclosed by a solid fence of a minimum height of 1.2 m but not exceeding a maximum height of 2.0 m. The minimum and maximum heights apply to all fences enclosing the outdoor play space, including fences located in the front yard of the zoned property, notwithstanding Section 6.8.1.

6.8.5 The use of barbed wire, electrified wire, razor wire and barbed tape obstacles as fencing material is prohibited in all the residential zones or site specific zones that govern single detached housing.

6.9 Fence Limitations in All Other Zones

6.9.1 No fence constructed in the agricultural zones and site specific zones that govern farm businesses shall exceed 2.4 m in height. Furthermore, a fence shall not exceed 2.0 m in height where:

a) the fence is located in the front yard and side yard of a single detached housing unit;

b) the fence extends in the front of the foremost portion or portions of the single detached housing unit; and

c) the single detached housing unit is situated on a lot that is used as a farm business, and the lot is assessed as a “farm” under the *Assessment Act*.

6.9.2 No fence constructed in all the other zones shall exceed a maximum height of 2.4 m.

6.9.3 The use of electrified wire as a fencing material is prohibited except where it is used to confine domestic farm animals.

6.9.4 Barbed wire, razor wire and barbed tape obstacle, and electrified wire may only be used as a fencing material:

a) where it is used to confine domestic farm animals; or

b) the purpose of the fence is to limit access to a lawful commercial, industrial, community or institutional use of land, provided that the wire component of the fence is no closer to the ground than 2.0 m.

Current Fence Regulations in Building Regulation Bylaw No. 7230

Part Sixteen: Interpretation

Fence means a structure bounding an area of land designed to limit access to or from the area or to screen the area from view.

Structure means all or part of a construction, whether fixed to, supported by, sunk into, or located in, land, water or airspace, and includes freestanding sign structures over 3.0 m in height and supporting structures for such signs, and includes a sewage holding tank, but excludes landscaping, paving, a fence, or a retaining wall under 1.0 m in height.

Summary Table of Environmental Scan

Municipality	Definition of 'Fence'	Definition of 'Wall'	General Height Limitations in Residential Zones				General Height Limitations in Agricultural Zones		Regulated Fence Materials Other than Wire (Barbed, Razor, Electrified)
			Front Yards	All Other Locations	Front Yards	All Other Locations			
Richmond	A structure used as an enclosure or for screening purposes around all or part of a lot	N/A	1.2 m	2.0 m 2.4 m on lot lines abutting non-residential zones	2.0 m	2.4 m	N/A		
Richmond Proposed	No change	No change	No change	No change	1.2 m	2.0 m	Agrarian (Rural Farm) materials required in AG zones.		
Burnaby	N/A	N/A	1.07 m	1.8 m	N/A	N/A	Open mesh / chain link		
Coquitlam	A structure, not being a building, intended for the purpose of total or partial physical and/or visual separation or enclosure of a property or portion thereof; includes a wall, not being part of a building, intended for the purpose of total or partial physical and/or visual separation or enclosure of a property, does not include retaining wall. Materials used to construct a fence are limited to wood, masonry materials (excluding poured concrete), metal, pre-cast manufactured perforated or decorative concrete blocks or panels, and any combination thereof.	Any building element with a slope of 60 degrees or more to the horizontal; does not include a wall which is utilized as a fence, or a retaining wall.	1.3 m	1.8 m	N/A	3.1 m	See definition of fence.		
Delta	A structure used as an enclosure or for screening purposes, and includes gates and walls, but excludes retaining walls and arbors.	N/A	1.2 m	1.8 m 2.4 m on lot lines abutting non-residential zones	1.2 m	2.4 m	Chain link Concrete blocks for retaining walls		
City of Langley	N/A	N/A	N/A	2.0 m	N/A	N/A	N/A		
Township of Langley	N/A	N/A	1.0 m	2.0 m	N/A	N/A	N/A		
Maple Ridge	A structure constructed of materials including wood, masonry, concrete, or metal, intended for the purpose of total or partial physical and/or visual separation or enclosure of a property or portion thereof, and includes chain link fences, however	N/A	1.2 m	2.0 m	1.2 m 3.6 m	2.0 m 3.6 m	N/A		

Municipality	Definition of 'Fence'	Definition of 'Wall'	General Height Limitations in Residential Zones		General Height Limitations in Agricultural Zones		Regulated Fence Materials Other than Wire (Barbed, Razor, Electrified)
			Front Yards	All Other Locations	Front Yards	All Other Locations	
New Westminster	does not include retaining walls. <i>Closed fence:</i> one that has more than fifty percent (50%) of its area closed.		1.22 m	1.83 m	N/A	N/A	Open mesh / chain link
City of North Vancouver	<i>Structure, accessory:</i> a structure used for an accessory use, including fences, radio and television antennae and satellite dishes.		1.22 m	1.829 m	-	-	N/A
District of North Vancouver	N/A		1.8 m	2.4 m	-	-	N/A
Pitt Meadows	A structure used as an enclosure or as a visual barrier around all or part of a lot		1.2 m	1.8 m on lot lines abutting agricultural or industrial zones	1.8 m,	2.4 m	N/A
Port Coquitlam	A vertical structure used for enclosure or screening where the thickness is equal to or less than 8 cm (0.26 ft) excluding top and bottom rails and posts.	A vertical structure used for enclosure, screening or soil retention constructed of brick, masonry, stone, or timbers or any other material where the thickness of the wall is greater than 8 cm (0.26 ft).	1.2 m	2.5 m	1.2 m	N/A	See definition of wall.
Surrey	N/A		1.2 m	1.8 m	N/A	N/A	For properties on railway land, stones, cement, bricks, similar durable materials, chain link, or combination thereof.
Vancouver	Includes arbors, archways, boundary fences, gates, pergolas, screens, trellises, walls and similar structures.		1.2 m	1.9 m	N/A	N/A	Permitted: wood, brick, concrete block, metal
West Vancouver	A vertical structure used as an enclosure or a screen of all or part of a site, not exceeding 0.08 metre in thickness, excluding posts and rails, but shall not include a garden wall.	A vertical structure used as an enclosure or screening about all or part of a site constructed of concrete masonry, timbers, rock, or any other material where the thickness is more than 0.08 metre.	1.2 m 1.8 m	1.8 m 2.4 m	-	-	See definition of wall.



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Building Approvals Department
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This information is provided for clarification purposes only and is not in substitution of any applicable City Bylaws or Provincial or Federal Codes or laws. In the case of any contradictions, legislative Codes, laws or Bylaws take precedence. You must satisfy yourself that any existing or proposed construction or other works complies with such Bylaws, Codes or other laws.

Residential Zones: Fence Heights

No.: BUILDING-43
Last Revised: 2020/02/06
Date Created: 2020/02/06

This bulletin is to inform Owners and Builders of the height regulations for fences in residential zones recently adopted in Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10122 and Building Regulation Bylaw No. 7230, Amendment Bylaw No. 10144.

Summary

- Definition of fence height has been clarified to identify measurement parameters.
- Maximum fence heights in residential zones have been clarified.

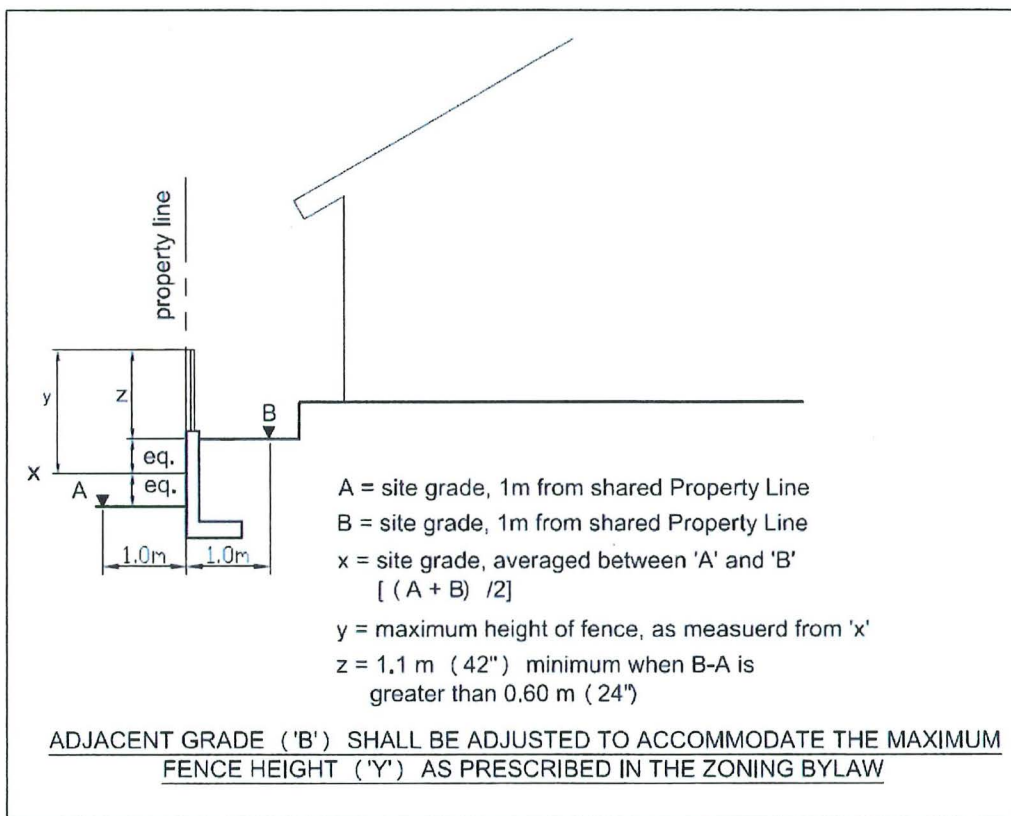
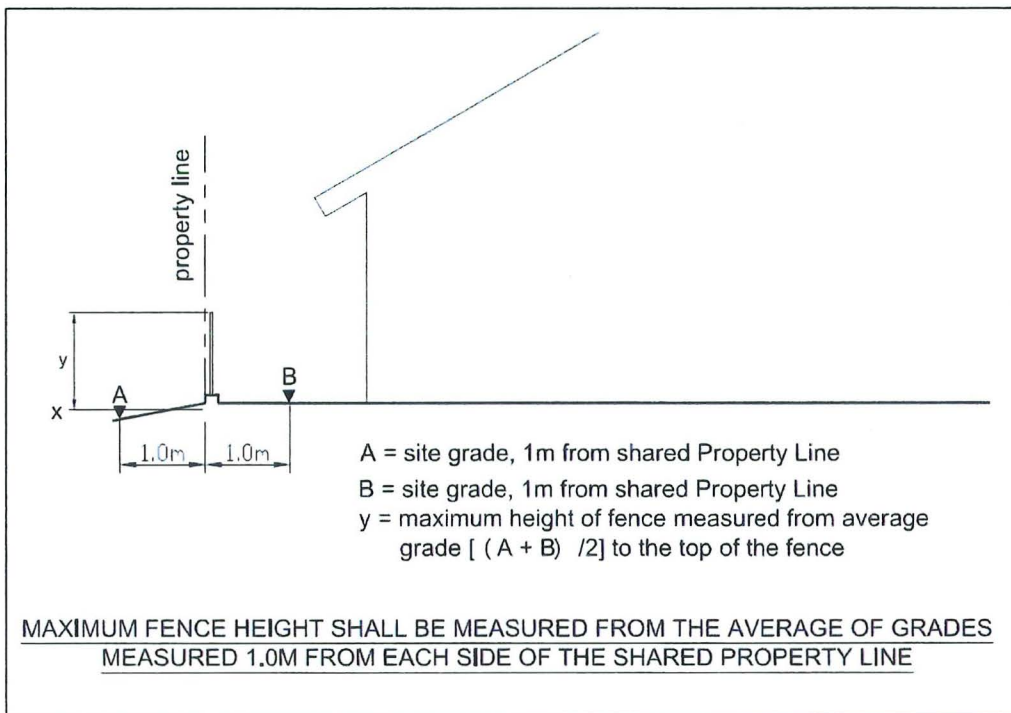
Fence Height Requirements

- The maximum fence height of 2.0 metres (m) is permitted for fences constructed in residential zones and site specific zones that include residential uses. (Richmond Zoning Bylaw No.8500:6.8.1)
 - A maximum fence height of 1.2 m is permitted for fences located in the front yard or between the principal dwelling unit and the front property line or public road.
 - A maximum fence height of 1.83 m is permitted for fences when located elsewhere within a required yard. (Richmond Zoning Bylaw No. 8500:Residential Zones)
- The use of barbed wire, electrified wire, razor wire, and barbed tape obstacles as fencing material is prohibited in all residential zones and in site specific zones that govern single detached housing. (Richmond Zoning Bylaw No. 8500:6.8.5)
- A building permit is required for any fence construction with concrete foundations. (Building Regulation Bylaw No. 7230:16.1)

Measuring Fence Height

- Fence height is determined by measuring the vertical distance between the average finished site grade, measured 1.0 m from both sides of the property line, to the top of the fence. (Richmond Zoning Bylaw No. 8500:6.8.3)
- Grading must be strategically managed to avoid impact with the maximum fence height limit shown.
- Please refer to the diagrams attached.

Should you have any questions, comments, or suggestions concerning this bulletin, please reference the Bulletin number and email building@richmond.ca or call the Building Approvals General Inquiries line at **604-276-4118**.



References

Please see Bulletin BUILDING-44 for regulations regarding fences in agricultural zones.

City of Richmond Zoning Bylaw, Landscaping and Screening:

<https://www.richmond.ca/shared/assets/LandscapingScreening24225.pdf>

Should you have any questions, comments, or suggestions concerning this bulletin, please reference the Bulletin number and email building@richmond.ca or call the Building Approvals General Inquiries line at **604-276-4118**.

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Agricultural Zones: Fence Heights and Materials

No.: BUILDING-44

Last Revised: 2020/02/06

Date Created: 2020/02/06

This bulletin is to inform Owners and Builders of the fence height and material regulations in agricultural zones recently adopted in Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10122 and Building Regulations Bylaw No. 7230, and Amendment Bylaw No. 10144.

Summary

- Definition of fence height has been clarified to identify measurement parameters.
- Maximum fence heights in agricultural zones have been clarified.
- Acceptable materials for use in agricultural zones have been clarified in order to promote and maintain the agrarian character.

General Requirements

- The maximum fence height of 2.4 metres(m) is permitted for fences constructed in agricultural zones and site specific zones that govern farm businesses. (Richmond Zoning Bylaw No. 8500:6.9.1)
 - A maximum fence height of 1.2 m is permitted for fences located in the front yard or between the single detached housing unit and the front property line or public road.
 - A maximum fence height of 2.0 m is permitted for fences located in the side yard or between the single detached housing unit and the side property line.
- The use of barbed wire, electrified wire, razor wire, and barbed tape obstacles as fencing material is prohibited in all residential zones and in site specific zones that govern single detached housing. (Richmond Zoning Bylaw No. 8500: 6.8.5)
- A building permit is required for any fence construction with concrete foundations. (Building Regulation Bylaw No. 7230:16.1)

Measuring Fence Height

- Fence height is determined by measuring the vertical distance between the average finished site grade, measured 1.0 m from both sides of the property line, to the top of the fence. (Richmond Zoning Bylaw No. 8500:6.9.3)
- Grading must be strategically managed to avoid impact with the maximum fence height limit shown. See Building Bulletin-43 for additional information.

Material Regulations

- The following are suitable materials and design for construction of agrarian fencing in the Agriculture zones. (Richmond Zoning Bylaw No. 8500:6.9.4)
 - Wood Post and Rail, minimum spacing between horizontal members shall be 0.3 m;

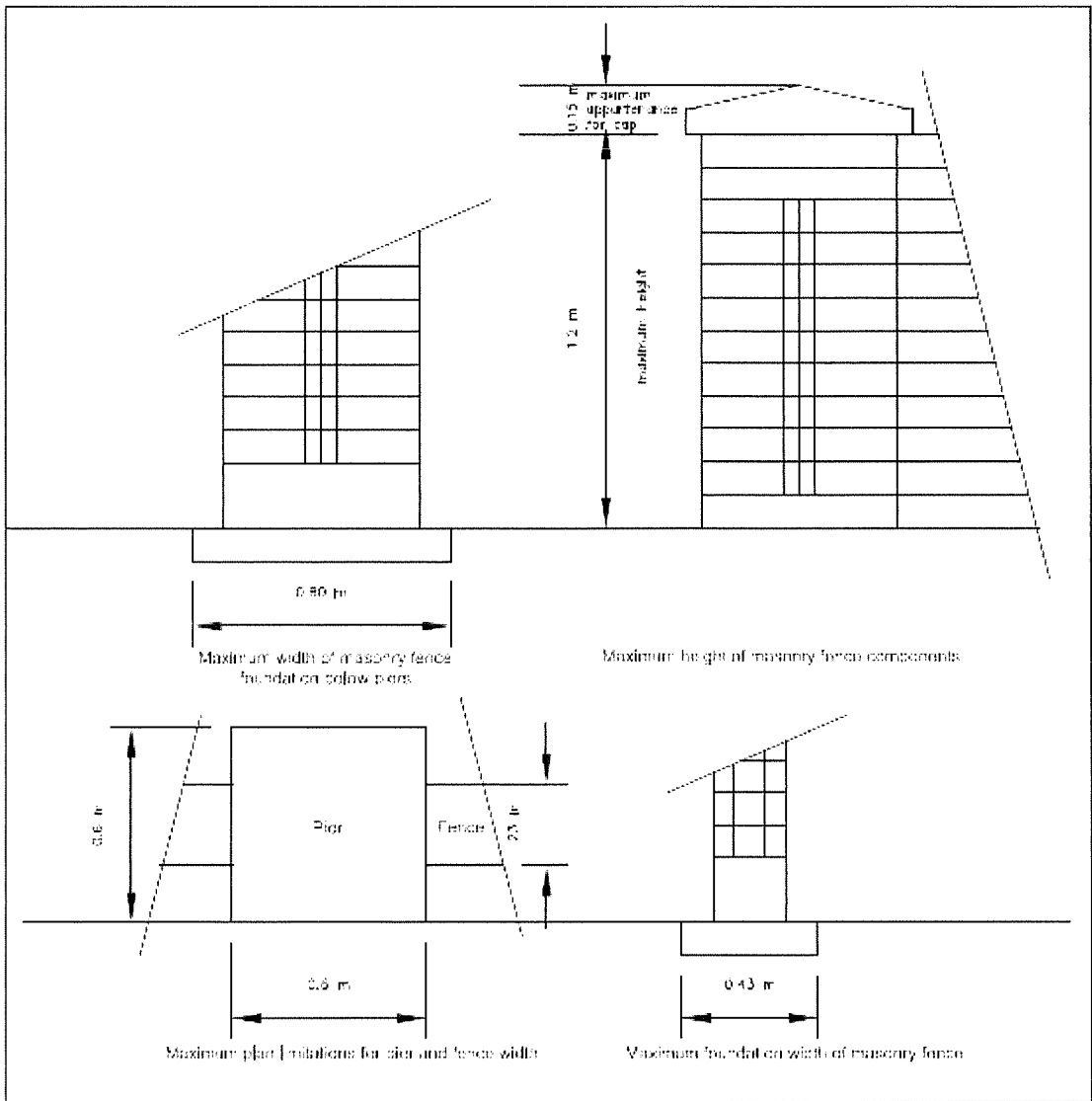
Should you have any questions, comments, or suggestions concerning this bulletin, please reference the Bulletin number and email building@richmond.ca or call the Building Approvals General Inquiries line at **604-276-4118**.

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- Diagonal cross bracing permitted if bracing between posts;
 - Metal post and rail, minimum 0.3 m spacing between horizontal members;
 - Wood Post and welded wire mesh;
 - Steel Post and welded wire mesh; and/or
 - Wood pickets, 8 cm minimum distance between pickets.
- Fences in agriculture zones shall be constructed of materials limited to fence agrarian materials, except as noted below (Zoning Bylaw 8500:6.9.5):
 - Masonry and concrete fences shall only be permitted along property lines fronting a public road.
 - Masonry and concrete fences are defined as fences composed either partially or entirely of stone, brick, concrete, concrete block, or other similar building materials.
 - No masonry or concrete fence or its components shall exceed 1.2 m in height.
 - An appurtenance allowance of 0.15 m for pier caps is permitted provided the piers are spaced no closer than 0.365 m edge to edge.
 - The width of the masonry fence shall not exceed 0.3 m in width.
 - Footings shall limited as shown in the attached diagrams.
 - Total masonry fence length shall be further limited to the width of the single detached dwelling fronting the public road plus 6 m.
 - Beyond that length, fences shall be constructed of materials limited to agrarian materials.
- Please refer to the diagrams attached for additional information.

Should you have any questions, comments, or suggestions concerning this bulletin, please reference the Bulletin number and email building@richmond.ca or call the Building Approvals General Inquiries line at **604-276-4118**.

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Building Regulation Bylaw No. 7230, Amendment Bylaw No. 10144

The Council of the City of Richmond enacts as follows:

- 1. Building Regulation Bylaw No. 7230, as amended, is further amended at Section 16.1 by deleting the definition of Structure and replacing it with the following:

“Structure means all or part of a construction, whether fixed to, supported by, sunk into, or located in, land, water or airspace, and includes freestanding sign structures over 3.0 m in height and supporting structures for such signs, and includes a sewage holding tank, but excludes landscaping, paving, a fence without concrete foundations, or a retaining wall under 1.0 m in height.”

- 2. This Bylaw is cited as “Building Regulation Bylaw No. 7230, Amendment Bylaw No. 10144”.

FIRST READING

APR 14 2020

SECOND READING

APR 14 2020

THIRD READING

APR 14 2020

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating Division
59
APPROVED for legality by Solicitor
BRS

MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw No. 8500
Amendment Bylaw No. 10122 (Fence Regulations)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 3.4 [Use and Term Definitions] by deleting the definitions of “Height, fence” in its entirety and replacing it with the following:

“Height, fence means the vertical distance between the average **finished site grade** measured at a point 1.0 m from both sides of the **property line** to the top of the **fence.**”

2. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 3.4 [Use and Term Definitions] by inserting the following definition in alphabetical order:

“Agrarian materials, fence The following are suitable materials and design for the construction of agrarian fencing in **agriculture zones**.

1. Wood Post and Rail, minimum spacing between horizontal members shall be 0.3 m.
 - a. Diagonal cross bracing permitted if bracing between posts.
2. Metal post and rail, minimum 0.3 m spacing between horizontal members.
3. Wood Post and welded wire mesh.
4. Steel Post and welded wire mesh.
5. Wood pickets, 8 cm minimum distance between pickets.”

3. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 6.8 [Fence Limitations in Residential Zones] by deleting Section 6.8.3 in its entirety and replacing it with the following:

“6.8.3 Fence height shall be measured at the average **finished site grade** measured at a point 1.0 m from both sides of the **property line** to the top of the **fence.**”

4. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 6.9 [Fence Limitations in All Other Zones] by deleting Section 6.9.1 in its entirety and replacing it with the following:

“6.9.1 No **fence** constructed in the **agricultural zones** and **site specific zones** that govern **farm businesses** shall exceed 2.4 m in **height**. Furthermore, a fence shall not:

- a) exceed 2.0 m in **height** where the **fence** is located in the **exterior side yards** of a **single detached housing unit**; or
- b) exceed 1.2 m in **height** where the **fence** is located in the **front yard** (or yard fronting a public street) of a **single detached housing unit**.”

5. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 6.9 [Fence Limitations in Residential Zones] by deleting Section 6.9.3 in its entirety and replacing it with the following:

“6.9.3 **Fence height** shall be measured at the average **finished site grade** measured at a point 1.0 m from both sides of the **property line** to the top of the **fence**.”

6. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 6.9 [Fence Limitations in All Other Zones] by inserting the following, in numerical order, and adjusting the numbers thereafter:

“6.9.4 The following are suitable **fence agrarian materials** for the design and construction of fencing in **agriculture zones**.

- a) Wood Post and Rail, minimum spacing between horizontal members shall be 0.3 m.
 - i. Diagonal cross bracing permitted if bracing between posts.
- b) Metal post and rail, minimum 0.3 m spacing between horizontal members.
- c) Wood Post and welded wire mesh.
- d) Steel Post and welded wire mesh.
- e) Wood pickets, 8 cm minimum distance between pickets.

6.9.5 In **agricultural zones**:

- a) **Fences** shall be constructed of materials limited to farm **agrarian materials** for fencing to the satisfaction of the Director, Building Approvals.
- b) Any gate providing farm **access** (even if also serving the **single detached housing unit**) is required to comply with the **agrarian materials**.

- c) Masonry **fences** shall only be permitted along **property lines** fronting a public road.
 - a. No masonry **fence** or its above **grade** components shall exceed 1.2 m in **height** and 0.3 m in width. **Height** may increase an additional 0.15 m as an appurtenance allowance for piers spaced no closer than 3.65 m edge to edge.
 - b. No masonry **fence** below **grade** components shall exceed 0.43 m in width for **fence** footing and 0.8 m square for pier footings.
 - c. Total masonry **fence** length shall be further limited to the width of the house fronting the public road plus 6 m.”

7. Richmond Zoning Bylaw No. 8500, as amended, is further amended as Section 4.12.1 [Projections into Yards in All Zones] by deleting Section 4.12.1 in its entirety and replacing it with the following:

“4.12.1

- a) No **building, structure**, feature or portion thereof shall be developed, used, occupied, constructed, erected, modified, converted, enlarged, reconstructed, altered, placed, maintained or added to within any required **yard** except as follows, provided that they meet the provisions of the British Columbia Building Code. The exceptions below do not apply to the 4 m **side yard setback** in properties with an AG1 **agricultural zone** when that same **setback** is used to accommodate farm **access**.”

8. This Bylaw is cited as “**Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10122**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

APR 14 2020



MAYOR

CORPORATE OFFICER