



## REPORT

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

**REPORT FROM:** Susie Spry, Municipal Law Enforcement Officer

**DATE:** June 25, 2018

**REPORT NO.:** ADMIN-2018-0023

**RE:** Request from Erin Gray for a variance to the Fence By-Law 2002-0060, as amended at 109 John Street, Town of Halton Hills

### RECOMMENDATION:

THAT Report No. 2018-0023 regarding a request from Erin Gray for a variance to the Fence By-Law 2002-0060 as amended, at 109 John Street, Town of Halton Hills be received;

AND FURTHER TO THAT the fence variance in Report No. 2018-0023

a) be granted to Erin Gray, 109 John Street, as requested;

OR

b) be granted to Erin Gray, 109 John Street, with conditions as set out in the decision of Council;

OR

c) not be granted to Erin Gray, 109 John Street

### BACKGROUND:

The municipality has enacted legislation that controls the height of fences within the municipality, under the authority of the Municipal Act, 2001. Erin Gray, property owner of 109 John Street, is seeking relief from the by-law which restricts the height of a fence in the front yard to not exceed 0.9 metres (3 feet) in height. The owner proposes a 2.13 metres (7 foot) solid wood privacy fence.

**COMMENTS:**

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) in height.	To permit a 2.13 metres (7 foot) fence that extends into the front yard from the exterior side yard.	Construction will begin in late 2018/2019 to erect a Seniors residence behind the applicant's property and the fence is necessary to provide privacy and noise reduction from the underground parking to be built directly beside the property.

The subject property is zoned MDR1. It is a single family dwelling townhouse located on the north side of John Street. The properties adjoining this property to the west are also single family dwelling townhouses. The adjacent property to the east is a multi-residential high rise with six (6) floors.

Attached for Council's information, are copies of:

- GIS Map indicating subject property (Appendix A)
- The completed Variance Application (Appendix B)

**RELATIONSHIP TO STRATEGIC PLAN:**

The report is operational in nature and has no direct link to the Strategic Plan.

**FINANCIAL IMPACT:**

There is no financial impact associated to this report.

**CONSULTATION:**

Town of Halton Hills Engineering staff was consulted regarding safety concerns and sight line obstructions. No traffic or safety concerns were found.

**PUBLIC ENGAGEMENT:**

This is a by-law matter where no public engagement is required.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report (advances, does not advance, is not applicable to) the Strategy's implementation.

This report supports the (choose one or more) pillar(s) of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is (Good, Excellent). *If paragraph 2 is not applicable then remove this paragraph.*

**COMMUNICATIONS:**

The applicant has been informed of the Council meeting date, time and location and will be notified of Council's decision.

**CONCLUSION:**

The Town of Halton Hills By-Law 2002-0060 regulates fences. A fence with a maximum allowable height of 0.9 metres in the front yard is permitted on this property. The applicant is requesting to build a 2.13 metres (7 foot) fence in a portion of the front yard.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Suzanne Jones". The signature is written in a cursive, flowing style.

Suzanne Jones, Clerk & Director of Legislative Services

A handwritten signature in black ink, reading "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, CAO