

STAFF REPORT: BUILDING & BY-LAW DEPARTMENT



REPORT TO: Council
MEETING DATE: July 4, 2007
REPORT NO.: SRB.07.24
SUBJECT: Fence Variance
209507 Highway #26
PREPARED BY: D. Finbow, Director Bldg & B/L

A. Recommendations

THAT Council receive Staff Report No. SRB.07.24 for information purposes and approve a variance to the Fence By-law so as to permit a 2.0 metre high fence in the front yard of 209507 Highway #26 (Lot 44, Plan 320) with such fence to be erected in accordance with the MTO Fence Permit.

B. Background

1. The Town is in receipt of a request to vary the Fence By-law so as to permit a 2.0 metre high fence in the front yard of the premises known municipally as 209507 Highway #26.
2. Fence By-law No. 2003-14, as amended, restricts the height of a fence in a front yard to 1.0 metre and 2.0 metres elsewhere.
3. The subject dwelling is in close proximity to the traveled portion of the highway and the owner is desirous of a 2.0 metre high fence so as to mitigate noise and to provide a higher level of safety for young children occupying the premises.
4. The intent of the 1.0 metre fence height restriction in the front yard was to protect the streetscape. Further, during the public meeting process, interest was expressed by the public with respect to protecting views of Nottawasaga Bay where possible.
5. Given that the subject property abuts Highway #26, a Ministry of Transportation Fence Permit is required. In this regard, attached is a copy of the MTO Permit.
6. Given the proximity of the dwelling to the highway, a fence not exceeding 2.0 metres in height in the front yard is seen by Staff as being desirable to mitigate noise from the highway and, a fence of any sort in the front yard for "containment" purposes is also seen as being desirable.

C. The Blue Mountains' Strategic Plan

N/A

D. Budget Impact

N/A

E. Attached

1. Key Plan
2. Photos – 209507 Highway #26
3. MTO approval.

Respectfully submitted,