



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Lawlor and Members of Council

FROM: Leon Chatoori, Municipal Law Enforcement Officer

DATE: September 20, 2023

REPORT NO.: ADMIN-2023-027

SUBJECT: Request from Property Owner of 19 Chantelay Cres for a variance to the Fence By-law 2002-0060, as amended at 19 Chantelay Cres, (Georgetown) Town of Halton Hills

RECOMMENDATION:

THAT Report No. ADMIN-2023-027 dated September 20, 2023 regarding a request from Property Owner of 19 Chantelay Cres 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-2023-027

a) be granted to Property Owner, 19 Chantelay Cres, as requested;

OR

b) be granted to Property Owner, 19 Chantelay Cres, with conditions as set out in the decision of Council;

OR

c) not be granted to Property Owner, 19 Chantelay Cres

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 construct and maintain a wood fence measuring 2.7 meters (9 feet) along the rear lot line only.
- At the time of this application, there was not an existing fence along the rear lot line. There is a chain link fence along both side lot lines. The property owner is in the process of installing an inground pool with an approved pool enclosure permit.
- The applicant's property backs onto Trafalgar Road which has high levels of traffic during the day and evening hours.

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 19 Chantelay Crescent 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 or side yard cannot exceed 2.14 meters (7 feet) in height.

An inspection of the property was performed on September 6th, 2023, which identified the high volume of traffic on Trafalgar.

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 meters (7 feet).	To permit a fence in the rear yard, along the rear lot line only to a maximum of 2.7 meters (9 feet) in height above effective grade.	To maximize privacy as well as to reduce the noise and lighting in the rear yard for the applicants.

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













