



## **REPORT**

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

**REPORT FROM:** Susie Spry, Supervisor of Enforcement Services

**DATE:** September 8, 2020

**REPORT NO.:** ADMIN-2020-0030

**RE:** Request from Property Owner of 10 Henry Street for a variance to the Fence By-law 2002-0060, as amended at 10 Henry Street, (Georgetown) Town of Halton Hills

### **RECOMMENDATION:**

THAT Report No. ADMIN-2020-0030 dated September 8, 2020 regarding a request from Property Owner of 10 Henry Street 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-2020-0030;

a) be granted to Property Owner, 10 Henry Street, as requested;

OR

b) be granted to Property Owner, 10 Henry Street, with conditions as set out in the decision of the Council;

OR

c) not be granted to Property Owner, 10 Henry Street.

### **BACKGROUND:**

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 10 Henry Street, 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 a rear or side yard cannot exceed 2.14 metres (7 feet) in height.

On May 25, 2020, Council approved a fence variance request from Property Owner of 10 Henry Street allowing a 2.43 metre (8 feet) fence along the rear and side yards. The property owner of 10 Henry Street is now seeking further relief from the by-law and proposing to increase the height of the fence to 3.65 (12 feet) in height along the rear lot line only. The request for a second fence variance was received on September 4, 2020 along with complaints to enforcement services for a fence exceeding 12 feet in height at this location.

An inspection of the property was performed on September 8, 2020 which identified 4 sections of fencing (32 feet) measuring at 3.65 metres (12 feet) in height. The property owner of 10 Henry Street advised staff the proposal includes an additional 50 feet of fencing at 3.65 metres (12 feet) totaling approximately 80 feet of fencing along the rear lot line at 3.65 metres (12 feet). However, based on observations of the existing posts, it appears the length of fence along the rear lot line that will be built to a height of 3.65 metres (12 feet) is closer to 104 feet in length.

**COMMENTS:**

A map indicating the location of the subject property is attached.  
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).  A variance was previously granted for this property for a maximum height of 2.43 metres (8 feet) in height.	To permit a fence in the rear yard of 3.65 metres (12 feet) in height above effective grade.	To maximize privacy that is compromised due to adjacent residential properties location on a steep grade higher than the applicants property.

**RELATIONSHIP TO STRATEGIC PLAN:**

This 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:**

The applicant and traffic services were consulted in preparation of this report.

**PUBLIC ENGAGEMENT:**

Public engagement is not applicable in this matter.

**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 is not applicable to the Strategy's implementation.

**COMMUNICATIONS:**

The applicant has been informed of the Council meeting, date, time and location and given access to a copy of the report prior to the day of the meeting. The applicant will be notified of Council's resolution in writing.

**CONCLUSION:**

The Town of Halton Hills By-law 2002-0060, as amended regulates fences. The applicant is requesting to build a 3.65 metres (12 feet) wood privacy fence along the rear lot line.

Reviewed and Approved by,

A handwritten signature in cursive script, appearing to read 'Suzanne Jones'.

Suzanne Jones, Clerk & Director of Legislative Services

A handwritten signature in cursive script, appearing to read 'C. Mills'.

Chris Mills, Acting Chief Administrative Officer