

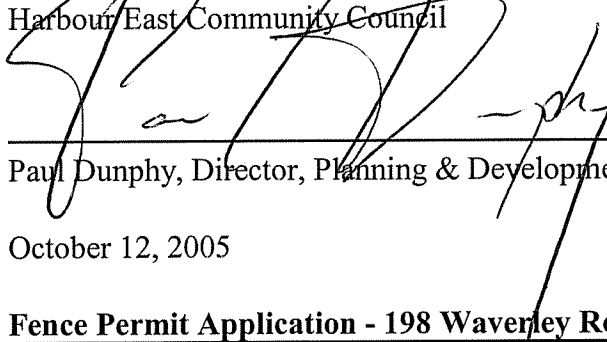
2



PO Box 1749
Halifax, Nova Scotia
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Harbour East Community Council
October 18, 2005

TO: Harbour East Community Council

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

DATE: October 12, 2005

SUBJECT: Fence Permit Application - 198 Waverley Road, Dartmouth

ORIGIN

Construction Permit application by J&W Whebby Enterprises Limited - Sept. 23, 2005.

RECOMMENDATION

It is recommended that Harbour East Community Council approve the application to issue a Construction Permit for a fence in excess of 6.5 feet at 198 Waverley Road, Dartmouth.

BACKGROUND

This report deals with a Construction Permit application to construct a 12 foot fence at 198 Waverley Road, Dartmouth. The proposed fence will be constructed on the side property line adjacent to residential properties of Mic Mac Drive, Dartmouth. The proposed fence is 120 feet in length and 12 feet in height (see Attachments A and B).

DISCUSSION

Fences exceeding 6.5 feet in height require approval by Community Council in accordance with Section 10 (2) of the Building By-Law B-201(see Attachment C).

198 Waverley Road is a commercial property adjacent to two residential properties, 47 Bonita Drive and 13 Mic Mac Drive. Owners of the adjacent residential properties have frequently complained about the appearance of the commercial property. Local residential property owners have advocated for the construction of a fence to reduce visibility of the commercial site. The proposed fence provides appropriate privacy from the residential area.

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

Harbour East Community Council can:

- (a) approve the application to issue a Construction Permit for a fence in excess of 6.5 feet at 198 Waverley Road, Dartmouth. This is the staff recommendation.
- (b) deny the application.

ATTACHMENTS

- Attachment A - Plan of subject property
- Attachment B- Construction details of the proposed fence
- Attachment C - Section 10, Building By-Law B-201

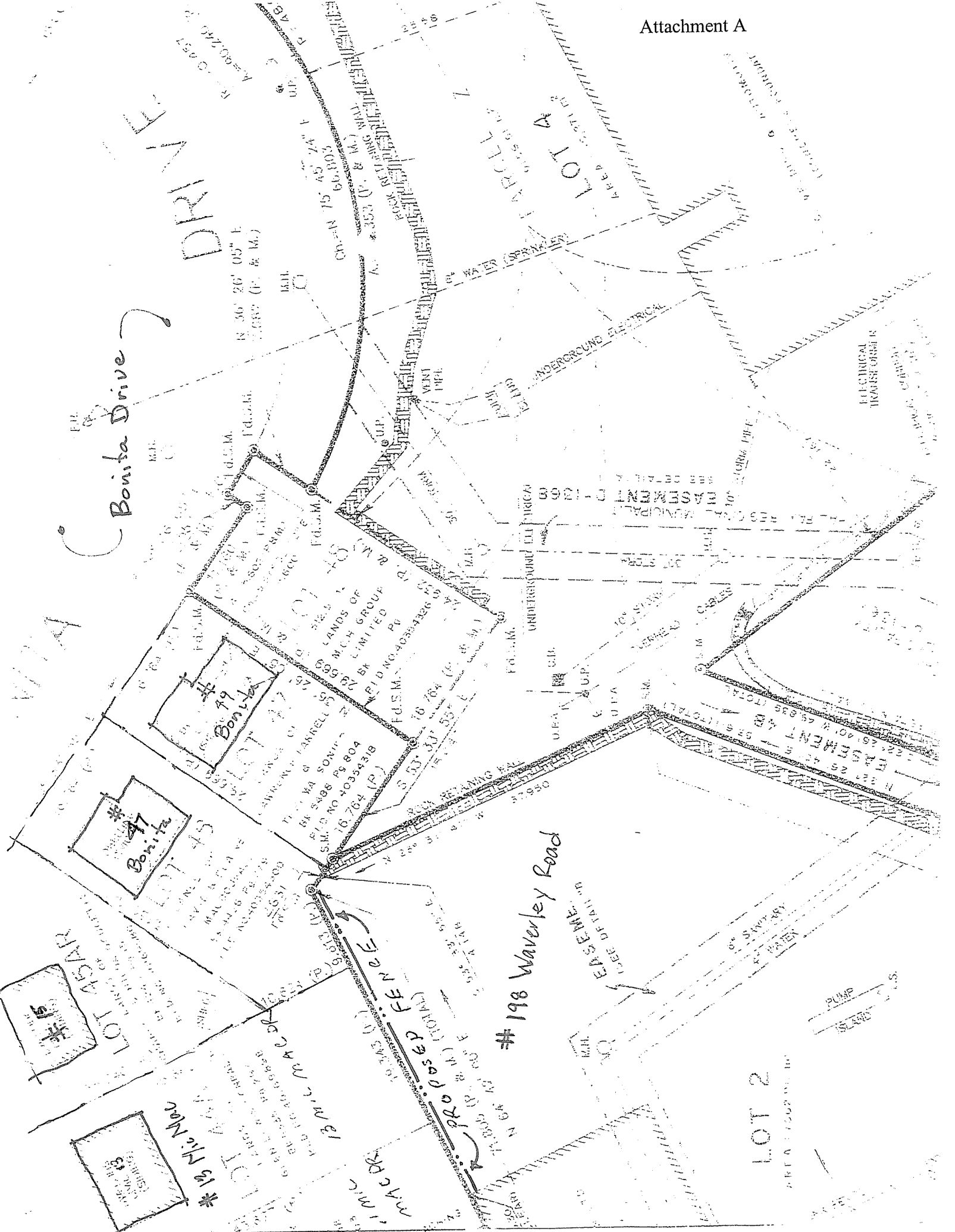
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jim Holt, Supervisor, Permits & Inspections, Phone 490-4478

Report Reviewed by: Jim Donovan, Acting Manager, Permits & Inspections, 490-6224

Bonita Drive

198 Waverley Road

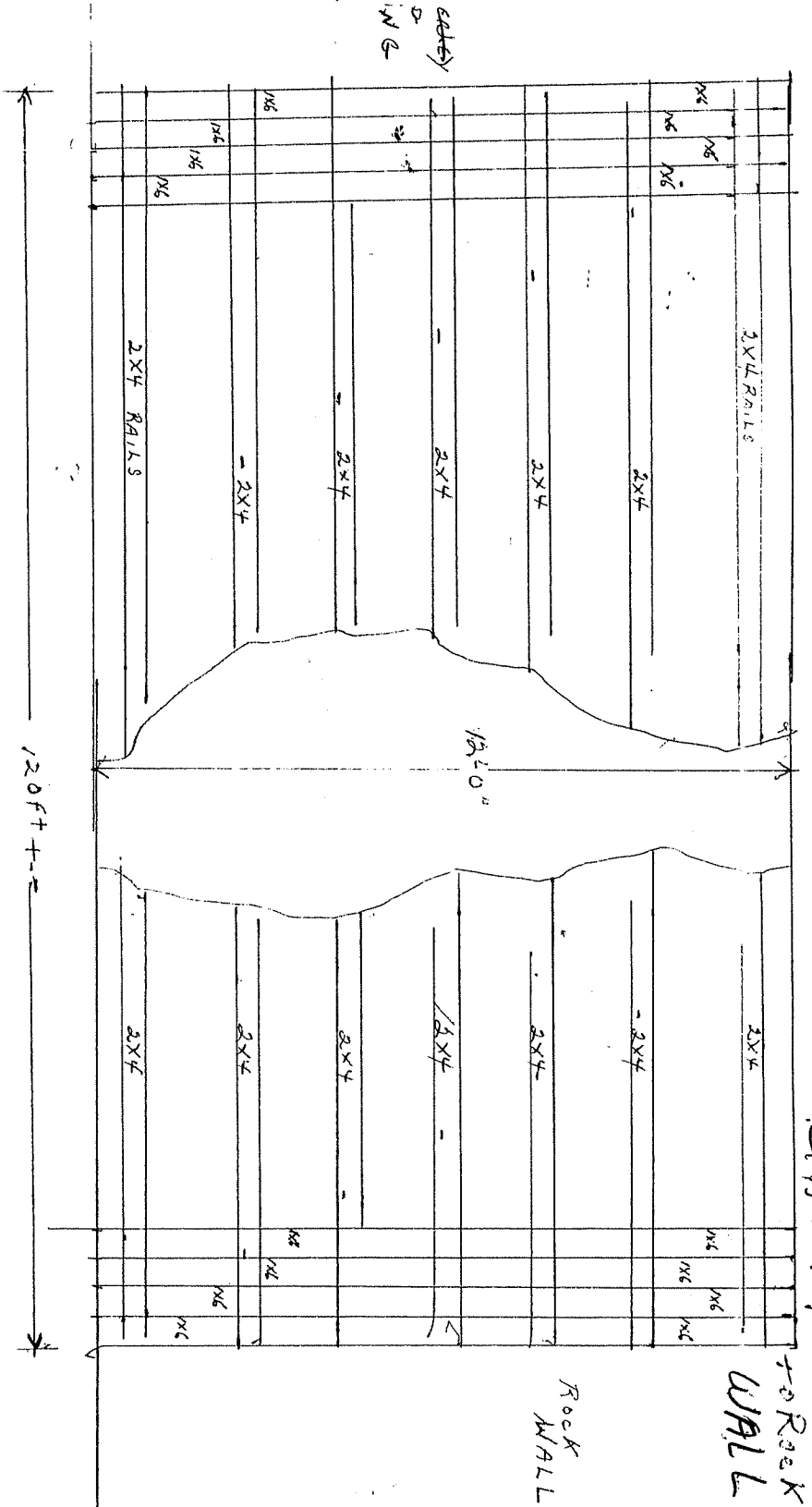


BRACE TOP OF FENCE
TO BUILDING

198
WALLEY
ROAD
BUILDING

Proposed Fence 198 WALLEY ROAD 12' HIGH

PROPOSED FENCE 12' HIGH WALLEY ROAD



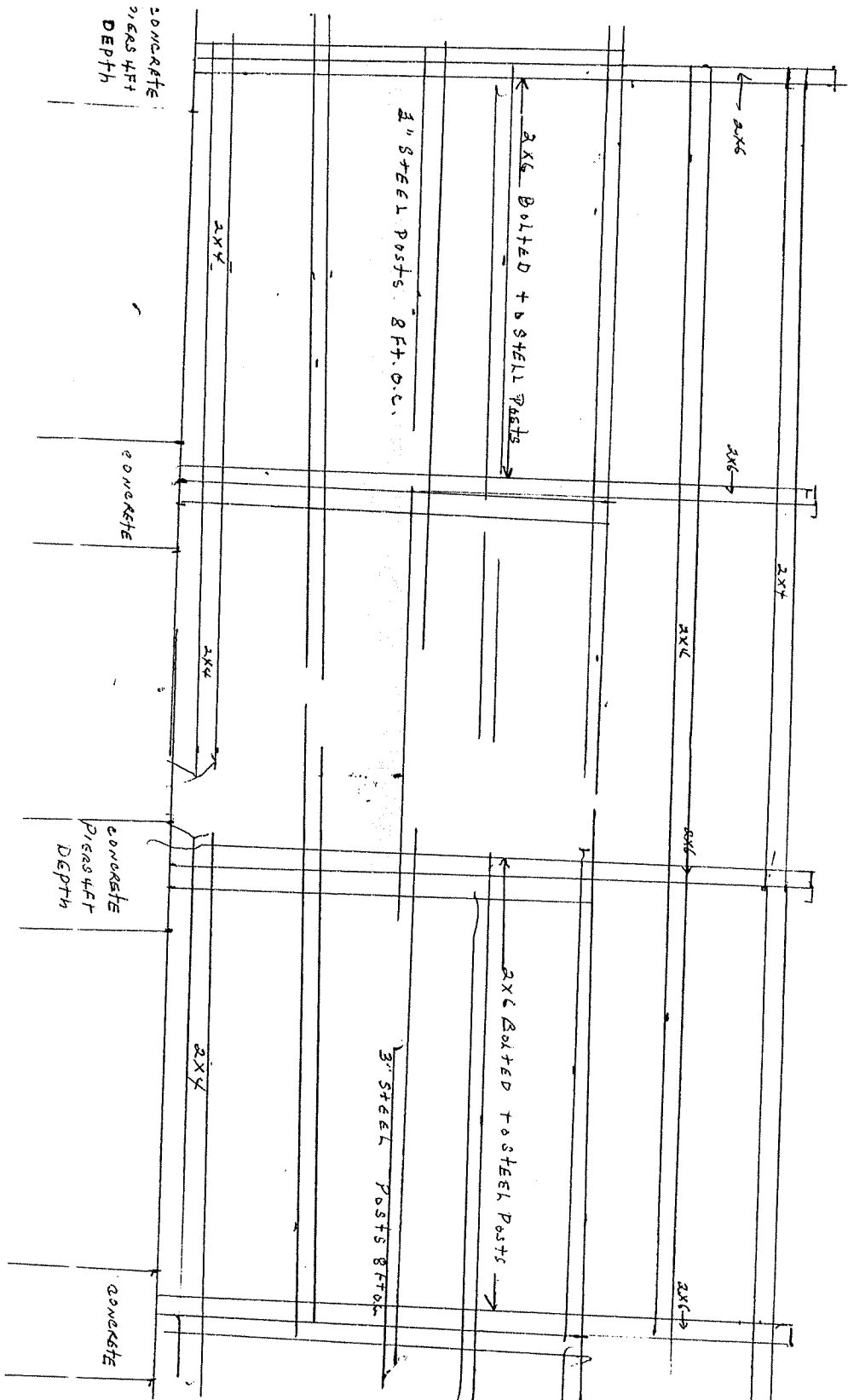
BUILD 12 FT BOARD FENCE OVER EXISTING 8 FT CHAIN LINK FENCE

120ft

198"

Rock WALL

BRACE TOP OF FENCE TO ROCK WALL



CONCRETE
PIERS 4 FT
DEPTH

CONCRETE

CONCRETE
PIERS 4 FT
DEPTH

CONCRETE

2X6

2X6

2X7

2X6

2X6

2X6

2X7

2X6

2X7

2" STEEL POSTS 8 FT. O.C.

2X6 Bolted to Shell Plates

2X6 Bolted to Steel Posts

3" STEEL POSTS 8 FT. O.C.

Attachment C

4

(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