

## COMMITTEE OF THE WHOLE - NOVEMBER 5, 2007

### FENCE HEIGHT EXEMPTION 31 SADOT COURT - WARD 4

#### Recommendation

The Director of Enforcement Services recommends:

That the fence height exemption application for 31 Sadot Court be denied with respect to the lattice panels attached to the pre-existing 7 foot fence.

That the fence height exemption application for 31 Sadot Court be approved to permit the pre-existing 7 foot rear and south interior side yard fence.

#### Economic Impact

N/A

#### Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius and no letters of objection have been received.

#### Purpose

This report is to provide information for the consideration of a fence height exemption application.

#### Background - Analysis and Options

The property owner of 31 Sadot Court has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90, for the property located at 31 Sadot Court.

The Applicant is making application as a result of a neighbourhood complaint.

The By-law permits a fence height of 6 feet in rear yards. The Applicant has installed lattice panels drastically differing in height to the existing 7 foot fence located at the south interior side yard, and also to the existing 6 foot fence on the north interior side yard. The lattice panels range in height from 5 foot 9 inches to 10 feet 2 inches.

The area was inspected by Enforcement Services staff and there are no interior yard fences similar in height in the immediate vicinity. In this area there has been no similar fence height exemptions applied for in recent years.

The Applicant indicates that the pre-existing 7 foot fence along the rear and south interior yard is shared by neighbouring properties and has existed for the past 12 years.

There is no Site Plan registered for this property.

The fence height does not pose a potential sight line or safety issue.

The details outlined above do not support the approval of a fence height exemption for the existing fence with added lattice panels for this location. However, does support the pre-existing 7 foot fence in the rear and south interior side yard.

This application is outside of the parameters of the delegated authority recently passed by Council.

### **Relationship to Vaughan Vision 2007**

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

### **Regional Implications**

N/A

### **Conclusion**

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does not support the approval of a fence height exemption for this location.

### **Attachments**

- 1) Area Map of Surrounding
- 2) Site Plan
- 3) Letter from Applicant (31 Sadot Court)
- 4) Photographs

### **Report prepared by:**

Janice Heron  
Administrative Coordinator  
Enforcement Services Department

Respectfully submitted,

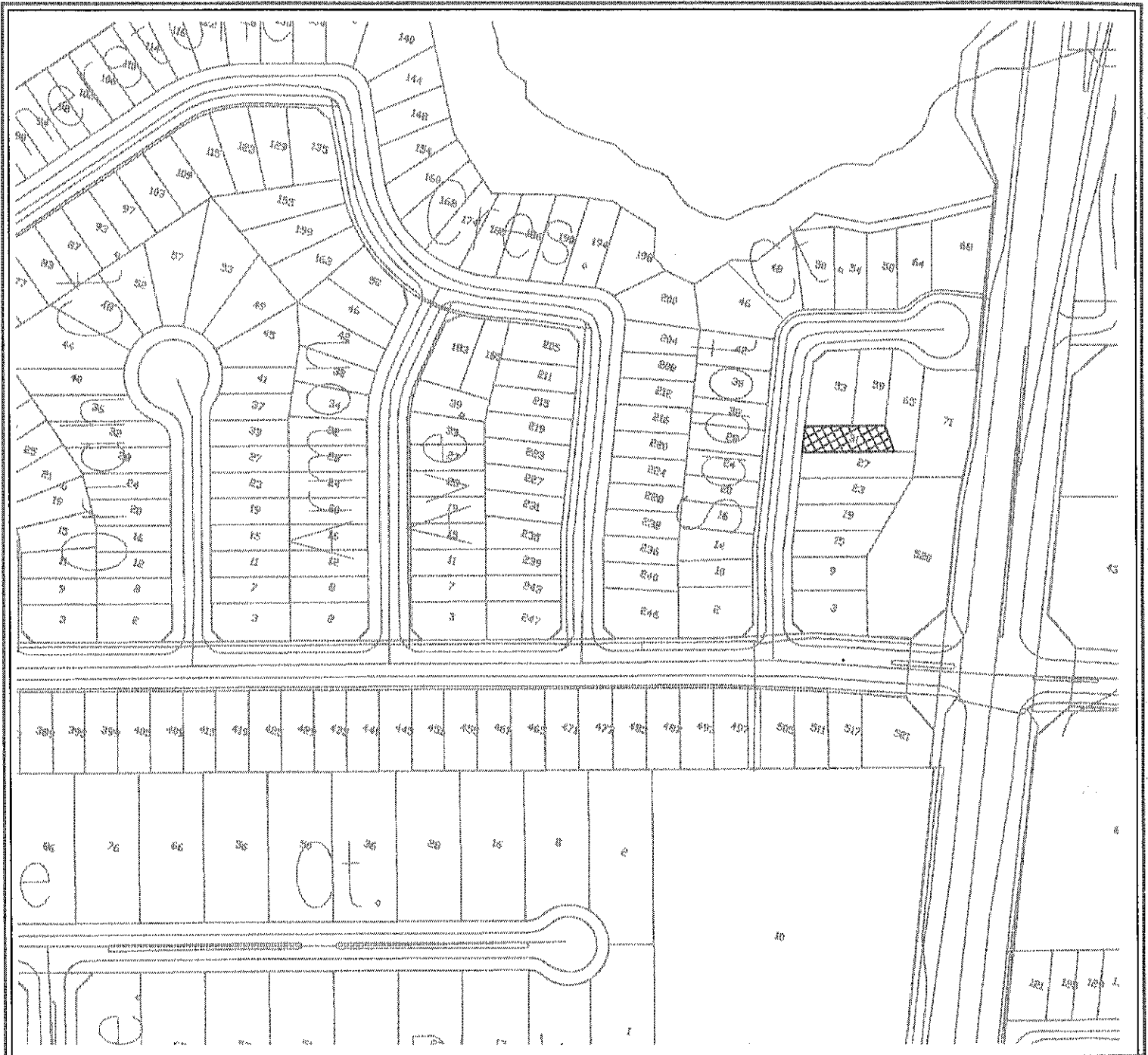
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Tony Thompson  
Director, Enforcement Services

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Janice Atwood-Petkovski  
Commissioner of Legal  
& Administrative Services and City Solicitor

# ATTACHMENT No. 1



## FENCE HEIGHT EXEMPTION

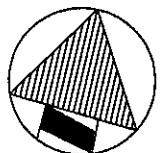
### 31 SADOT COURT

LOCATION : Part of Lot 33 and 34 Conc. 3

#### LEGEND



SUBJECT LANDS



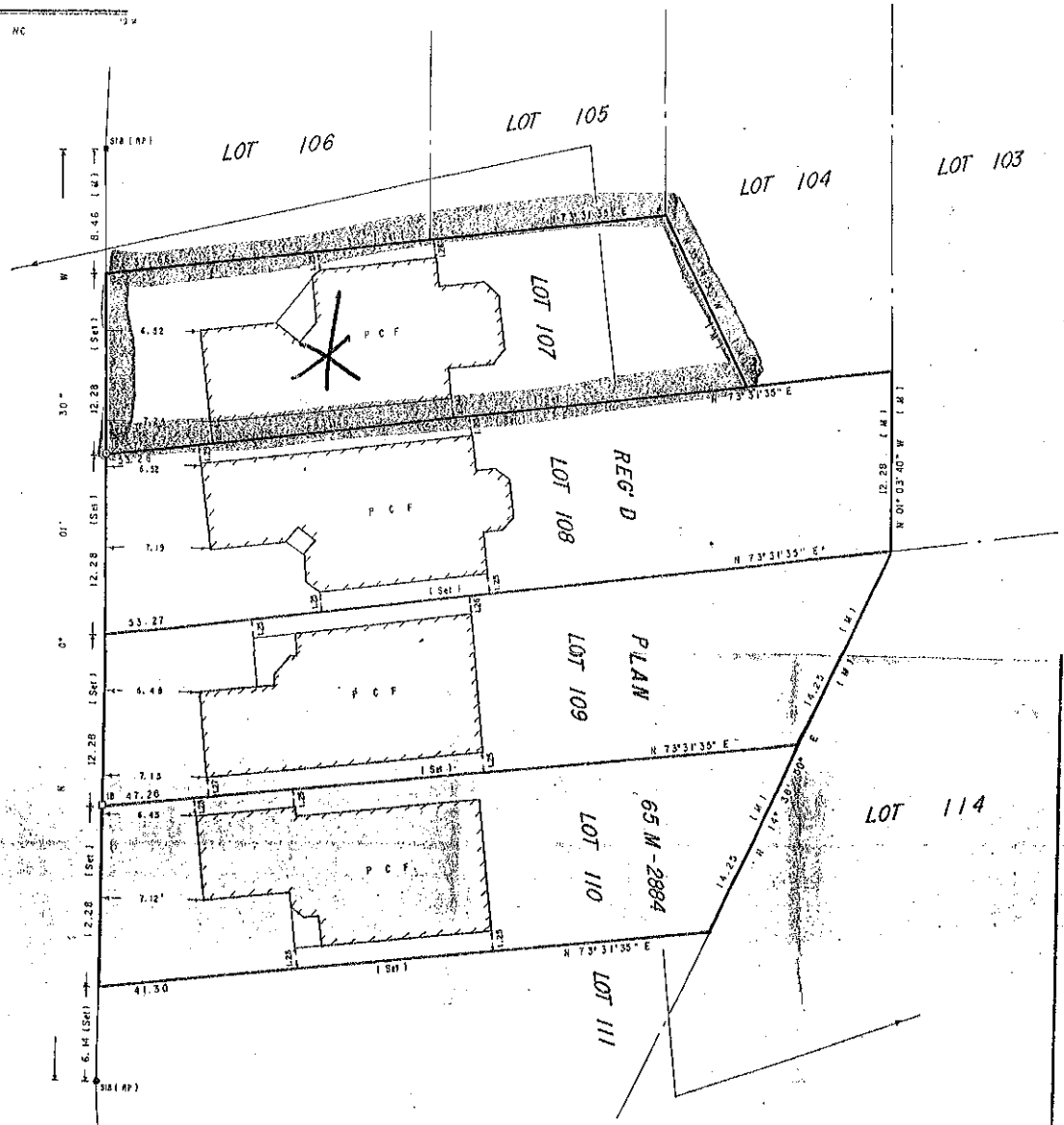
NOT TO SCALE

# ATTACHMENT No. 2

SURVEYOR'S REAL PROPERTY REPORT  
 LOTS 107, 108, 109 & 110  
 REGISTERED PLAN 65M - 2884  
 CITY OF VAUGHAN  
 REGIONAL MUNICIPALITY OF YORK  
 SCALE 1:250  
 YOUNG & YOUNG SURVEYING INC.  
 ONTARIO LAND SURVEYORS  
 COPYRIGHT 1993



SADOT COURT



- THIS REPORT WAS PREPARED FOR FIELDGATE DEVELOPMENTS  
 - ALL LOTS ARE PART OF LOT 1, SECTION 65M-2884 WHERE  
 'LOT' IS THE RESPECTIVE LOT NUMBER UNLESS OTHERWISE  
 NOTED.

### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
 THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED  
 ON THE 30th DAY OF APRIL, 1993.

MAY 3, 1993  
 DATE

TIMOTHY A. YOUNG, B.S., B.L.S., O.L.S.  
 ONTARIO LAND SURVEYOR



### LEGEND

- ⊙ DENOTES SURVEY MONUMENT SET
- M SURVEY MONUMENT FOUND
- R.P. REGISTERED PLAN 65M-2884
- M. REGISTERED PLAN 65M-2884 BY MEASURE
- I.B. IRON BAR
- S.I.B. STANDARD IRON BAR
- C.C. CUT CROSS
- WIT. WITNESS
- N.S.E.W. NORTH, SOUTH, EAST, WEST
- SET REGISTERED PLAN 65M-2884 & SET
- PCF POURED CONCRETE FOUNDATION

### METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES, AND CAN  
 BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

### BEARING NOTE

BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO THE  
 EAST LIMIT OF SADOT COURT, HAVING A BEARING OF  
 N10° 01' 30" W ACCORDING TO REGISTERED PLAN 65M-2884.

<b>YOUNG &amp; YOUNG SURVEYING INC.</b>	
PROFESSIONAL LAND SURVEYORS	
TORONTO	BOLTON
4174 DUNDAS STREET WEST, 2ND FL.	30 MARTHA STREET, SUITE 212
TORONTO, ONTARIO, M6X 1K3, 291-1121	BOLTON, ONTARIO, L7E 4Z1, 957-2464
DRAWN BY: [Signature]	

## ATTACHMENT No. 3

June 19, 2007

Mrs. Heron  
Administrative Coordinator  
By-Law Enforcement  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan Ontario  
L6A 1T1

Please accept this fence height exemption application for our home at 31 Sadot Court.

We are requesting permission to maintain the decorative privacy panels, as well as the existing fence for safety, security and privacy reasons.

For over the past 12 years my neighbours and I have enjoyed a seven foot fence on the south and east sides of my yard. The north side is an existing six foot fence.

In 2005 I improved my property with an in-ground swimming pool. This required part of my rear yard to be raised by over one foot.

As you can see from the attached photos we have recently added decorative privacy panels in some areas of our backyard.

### North Side

We have placed a privacy panel on a portion of the existing six foot fence. The reasons are two fold – with the raising of the yard I did not feel it was safe to have a lower fence. It also provides us with more privacy. There is a trampoline in my neighbours yard

### East Side

We have not altered the existing fence

### South Side

As you can also see from the photos, my neighbours house is slightly higher than mine and he has a large two level-deck at the same level as his rear door. He also has a ground level patio directly abutting the fence. We attached the decorative lattice panels (those close to my home) to offer us privacy. This allows us privacy from their deck to our main sitting area, most of the swimming pool, and most importantly into our kitchen.

We also placed other privacy panels on a portion of the fence and this gives us further privacy from any future development of the very large (currently vacant) lot at the corner of Worth Avenue and Bathurst Street. A few years ago there was a proposal for a three

storey medical building. There is also an approved expansion of the synagogue at the corner of Bathurst Street and Flamingo Road. My neighbours play structure is also near the fence line at this location

I have included in this application a draft of a release prepared by my neighbour at 27 Sadot Court. I am fully prepared to sign that agreement. It binds me to accepting all financial responsibility for the fence, and decorative panels. **It also indicates their support for this application.**

These improvements have certainly added to our enjoyment of the pool, as well as to it's safety and security as this is a street with many young children.

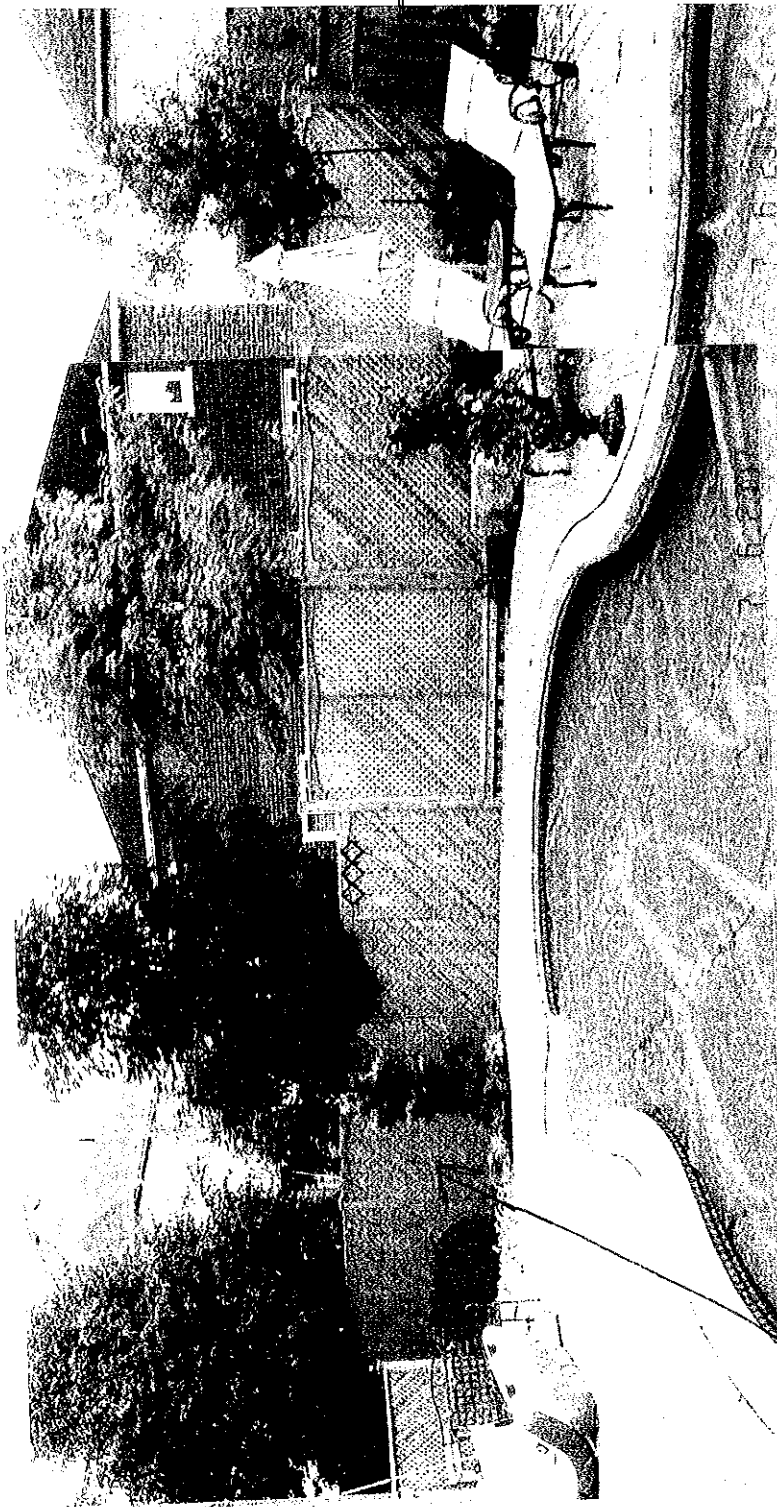
Please do not hesitate to contact me if you require any further information.

A handwritten signature in black ink, appearing to read 'Alan Slobodsky', with a stylized flourish at the end.

Alan Slobodsky  
31 Sadot Court  
905-882-4990

ATTACHMENT No. 4

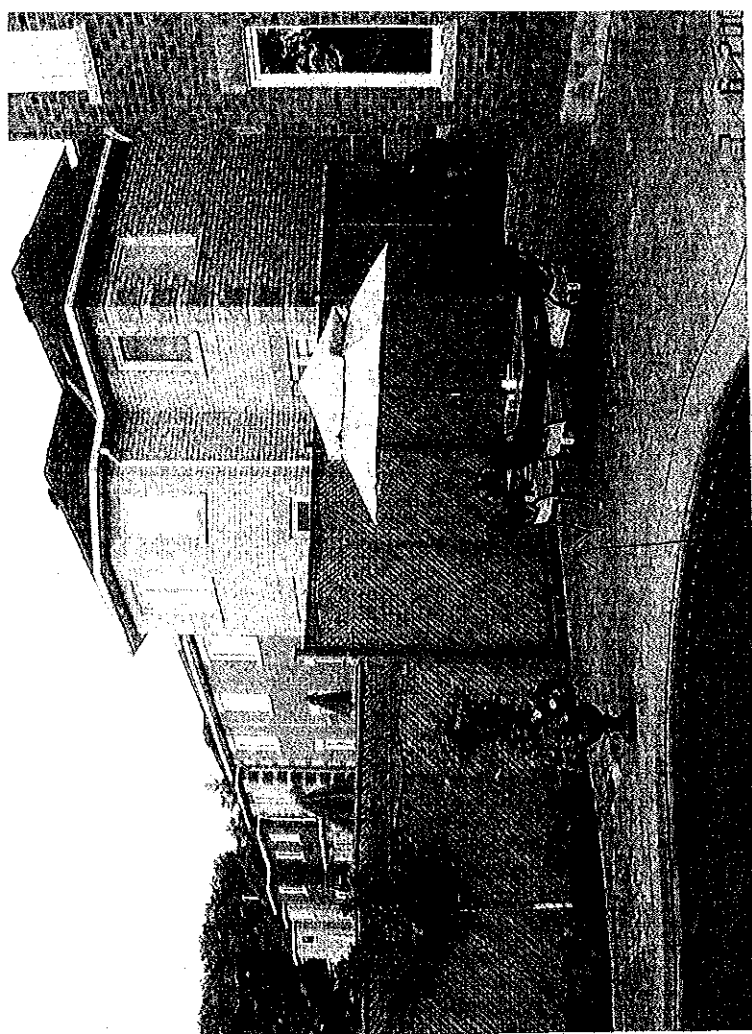
North side  
interior yard  
← attached  
10 6' Fence



6'

← 7' fence  
Rear yard  
East side.





South side Interior Yard

7' pre-existing fence

lattice panels attached to existing 7' fence.



lattice panels attached to existing 7' fence.