

June 27, 2023

Sent by email

Town of Bracebridge
1000 Taylor Court
Bracebridge, Ontario
P1L 0A1

Attention: Rick Maloney, Mayor; Barry Hammond, Councillor; and Stephen Rettie, Chief Administrative Officer

Dear Sirs:

Re: Yellow Fence on Golden Point Rd., Bracebridge

We are writing to you on behalf of the Muskoka Lakes Association (“MLA”) and the Friends of Muskoka (“FOM”). As you know, the MLA has over 2,000 family memberships, representing over 11,500 people and the FOM has approximately 4,000 supporters. While we generally do not get involved in neighbour versus neighbour disputes, this yellow fence is an exception because it impacts more than the immediate two neighbours.

Leaving aside for the moment whether this yellow fence contravenes your Fence By-law with respect to height (and whether an additional section closest to the waterfront should only be 4 feet high, as opposed to 8 feet) and uniformity of colour (where it is not a solid, consistent color, but rather has a mottled effect and which we understand may have also been treated with a reflector coating) and whether the owner of the yellow fence had an obligation to consult with the adjacent property owners pursuant to the Line Fences Act (Ontario), we believe this fence is not in keeping with the character of the community and is inconsistent, and does not comply, with the goals and objectives of your Official Plan.

For example, the Town’s Official Plan states that:

“A7.10.1.1 It is the goal of this Plan that all new development and redevelopment will:

ii) protect the visual and aesthetic **character** (emphasis added) of the lakes and rivers;”

and

“A7.10.2 Objectives

A7.10.2.1 To protect the unique natural **character** (emphasis added) of the individual lakes and rivers.”

This property with the yellow fence is located at the mouth of the Muskoka River, being the gateway from Bracebridge to Lake Muskoka and vice versa. It is an extremely high traffic area for boating, with many hundreds of property owners along the river making their way past this property to access the lake and town. This is not the case of a fence which can only be seen by a couple of neighbours at the end of a cul-de-sac in a residential subdivision. It has potential for establishing a precedent that would not be consistent with our natural Muskoka shorelines.

Tourism is a very important component of our local economy. We are concerned not only about the negative impact this yellow fence will have on character, but also on tourism. We note that the subject property is in close proximity to Patterson Kaye Resort and a Nature Conservancy property and that Santa's Village is nearby. This is in addition to the residents and visitors of the many hundreds of nearby cottages and homes that pass this yellow fence on a regular basis.

What is so objectionable is that this fence is only bright yellow on the side facing the neighbour, with it largely being a natural wood colour on the side facing the property owner. On the other side of the property, the property owner has painted part of the fence a mottled white/gray colour facing the neighbor, again with it being largely a natural wood colour on the side facing the property owner. If the purpose of the fence was to keep a dog from roaming onto neighbouring properties, there are other options (I have had great success using an invisible fence system).

We understand that the neighbours are interested in resolving this matter with the property owner and are prepared to contribute financially in order to do so. We are hopeful that you will be able to help facilitate a resolution.

You may also wish to consider revisiting your Fence By-law with regard to overall maximum height (perhaps a maximum of 6 feet), maximum height and open construction (such as split cedar rails or wrought iron) in proximity to the waterfront (perhaps within 66 feet) and consistency of colour on both sides, with natural wood colour being preferred.

Yours very truly,



Susan Eplett
President and Director
Muskoka Lakes Association



Ken Pearce
Secretary and Director
Friends of Muskoka

cc. Laurie Thomson, President, Friends of Muskoka
Liz Lundell, Chair, Government and Land Use Committee, Muskoka Lakes Association