



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Orlando Donato, Senior Municipal Law Enforcement Officer

DATE: April 4, 2023

REPORT NO.: ADMIN 2023-014

SUBJECT: Request from the property owner at 226 Main St S. (Acton) for a variance from the Fence By-law 2002-0060 as amended at 226 Main St S. (Acton) Town of Halton Hills

RECOMMENDATION:

THAT Report No. ADMIN-2023-014 dated April 4, 2023 regarding a request from Property Owner of 226 Main St S. 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-2023-014

a) be granted to Property Owner, 226 Main St S, as requested;

OR

b) be granted to Property Owner, 226 Main St S, with conditions as set out in the decision of Council;

OR

c) not be granted to Property Owner, 226 Main St S.

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 height variance to the front yard to maintain and construct a fence of 1.8 meters (6 feet)
- There is currently an existing 6 feet wood fence located in the front yard area.
- The increase in traffic and noise due to population growth and expansion of logistic companies along Highway 25 has prompted this request.

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 226 Main St S 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 front or side yard cannot exceed .9 meters (3 feet) in height.

An inspection of the property was performed on April 3, 2023, which identified the lack of privacy in front yard due to noise caused by traffic.

The variance is described in the following table:

By-law Requirement	Variance Requested	Reason for Variance
The maximum height of a fence in the front yard is 0.9 metres (3 feet).	To permit a fence in the front yard to a maximum of 1.8 metres (6 feet) in height above effective grade.	To maximize the privacy and reduce noise for the applicants in the front yard area 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 the 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





