

Southwest homes could find chain-link fencing where their property meets the Town's

By Brock Weir

Residents backing onto Case Woodlot in southwest Aurora could soon find chain link fencing just beyond their backyards where their property meets the Town's, following a Council decision last week.

Approximately 23 homes on Spence Drive and Tamarac Trail currently backing onto Case Woodlot, which is roughly bordered by Henderson Drive and Bathurst Street, may find the existing ? although dilapidated ? post and rail fencing replaced with a 1.2 metre high chain link fence.

Council gave conditional approval to replace the fence as part of this year's budget, but in a report before Council last week from Al Downey, Aurora's Director of Parks and Recreation, recreating the current style fencing would be outside of the modern norm in Aurora after the fence in question was installed nearly 30 years ago.

?Staff are recommending that the new replacement fencing be 1.2 metre municipal standard chain link fencing as it was proven to be more effective in maintaining the property boundary over a longer period of time,? said Mr. Downey in his report before Council last week. ?All boundary fencing separating municipal open space and private property is installed on the municipal side of the property line unlike fences that were installed through the 1980s and 1990s where the fence was installed on the common boundary.

?It became evident that fences installed on common boundaries were difficult to control in terms of unauthorized gates being installed and issues associated with dumping of yard waste and encroachments were very common. Since the Town now owns all fencing installed entirely on municipal property, we have complete control over the fence, including the installation of private gates and non-authorized access to municipal lands. The Town no longer permits private gates to be installed in our fences.?

Compounding the issue, added Mr. Downey, is several properties in this area have installed swimming pools and if they do so now the properties in question would have to erect chain link anyway. And, of the 23 properties, many have already installed these fences.

The recommendation to proceed with chain link raised concerns from Councillor Jeff Thom, who said when it comes to marking out municipal boundaries, post and rail fencing does the job nicely.

?It still delineates the line and clearly marks where the municipal boundary is or isn't,? he said. ?With respect to the security issues, these are municipal forests. The whole idea is you want to get people enjoying the forest. [If you restrict access points] to me that seems like keeping people out of the forest when we're trying to [encourage] people to go out and enjoy nature. To me, it sounds like overkill.?

If there is a concern about people dumping yard waste onto municipal property over their back fence, a chain link fence with a height of 1.2 metres is not going to stop them, he added.

Councillor Thom's concerns were not shared by the majority of Council, particularly Mayor Geoff Dawe and Councillor Paul Pirri, who stressed the importance of maintaining municipal boundary lines.

?We have to look at it from the point of view that it is our obligation to ensure we're managing our property rights,? said Mayor Dawe, noting this could be done with chain link. ?It certainly doesn't look as nice as a split rail fence, but a split rail fence doesn't really do much to establish what the property line would be like.?

For Councillor Pirri, saying taxpayers own Town-owned lands and should be able to access them ?however they wished? is a ?slippery slope argument.?

?We have ice rinks that are ultimately owned by the tax residents and that doesn't allow me to step onto the ice when the Tigers are playing, not just because of skill level, but that is definitely part of it,? he said. ?We lock our buildings at night even though our residents own those buildings to ensure they don't go into [them] at a certain point. We set up those regulations on how things should be done to preserve them in the long run.

?If we were to allow them to access these trails from their gates does that alter the trails themselves or the natural environment by creating footpaths and things of that nature? On the whole, there are ways to enter this woodlot. We're just setting up rules and regulations on how people access this parcel of land.?