



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Bonnette and Members of Council

FROM: Leon Chatoori, Municipal Law Enforcement Officer

DATE: June 13, 2022

REPORT NO.: ADMIN-2022-0032

SUBJECT: Request from Property Owner of 35 Preston Street for a variance to the Fence By-law 2002-0060, as amended at 35 Preston Street, (Georgetown) Town of Halton Hills

RECOMMENDATION:

THAT Report No. ADMIN-2022-0032 dated June 13, 2022 regarding a request from Property Owner of 35 Preston Street for a variance to the Fence By-law 2002-0060, as amended is received;

AND FURTHER THAT the fence variance contained in Report No. ADMIN-2022-0032

a) be granted to Property Owner, 35 Preston Street, as requested;

OR

b) be granted to Property Owner, 35 Preston Street, with conditions as set out in the decision of Council;

OR

c) not be granted to Property Owner, 35 Preston Street

KEY POINTS:

The following are key points for consideration with respect to this report:

- The Fence By-law defines a Fence to include a railing, wall, line of posts, wire, gate, boards, pickets, privacy screens or other similar substances, used to enclose or divide in whole or in part a yard or other land or to provide privacy.

- The Fence By-law defines a Privacy Screen as a visual barrier used to shield any part of a Yard from view from any adjacent Lot or Highway.
- The applicant is requesting to raise the fence height in the side and rear yards to a maximum height of 2.4 metres (8 feet)
- The rear yard grade is raised with a 1.5 to 2 ft slope from the center of the rear yard to the fence line, therefore current 7ft fence does not provide adequate privacy.

BACKGROUND AND DISCUSSION:

The municipality has enacted legislation that controls the height of fences within the municipality, under the authority of the *Municipal Act, 2001*. The property owner of 35 Preston Street is seeking relief from the by-law which restricts the height of a fence in the front, side, and rear yards. The height of a fence in rear or side yard cannot exceed 2.14 metres (7 feet) in height.

An inspection of the property was performed on June 10, 2022, which identified the 1.5 to 2 ft slope/drop in grade in the rear yard and therefore not providing adequate privacy.

The variance is described in the following table:

By-law Requirement	Variance Requested	Reason for Variance
The maximum height of a fence in the side and rear yard is 2.13 metres (7 feet).	To permit a fence in the exterior side yard interior side yard, and rear yard to a maximum of 2.4 metres (8 ft) in height above effective grade.	To maximize privacy for the applicant's rear yard.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Notification of this request has been sent to the adjacent properties. Staff will notify Council should any comments be received.

INTERNAL CONSULTATION:

No internal consultation was required in preparation of this report.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Susie Spry, Manager of Enforcement Services

Valerie Petryniak, Town Clerk & Director of Legislative Services

Chris Mills, Chief Administrative Officer