
LINE FENCES ACT (Fence Viewers' Committee)

The Line Fences Act (the Act) is a provincial statute that provides the arbitration of a dispute between two or more neighbours over whether or not a boundary fence should be erected, what type of fence is to be erected and who pays what portion of the cost.

When a dispute between neighbours arises over whether or not a boundary fence should be erected, what type of fence is to be erected or how the cost of the fence is to be shared the Act provides for fence viewers appointed by Council to make a viewing. Please note the fence viewers are not permitted to identify where the fence is to be located. They are also not permitted to act if the decision has been made to construct a fence, if holes are dug, or if boundary lines are in dispute or already marked with the string.

The process is initiated by contacting the City Clerk's office and obtaining the required Line Fences Application Form. On submission of the completed form, the fence viewers will be contacted and a date will be set for the viewing. *(Please note that as per legislation the viewing must occur within 30 days of the receipt of the notice, with the exception of the period from November 1st to March 31st when viewings are not permitted.)*

The fence viewers in making their determination will talk to the property owners about comments/concerns and take into account the nature of the terrain, the type of fences used in the locality, the benefit to the owners, the suitability of the fence to the needs of the adjoining owners and relevant municipal and provincial legislation.

Please note that City Council has not adopted a by-law, which specifies that each property owner pays half, or which side of the fence must be showing to the neighbours. They have adopted by-laws on types of fences required around swimming pools and what acceptable height and setback restrictions are in place. Information on these by-laws and the City's Property Standards By-law is available from at City Hall.

Information on the Fence Viewers Act is available from the City Clerk's office at (905) 356-7521 ext.4342.
