

3.21.03 Fences

- (1) The **height** of a fence is, for the purposes of this Bylaw, the vertical distance from the average finished ground level at any point along the fence to the highest part of the fence directly above.
- (2) Fences may be constructed within any required **setback**, other than that portion of a **lot** that is within a **sight triangle**, and that portion of a **lot** that is within a designated Interface Fire Hazard or Riparian Development Permit Area unless either authorized by a Development Permit or specifically exempted from the requirements of a Development Permit.
- (3) Fences **abutting** a **highway** within the required **setback** from a **front lot line** in all **zones** shall not exceed a **height** of 1.2 m (3.9 ft) and shall be constructed of wrought iron, picket or similar style providing less than complete visual screening.
- (4) The following regulations apply to fences on **lots** containing **one-family dwellings, two-family dwellings** or **townhouse uses**:
 - (a) Fences along **interior side lot lines** and **rear lot lines** (where not **abutting** a **highway**) shall not exceed a **height** of 1.8 m (5.9 ft);
 - (b) Despite Article 3.21.03(3), that portion of a fence **abutting** a **highway** that is at least 1.8 m (5.9 ft) to the rear of the **front building line** may exceed 1.2 m (3.9 ft) in **height** but shall not exceed a **height** of 1.8 m (5.9 ft) and may be constructed with a solid style.
- (5) Ornamental features such as arbours or gates are exempt from the **height** restrictions of this Subsection.

3.22 Compliance with Lot Area Regulations

- 3.22.01 **Lots** created by subdivision must comply with the minimum and average **lot area** regulations set out in Part 6 of this Bylaw except that a park to be dedicated upon deposit of the subdivision plan need not comply with those regulations.
- 3.22.02 For the purposes of this Bylaw, average **lot area** is the sum of the **lot areas** of the proposed **lots** divided by the number of proposed **lots**:
- 3.22.03 The average and minimum **lot** sizes in Part 6 of this Bylaw do not apply:
- (1) If the **lot** being created is to be used solely for the unattended equipment necessary for the operation of facilities referred to in articles 3.01.01(2) and (3) of this Bylaw or for a community water or sewer system, a community gas distribution system, a community radio or telephone receiving antenna, a radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, an electrical substation, transportation corridor, or generating station road access, and any other similar public service or utility and the owner grants to the City of Langford a covenant under the Land Title Act restricting the **use** of the **lot** to that **use** and prohibiting the disposal of that **lot** except through dedication to the City of Langford.
 - (2) If the **lot** being created is for park **use**, an ecological reserve, or dedication to the Crown.