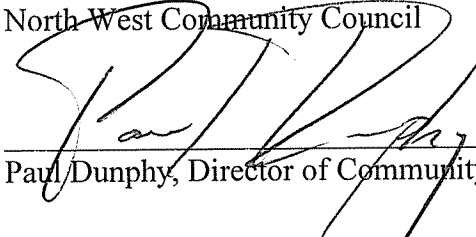




PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Community Council
August 9, 2007

TO: North West Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: July 17, 2007

SUBJECT: Fence Permit Application #85496 - 190 Skyridge Avenue, Lower Sackville

ORIGIN

Permit application by Joseph Sinclair to construct a fence in excess of 6.5 feet.

RECOMMENDATION

It is recommended that North West Community Council approve Permit Application # 85496 for a fence in excess of 6.5 feet at 190 Skyridge Avenue, Lower Sackville.

BACKGROUND

Building By-Law B-201 (see Attachment #1) contains provisions for Community Council to approve the issuance of a Permit for any fence, in excess of 6.5 feet, which separates any property from a residential property.

DISCUSSION

This application is to construct a fence eight feet in height between the subject property and the adjacent property at 186 Skyridge Avenue. The fence will be an extension of an existing fence that currently runs from the rear of the dwelling and encompasses the entire rear yard.

The applicant wishes to construct the fence for privacy purposes as well as protection of vehicles from recreational activities on the driveway at the adjacent property.

The applicant has provided staff with the appropriate engineered design documents and information.

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

Community Council can approve the application as proposed, or deny the application. Denial of the application will result in the property owner amending the application by reducing the proposed fence height to 6.5 feet or less for as of right construction.


ATTACHMENTS

Attachment 1 (Section 10 of By-law B-201 Regarding Fences)
Attachment 2 (Map 1 Site plan)
Attachment 3 (Photograph)

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: Ed Atkinson Acting Supervisor, Permits & Inspections, Phone 869-4007

Report Reviewed by:



Jim Holt Acting Manager, Permits & Inspections

Attachment 1 (Section 10 of By-law B-201 Regarding Fences)

(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

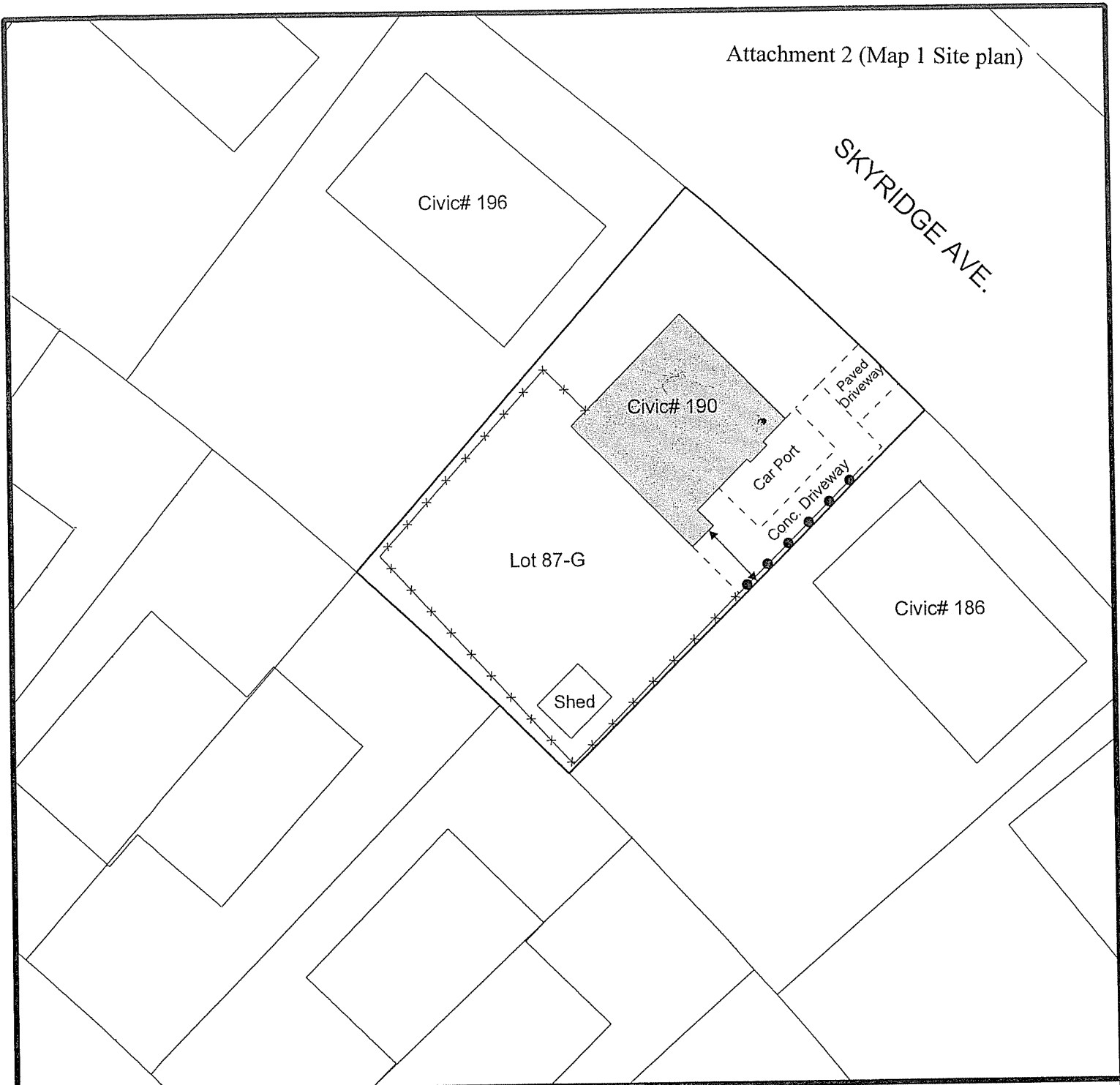
Fence Plans

Minimum Required Information for Building Permit Applications for Fences

The Halifax Regional Municipality Building By-law requires that a Building Permit Application for a fence be accompanied by plans and specifications. Therefore, **three (3) copies** of the following information must be submitted, along with a Building Permit Application, in order to be considered for review. Plans, which may be hand drawn, should also be drawn to scale.

1. **Plot Plans** - In addition to the subject property, a plot plan must show all properties adjacent to the subject property and should include the following information:
 - a) the location of all buildings;
 - b) the location of the proposed fence, including the height at 8' intervals;
 - c) the location and condition of vegetation such as trees, shrubs, flowers, etc;
2. **Construction Details** - Complete construction details of the proposed fence including a Professional Architect's or Engineer's design.
3. **Additional Information**- The authority having jurisdiction may request additional information due to the location of the fence and adjacent properties.

Compliance: It is the responsibility of the applicant to provide enough information for Community Council to make a determination as to the appropriateness of the proposed fence. Should sufficient information not be provided, the processing of the application may be delayed.



Map 1
Permit Number 85496

HALIFAX
REGIONAL MUNICIPALITY
Planning Services

●●●●● Proposed Fence

××××× Existing Fence



Cut # 188

129 1/2"

Cut # 190

98"

100"

