



## REPORT

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**TO:** Mayor Bonnette and Members of Council

**FROM:** Leon Chatoori, Municipal Law Enforcement Officer

**DATE:** June 13, 2022

**REPORT NO.:** ADMIN-2022-0033

**SUBJECT:** Request from Property Owner of 42 Hillside Drive for a variance to the Fence By-law 2002-0060, as amended at 42 Hillside Drive, (Georgetown) Town of Halton Hills

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### RECOMMENDATION:

THAT Report No. ADMIN-2022-0033 dated June 13, 2022 regarding a request from Property Owner of 42 Hillside Drive 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-2022-0033

a) be granted to Property Owner, 42 Hillside Drive, as requested;

OR

b) be granted to Property Owner, 42 Hillside Drive, with conditions as set out in the decision of Council;

OR

c) not be granted to Property Owner, 42 Hillside Drive

### 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 a height variance to the interior side yard to construct a wood fence to a height of 2.4 metres (8 feet) and in the front yard a wood fence to a height of 1.8 metre (6 feet).
- There is an existing chain link fence along the interior side yard.
- Applicant resides next to a medical lab and Georgetown Hospital with an existing chain link fence that 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 42 Hillside Drive 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 a side yard cannot exceed 2.14 metres (7 feet) in height.

An inspection of the property was performed on June 13, 2022, which identified the lack of privacy in the side and rear yard area due to chain link fence. Anyone one attending the hospital or medical lab has a clear view into applicants rear yard.

The variances are described in the following table:

<b>By-law Requirement</b>	<b>Variance Requested</b>	<b>Reason for Variance</b>
The maximum height of a fence in the side and rear yard is 2.13 metres (7 feet).	To permit a fence in the interior side yard to a maximum of 2.4 metres (8 ft) in height above effective grade.	To maximize privacy as the property is located adjacent to the medical building and hospital grounds.
The maximum height of a fence in the front yard is 0.9 metres (3 feet) for closed construction and 1.71 metres for open construction.	To permit a fence in the front yard to a maximum height of 1.8 metres (6 feet) for a distance of approximately 13.3 metres (43.6 feet)	

**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