



REPORT

TO: Mayor Bonnette and Members of Council

FROM: Leon Chatoori, Municipal Law Enforcement Officer

DATE: September 8, 2022

REPORT NO.: ADMIN-2022-0043

SUBJECT: Request from Property Owner of 12 Campbell Court for a variance to the Fence By-law 2002-0060, as amended at 12 Campbell Court, (Acton) Town of Halton Hills

RECOMMENDATION:

THAT Report No. ADMIN-2022-0043 dated September 8, 2022 regarding a request from Property Owner of 12 Campbell Court 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-2021-0054

a) be granted to Property Owner, 12 Campbell Court, as requested;

OR

b) be granted to Property Owner, 12 Campbell Court, with conditions as set out in the decision of Council;

OR

c) not be granted to Property Owner, 12 Campbell Court

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 increase the height of the fence by 1 foot (0.3m) along the rear lot line only.
- The applicant’s property backs on to Regional Road 25 and is directly across from the entrance to the loading docks of Superior Glove.
- Increasing the height of the fence will provide additional privacy and reducing noise caused by the deliveries and passing traffic.

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 12 Campbell Court 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 the rear yard cannot exceed 2.14 meters (7 feet) in height.

An inspection of the property was performed on September 8, 2022, which identified a 2.14 metre wood fence. The applicant is requesting to extend the newly erected board fencing to include 1 foot of lattice along the top of each panel. Upon inspection, the loading docks for Superior Glove were observed directly across from the rear of the property. The applicant is concerned with the lack of privacy from the transport trucks turning into the commercial business and with the level of noise from Regional Road 25.

The variance is described in the following table:

By-law Requirement	Variance Requested	Reason for Variance
The maximum height of a fence in the rear yard is 2.13 metres (7 feet).	To permit a fence in the rear yard to a maximum of 2.4 metres (8 feet) in height above effective grade.	To maximize privacy and reduce noise in the rear yard of the property.

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:

Public Engagement was not needed as this report is administrative in nature.

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











