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**Western Region Community Council  
June 26, 2006**

**TO:** Western Region Community Council

**SUBMITTED BY:**   
Paul Dunphy, Director of Planning & Development Services

**DATE:** June 6, 2006

**SUBJECT:** Fence Permit Application - 83 Silver Maple Drive, Timberlea

**ORIGIN**

Fence Permit Application # 73821, 83 Silver Maple Drive, Timberlea

**RECOMMENDATION**

It is recommended that Western Community Council authorize staff to issue a Permit to erect the Fence at 83 Silver Maple Drive, Timberlea.

**BACKGROUND**

A complaint regarding the erection of a fence at 83 Silver Maple Drive was received. Upon investigation, the Building Official found the fence constructed and directed the owner to make an Application for a Permit.

A Permit Application has been received to construct an 8' high fence at 83 Silver Maple Drive, Timberlea. In accordance with section 10(2) of By-Law B-201 Respecting the Building Code, fences exceeding 6.5 feet in height are required to be approved by Community Council (Attachment A).

**DISCUSSION**

A fence of approximately 7 feet in height has been constructed along the property between 83 Silver Maple Drive and 48 Sugar Maple Drive. The fence is approximately 12" from the property line and is approximately 43 feet in length. (Attachment B) It is constructed of 7' high boards on 2"x4" horizontal supports fastened to 4"x4" wood posts in concrete cylinders. A 12" high lattice extension is proposed for addition at the top of the fence. The resulting total height will be 8'-0" (96"). (Attachment C)

Confirmation of structural adequacy has been received from a Professional Engineer as per Sentence 4 (1) (d) of By-Law B-201 Respecting the Building Code.

**BUDGET IMPLICATIONS**

There are no budget implications.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

1. Community Council can approve the application to issue a Construction Permit (#73821) for a fence in excess of 6.5 feet at 83 Silver Maple Dr, Timberlea; or
2. Community Council can deny the application, whereby the Building Official will Order the fence to be reduced to 6.5 feet in height.

**ATTACHMENTS**

Attachment A - Section 10 Building by-Law B-201

Attachment B - Location Plan

Attachment C - Construction details of fence

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: [Steve Misner, Building Official, Phone 490-2644]

Report Reviewed by: [Rick Brown, Supervisor - Permits & Inspections Western Region, Phone 490-4465]

# ATTACHMENT A

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(3) A temporary building shall be removed immediately upon expiration of the occupancy permit.

(4) An occupancy permit required by subsection (2) shall be issued provided that no unsafe condition exists with respect health and life safety.

## **Location Certificates**

9. (1) A location certificate shall be provided for every new building except a building which is accessory to a single unit dwelling, semi-detached dwelling, or townhouse.

(2) The authority having jurisdiction may require a location certificate for additions or accessory buildings where the proposed construction is within 10 feet of the property line in order to be satisfied that the construction complies with the provisions of the Land-use bylaw and Building Code.

(3) A location certificate may be waived by the building inspector for a building outside the serviceable area where the lot area is greater than three acres.

(4) Unless stated on the building permit, the location certificate must be approved before a foundation inspection will be carried out and any framing is permitted to take place above the foundation.

## **Fences**

10. (1) No person shall erect a fence more than 6.5 feet in height without first obtaining a permit therefore.

(2) Where a fence for which a permit is required separates a property containing a residential use from another property, the permit application shall be approved by the local Community Council.

(3) The municipality shall serve notice on the adjacent property owners at least 14 days in advance of the meeting of the local Community Council, at which time, the public may speak to the application.

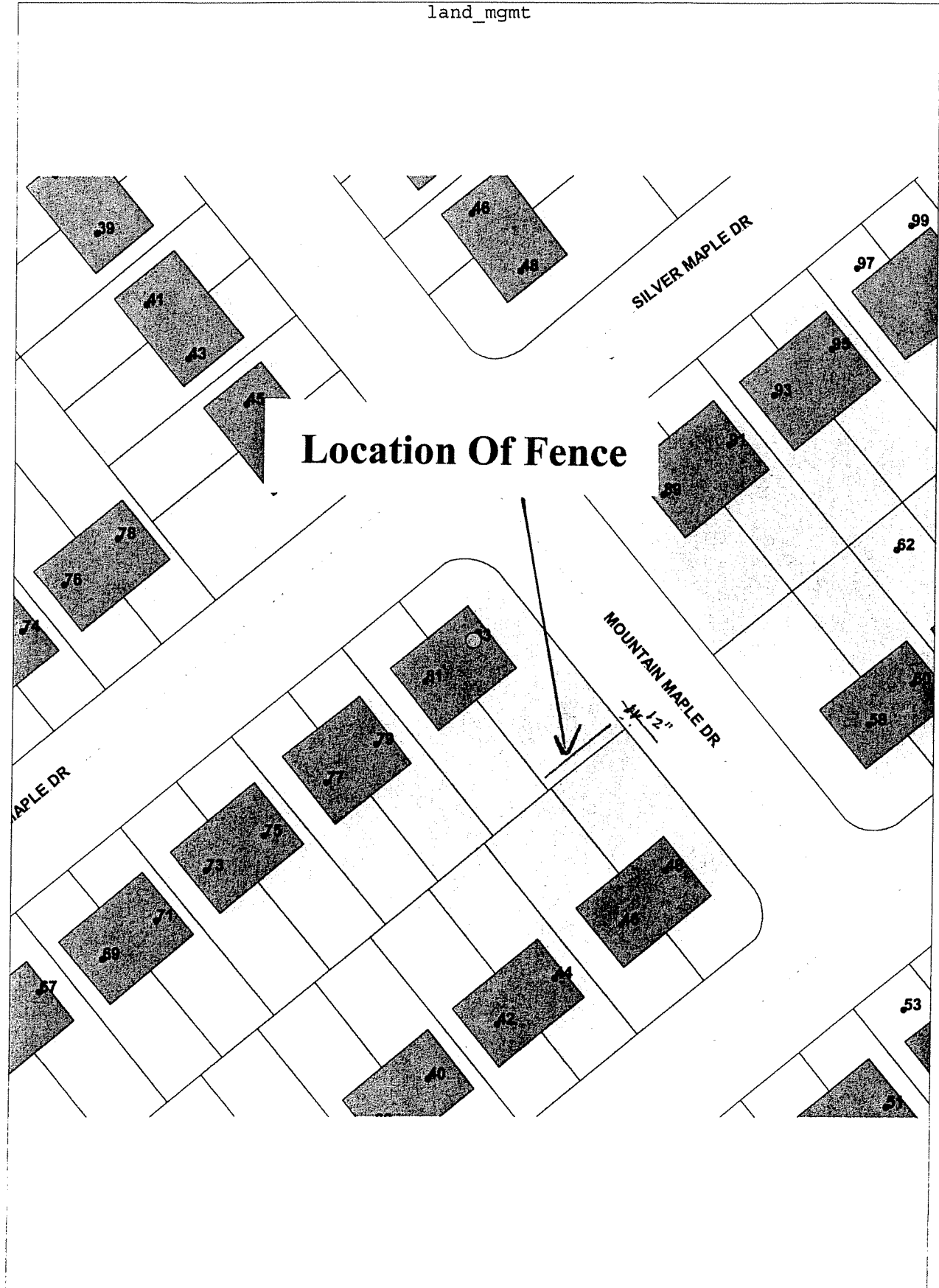
(4) If approved by Community Council, the permit shall be issued by the authority having jurisdiction within five business days.

## **Inspections**

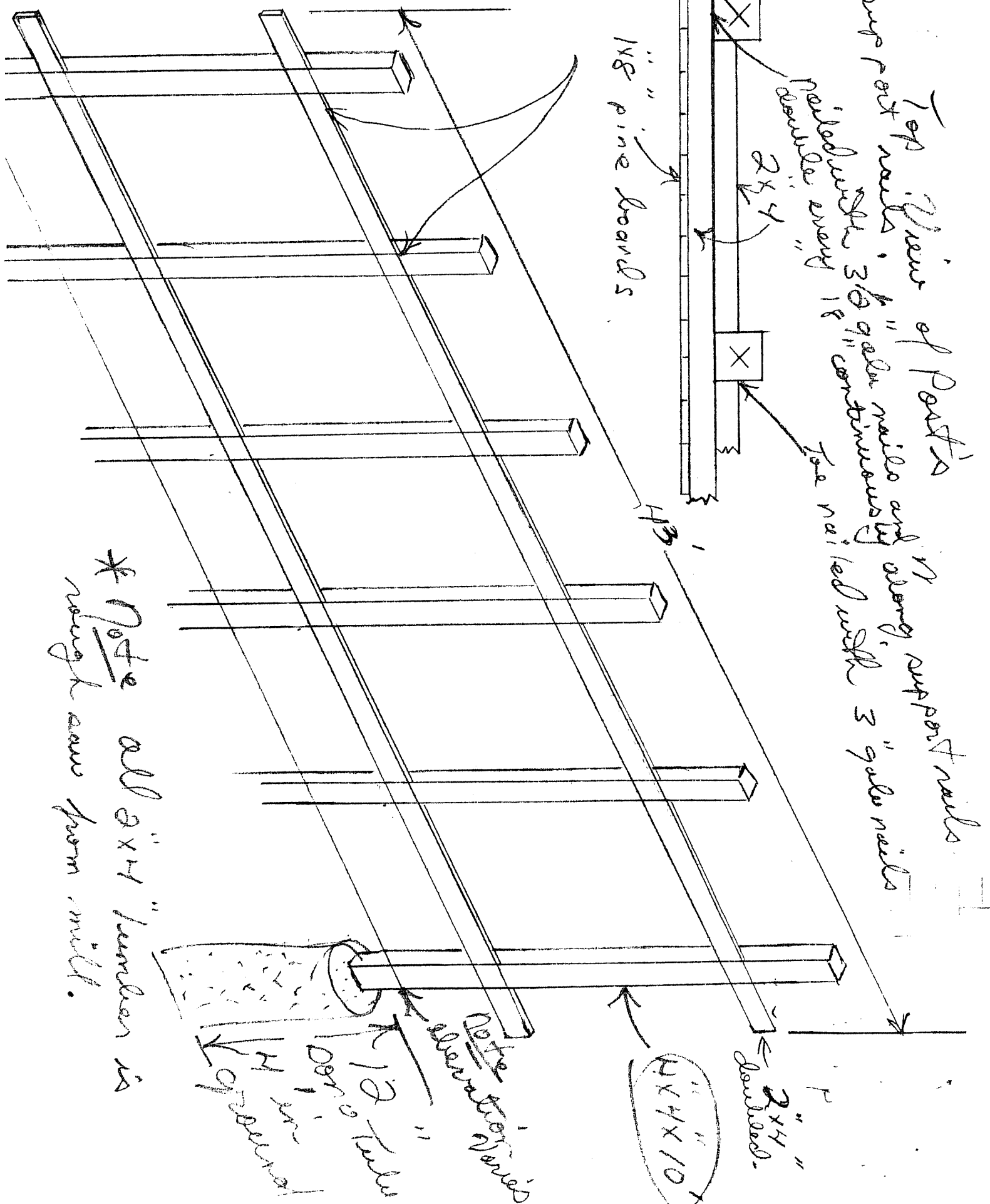
11. In addition to any inspections specified on the building permit, the owner shall notify the authority having jurisdiction to inspect work outside the scope of Part 9 of the Code for compliance with the Code at the following stages of construction:

(a) once the foundation is placed, but before commencement of the superstructure

# ATTACHMENT B



# ATTACHMENT C



Top 2 lines of Posts  
 and support nails 1" along support nails  
 Nailed with 3/8" galv nails continuously  
 down every 18" continuous  
 Top nailed with 3/8" galv nails

1x8 pine boards

2x4

1 1/2"

2x4  
 double

4x4x10

Post  
 elevation  
 Nails

1 1/2" dia

14" dia  
 14" dia

\* Note all 3x4 lumber is  
 rough saw from mill.