



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Leon Chatoori, Municipal Law Enforcement Officer

DATE: June 2, 2023

REPORT NO.: ADMIN-2023-022

SUBJECT: Request from Property Owner of 1 James Young Drive for a variance to the Fence By-law 2002-0060, as amended at 1 James Young Drive, (Georgetown) Town of Halton Hills

RECOMMENDATION:

THAT Report No. ADMIN-2023-022 dated June 2, 2023 regarding a request from Property Owner of 1 James Young 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-2023-022

a) be granted to Property Owner, 1 James Young Drive, as requested;

OR

b) be granted to Property Owner, 1 James Young Drive, with conditions as set out in the decision of Council;

OR

c) not be granted to Property Owner, 1 James Young 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 variance to replace the existing wood fence located in the exterior side yard and rear yard to a board-on-board wood fence of 2.7 metres (9 feet) or 2.4 metres (8 feet)
- The rear yard is currently enclosed with a wood fence measuring 2.14 metres (7 foot) in height along the rear and side lot lines.
- The applicant is requesting the variance to improve privacy and reduce noise from vehicular traffic
- Applicant's property is a corner lot which backs onto town property at the north east corner of Barber Drive and Argyll Road.

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 1 James Young 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 rear or side yard cannot exceed 2.14 metres (7 feet) in height.

An inspection of the property was performed on May 29th, 2023, which identified the high volume of traffic within the area. In addition, the applicant has a raised deck in the rear yard which is not screened by the existing fence reducing the applicants' 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 side yard and rear yards to a maximum of 2.7 metres (9 feet) or to a minimum of 2.4 metres (8 ft) in height above effective grade.	To maximize privacy in the rear yard for the applicants and to reduce noise emissions from vehicular traffic.

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

Photos









