

**REQUEST FOR FENCE HEIGHT EXEMPTION
42 THOMSON CREEK BOULEVARD
WOODBRIIDGE, WARD 2**

(Referred from the Council meeting of January 23, 2006)

Council, at its meeting of January 23, 2006, adopted the following

That this matter be referred to a future Committee of the Whole meeting to allow a meeting with the Ward Councillor and affected parties;

Report of the City Clerk dated January 16, 2006

Recommendation

The City Clerk requests direction on this matter.

Economic Impact

Not Applicable

Purpose

To consider the granting of a fence height exemption pursuant to Section 3.5 of By-Law 80-90.

Background - Analysis and Options

The owner of the above noted property is requesting an exemption to the existing fence height restrictions pursuant to Section 3.5 of By-Law 80-90 to permit the erection of a side yard fence. The by-law permits a fence height of six feet. The applicant has constructed a hot tub and pool in his backyard. The neighbor at 50 Thomson Creek Blvd. has constructed a deck in the side yard of the property approximately three feet in height. Abutting the deck is a fence measuring 7 feet from finished grade. (See Appendix "A") A person standing on the deck has a clear view into the applicant's property.

The applicant is requesting an exemption to permit the construction of the fence in order to gain a sense of privacy when using his hot tub and swimming pool. In addition the increased fence height will provide a degree of safety and security by ensuring that anyone on the deck cannot gain access onto the applicant's property. The proposed fencing will range in height from nine feet to seven feet two inches measured from finished grade. The proposed fencing will be erected wholly on the applicant's property approximately four inches inside the property line.

The first section of fencing will commence at the rear corner of the applicant's property a distance of approximately 14 meters to a point in line with the neighbors existing side yard deck. The height of this portion of fencing will be nine feet. From this point to the end of the property the fence will compliment the existing fence, which measures approximately seven feet two inches in height. Appendix "B" attached hereto outlines the neighbors deck and the proposed fencing. Appendix "C" depicts the type of fencing to be erected.

Relationship to Vaughan Vision 2007

The request is consistent with Section 1.0 – Service Delivery Excellence, sub-section 1.1.2. the review of community designs to ensure enhanced safety standards.

Conclusion

Council direction is required on the fence height exemption request.

Attachments

Appendix "A"- Photograph of existing deck at 50 Thomson Creek

" B"- Survey showing 42 and 50 Thomson Creek with existing structures.

" C"- Proposed fence type.

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits
Insurance-Risk Management

Respectfully submitted,

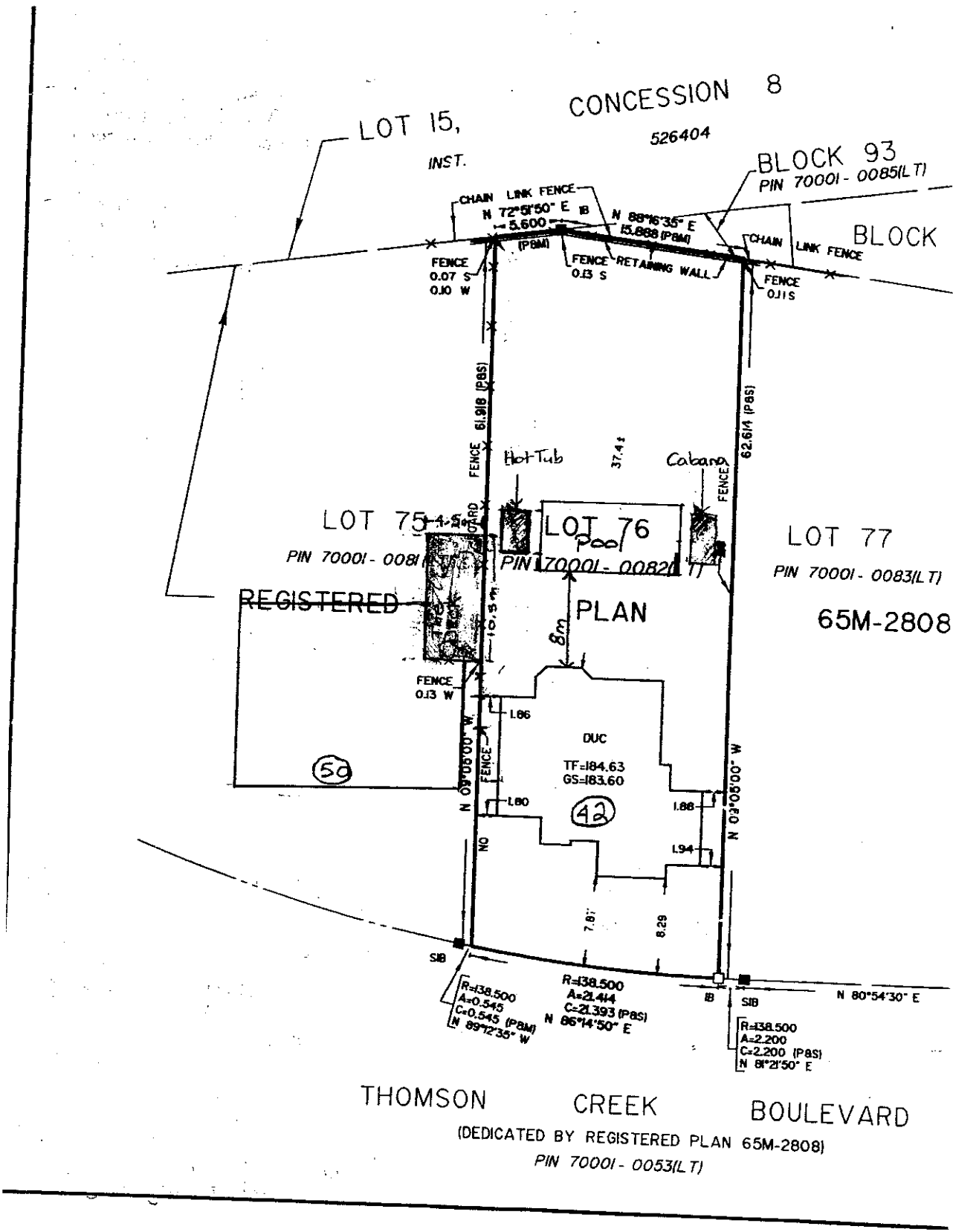
John D. Leach
City Clerk

Figure 1

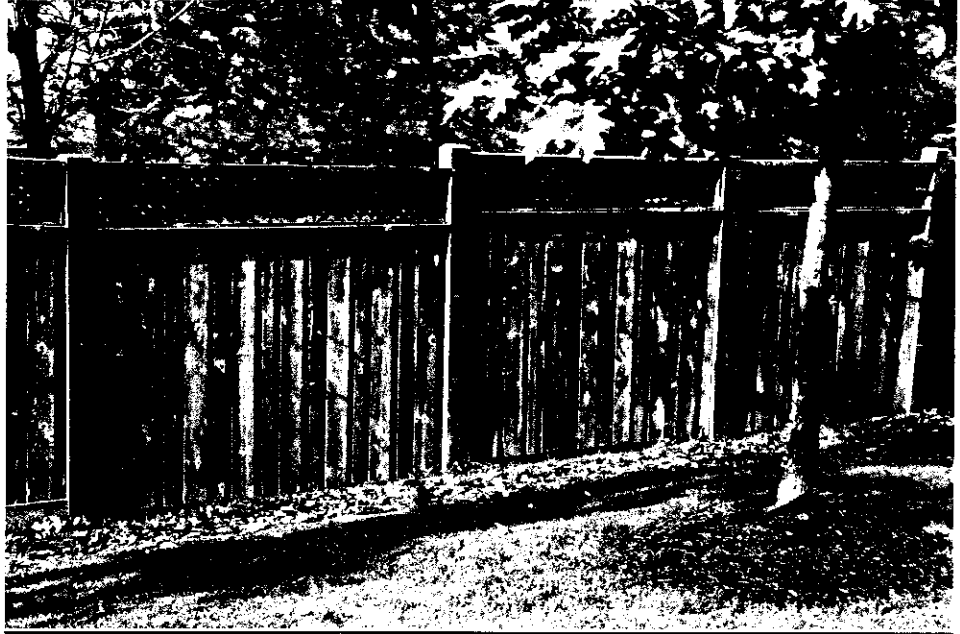


APPENDIX "A"

Figure 3



Schedule D.2



Proposed Fence will follow this design.

APPENDIX "C"