



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

NOTICE OF MOTION

From: Councillor Meagan Brame

Introduced: Council Meeting – June 14, 2021

Subject: Regulation for Fences in Esquimalt

WHEREAS: Esquimalt's current bylaw regulating fence heights does not address issues of deer in yards, desecrating gardens;

WHEREAS: Esquimalt's Official Community Plan's section 14.2 Urban Food Production supports the establishment of allotment gardens, community gardens, edible landscapes, food bearing trees and other types of food production activities;

WHEREAS: Esquimalt has yet to receive permission from the Province to move forward with the immunocaesarectomy of deer and even once permission is granted it will take several years for the deer counts to lower;

THEREFORE, BE IT RESOLVED:

That Council direct staff to draft a bylaw amendment for fence heights and design, for consideration and discussion at a Committee of the Whole meeting. The bylaw and accompanying report should briefly explore ways to increase fence heights along with guidelines to allow for esthetics of the neighbourhood.

STRATEGIC RELEVANCE:

Service Excellence – We meet community needs and achieve high-quality results through teamwork, partnerships, innovation and creativity.

Currently, there is a big barrier to residents who want to build higher fences in their front yards to keep deer out. Gardens work best in certain conditions and sometimes that means that it needs to be in someone's front yard.

We Strengthen the health, livability and diversity of the community – Supporting modern urban food production is an important element in the OCP. Section 14.1 has a policy statement that says support innovative ideas and opportunities that promote and enhance community well-being. Section 14.2's objective is to support the establishment of allotment gardens, community gardens, edible landscapes, food bearing trees and other types of food production activities. There is even policy to encourage developments in food production gardens in multi-unit developments – building the gardens are mute if they get eaten by the deer.

FINANCIAL IMPLICATIONS:

Staff time to amend the bylaw and guidelines

BACKGROUND

Esquimalt is waiting for provincial approval to do deer management but even if Esquimalt is given approval in the fall, we will not see the results for several years to come. Our urban farmers cannot wait any longer. Their gardens are being destroyed and they will soon just give up. Esquimalt has many beautiful gardens and it would be a shame to see them disappear.

Relevant Bylaws – from the Zoning Bylaw

22. FENCES and RETAINING WALLS

[Amendment, 2018, Bylaw No. 2938]

(1) Retaining Walls shall not exceed a height of 1.2 metres above the existing ground measured from the low side of the Retaining Wall, to the highest point of the Retaining Wall.

(3) Where a Parcel has an Exterior Side Lot Line, no Fence shall exceed a Height of 1.2 metres, within the Front Yard and the Exterior Side Yard.