

COMMITTEE OF THE WHOLE - JUNE 5, 2012

FENCE HEIGHT EXEMPTION - 85 ANTONINI COURT – WARD 1

Recommendation

The Director of Enforcement Services recommends the following:

1. That the fence height exemption application for 85 Antonini Court be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, 3 property owners from 71, 79, 91 Antonini Court provided letters of support for the consideration of the said fence.

Purpose

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

Background - Analysis and Options

The property owner of 85 Antonini Court has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90 to provide a sense of safety and security around an existing pool, to aesthetically match the rear fence installed by the builder and to provide a noise reduction from the open ravine waterway.

The fence along the rear property line was constructed by the Builder/Developer and is a condition of the Site Plan. There are no other Site Plan conditions for fences for this property.

The By-law permits a fence height of 6 feet in rear yards. The Applicant has requested an exemption to permit an existing interior yard wooden fence ranging in height from 7 feet 3 inches to 9 foot 3 inches. The fence serves as a pool enclosure.

An inspection of the property found the east side fence (which extends from the front wall of the house to the rear property line) ranges in height 7 feet 3 inches to 9 feet 3 inches. The west side fence extends from the front wall of the house to the rear property line and measures between 7 feet 7 ½ inches to 8 feet 9 inches.

It appears that the neighbouring properties at 91, 71 and 79 Antonini Court have also constructed interior yard fences similar in height and design. With exception of the addresses listed above, no other properties in the immediate area have constructed fences of their own and only the rear yard Builder/Developer fences exist.

The fence height does not pose a sight line issue for neighbouring properties.

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

Relationship to Vaughan Vision 2020

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 supports a fence height exemption for this location at its current height.

Attachments

1. Site Plan
2. Map of surrounding streets
3. Photos provided by staff
4. Letter from Applicant
5. Photographs of area fences (provided by Applicant)
6. Letters of Support (X 3)

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

Respectfully submitted,

Tony Thompson
Director, Enforcement Services

SURVEYOR'S REAL PROPERTY REPORT

PART 1
PLAN OF LOTS 66 AND 67
PLAN 65M-4160

CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE 1:500
0 10m 20metres

RADY-PENITEK & EDWARD SURVEYING LTD., O.L.S.

METRIC

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND
TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 22 DAY OF Feb., 2010

DATE March 9, 2010

[Signature]
SINGH
ONTARIO LAND SURVEYOR

NOTES

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- DENOTES IRON BAR
- DENOTES SHORT STANDARD IRON BAR
- DENOTES DWELLING UNDER CONSTRUCTION
- DENOTES PROPERTY IDENTIFIER NUMBER
- DENOTES PORCH

ALL FOUND MONUMENTS BY RADY-PENITEK & EDWARD
SURVEYING LTD., O.L.S.

ALL TIES TO CONCRETE FOUNDATION

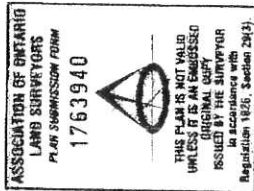
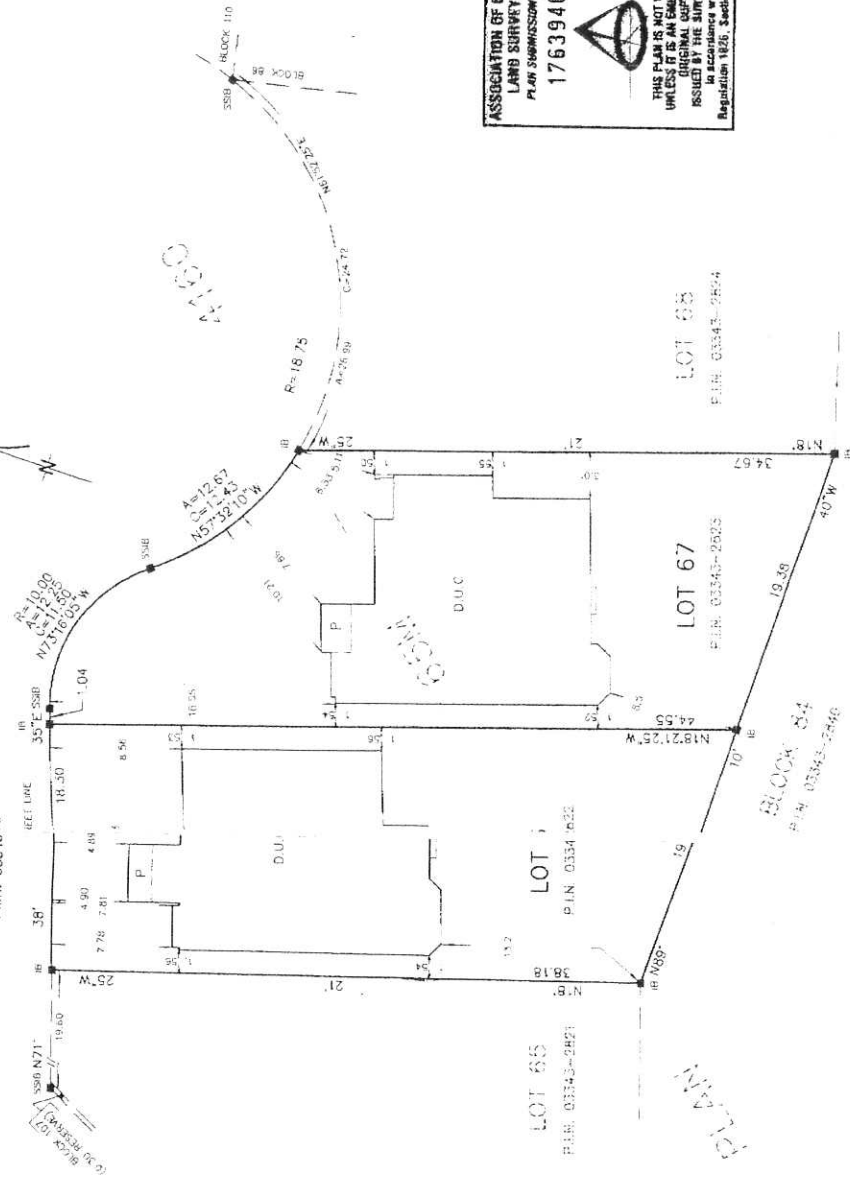
PEARINGS ARE GRID AND ARE REFERRED TO THE
SOUTHEASTERLY LIMIT OF ANTONINI COURT AS SHOWN ON
ON PLAN 65M 4160 HAVING A BEARING OF N71°38'35"E.

THIS REPORT WAS PREPARED FOR
TOWNWOOD HOMES DEVELOPMENT LTD. ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.
RADY-PENITEK & EDWARD SURVEYING LTD. O.L.S. 2010

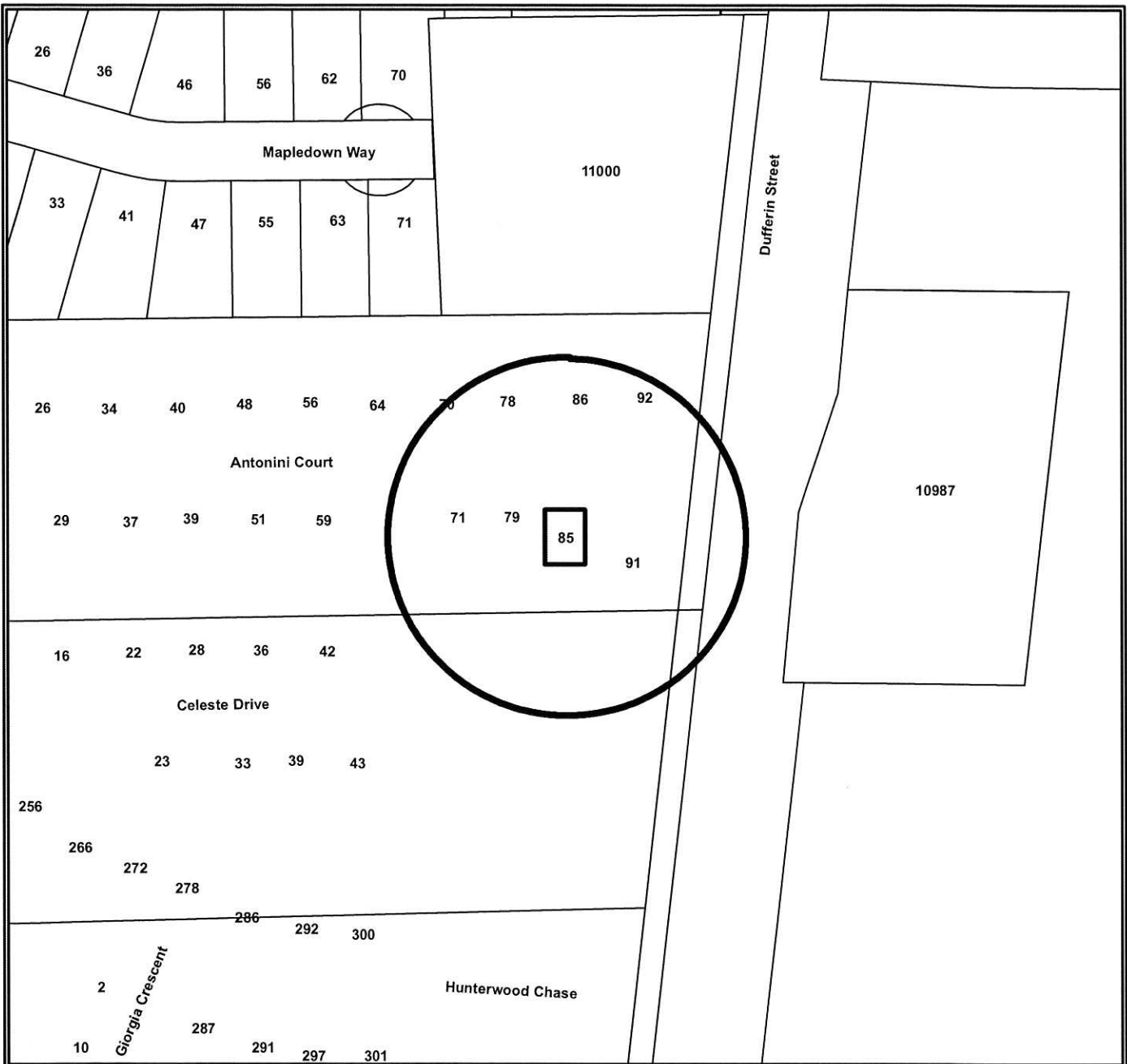
PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

ANTONINI COURT
(BY PLAN 65M-4160)
P.L.N. 03343-70



RADY-PENITEK & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Christie Road, Suite 7
Woodbridge, Ontario L4L 8A3
Tel (416) 635-5000 Fax (416) 635-5001
Tel (905) 264-0881 Fax (905) 264-2099
Website: www.r-pe.ca
DRAWN: V.H. CHECKED: G.P./I.S.
JOB No. 09-044 CAD FILE NO. 4160-60



85 ANTONINI COURT **LOCATION MAP**

LEGEND

 60m RADIUS ADDRESS BUFFER


NOT TO SCALE

819" v

8'2"

8

8'2"

116.6
118.1

WEST SIDE

7'10" N

8'1"

8'3 1/2"

8'5"

7'9 1/2"

WEST SIDE



5

7'5"

8'1"

8'

8'8"

7'10"

8'

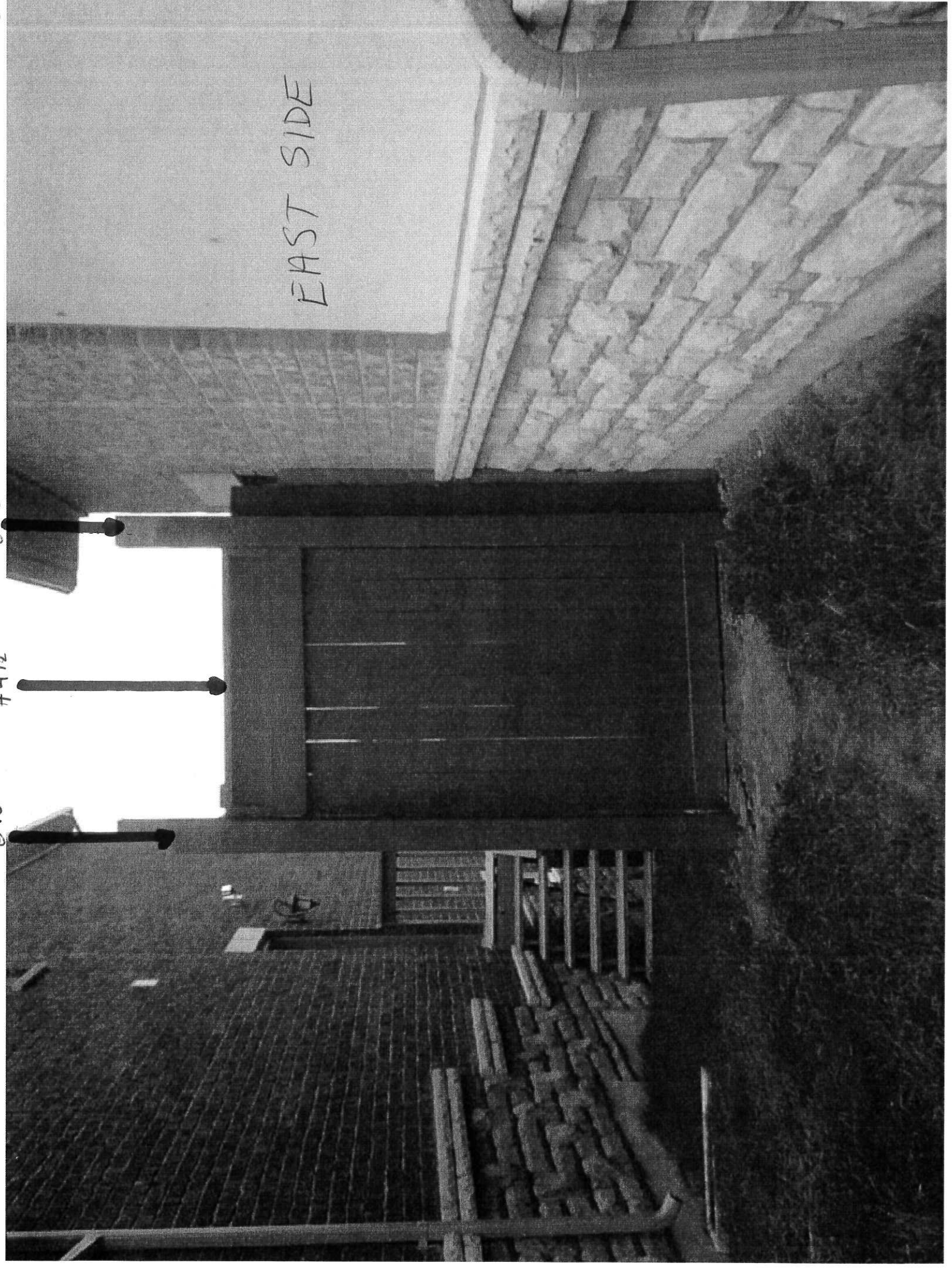


8'10"

7'4 1/2"

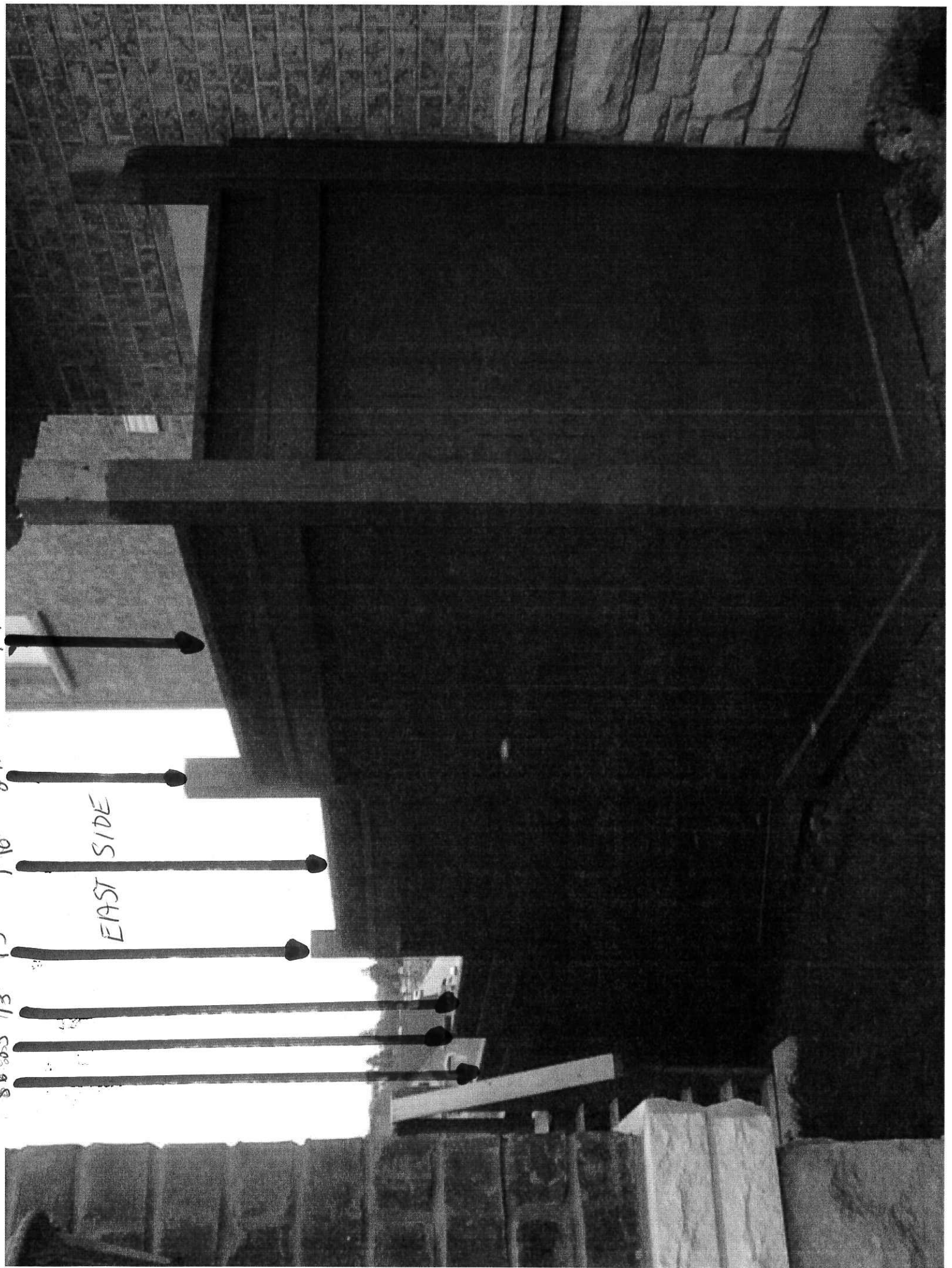
8'10"

EAST SIDE



8' 8 1/2" 7' 3" 9' 3" 7' 10" 8' 11" 7' 10"

EAST SIDE





EAST SIDE

"7/8

"9

"2/8

"8/6

"8/4

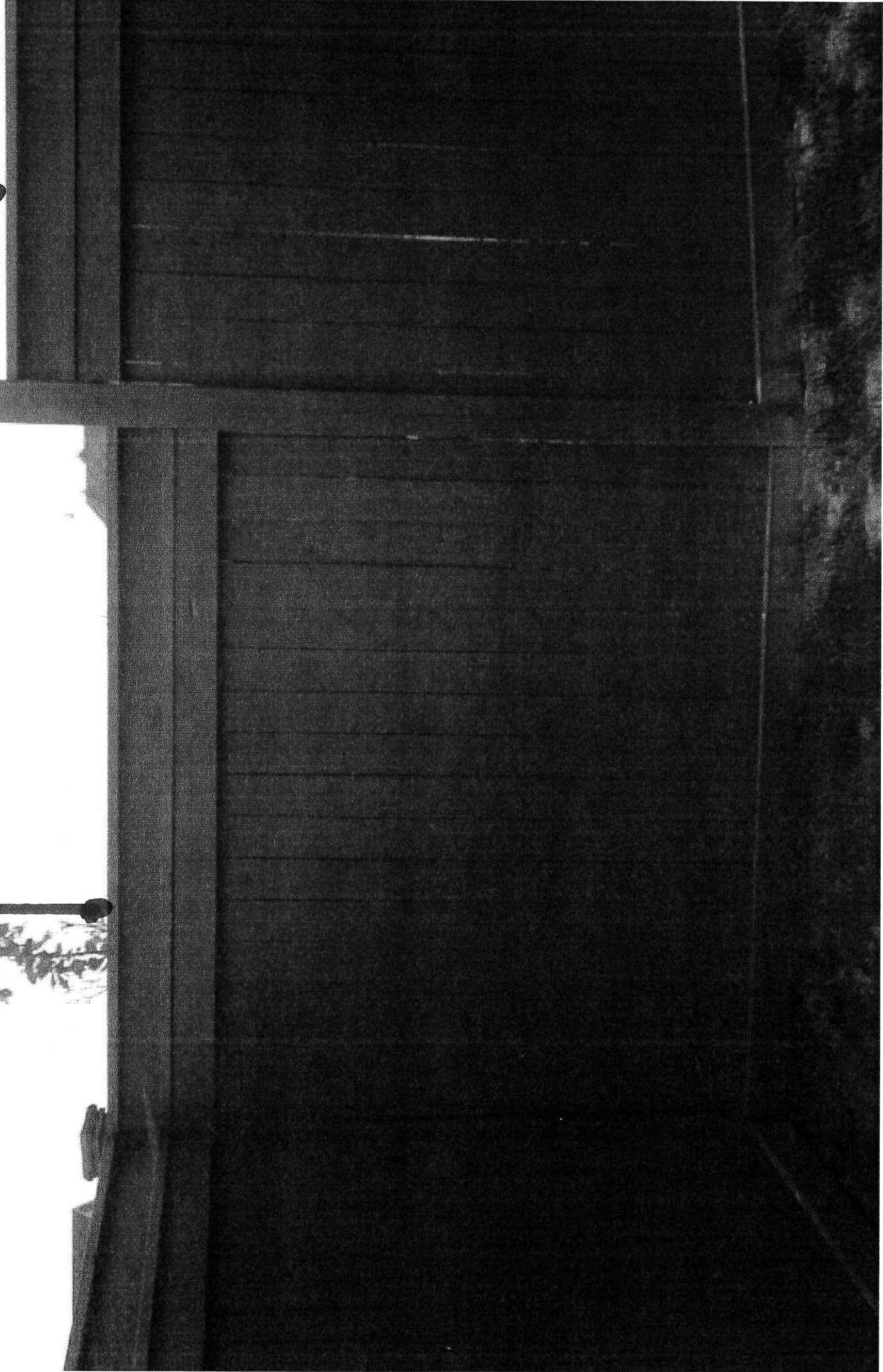
"8/6

7'10"

8'11"

8'3"

EAST SIDE



Attn: City of Vaughan
Ms. Christine Booth, Inspector

Thank you for considering my minor variance application. I am the homeowner at 85 Antonini Court, in Maple, Ontario, L6A 4R4. I have resided at this residence since May of 2010 when I took possession from Townwood Homes, my builder.

When I moved into my home a rear yard fence was already in place (installed by my builder). The rear fence is between 7.5 to 8 feet high and provides both security and noise reduction as my home backs onto an open ravine waterway and is within 30 metres of Dufferin Street.

In the summer/fall of 2012 I installed a swimming pool in my rear-yard. In keeping with the guidelines of the City of Vaughan, I installed a secured fence on my remaining two sides (east and west side fences for my property) surrounding my swimming pool. The fence that was installed conformed to match the rear fence in my yard that was installed by Townwood Homes and also to maintain the aesthetics of the community and to allow for addition safety and noise reduction for my neighbours and myself.

Of note, all four homes (mine included) that are in our block of homes backing onto the ravine and adjacent to Dufferin Street have all now installed identical fences.

My two adjoining neighbours were in full support and shared in the costs of my fence construction (please see attached letters).

Lastly, having worked as a clinical psychologist/neuropsychologist in a traumatic brain injury and spinal cord injury program for the past six years, I am none too aware of the tragic and permanent injuries that take place each year in Ontario secondary to diving accidents, when private swimming pools are not safely secured. Hence, it is my sincere belief that a 7.5 to 8 foot fence also provides additional safety and security for myself, and my community so that I am doing everything within my power to ensure safety surrounding my home.

Sincerely,



Cheryl Bradbury









Iron Fencing &
Gates
416.274.1429







May 3, 2012

Attn: City of Vaughan
Ms. Christine Booth, Inspector

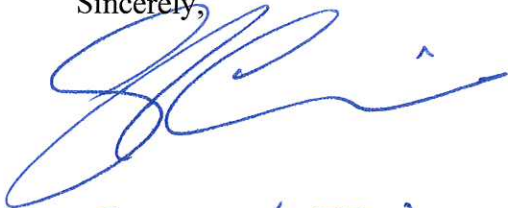
We are the owners and reside at 71 Antonini Court, Maple Ontario. We reside within the same block of four homes as Ms. Cheryl Bradbury's residence at 85 Antonini Court.

The south and west fences of our property were installed by our builder, Townwood Homes, prior to us taking possession of our home. We are also less than 70 metres away from Dufferin Street, a busy roadway with a speed of 80 km per hour, and the installation of the 7.5 to 8 foot fence has assisted with noise reduction for our homes.

The fences of similar height, especially as our homes have walkout basements, provide additional noise reduction, safety and security while maintaining consistency with the aesthetics of the fence that was installed by our builder, Townwood Homes.

We are in full support of the fence installed by Ms. Bradbury, resident at 85 Antonini Court, and have no objection to either the height or appearance of the fence.

Sincerely,



SLAVA LEVIN

May 3, 2012

Attn: City of Vaughan
Ms. Christine Booth, Inspector

We are the owners and reside at 79 Antonini Court, Maple Ontario. We reside beside 85 Antonini Court and our property shares the east side fence (west side fence of 85 Antonini) with Ms. Cheryl Bradbury's residence.

We were aware of and shared in the costs of building the side fence shared by our yards.

The south fence of our property was fenced by our builder, Townwood Homes, prior to us taking possession of our home. We are also less than 50 metres away from Dufferin Street which causes a significant amount of noise. Having a fence of 7.5 to 8 feet which is the same height as the south fence on our property is in keeping with both safety from the rear ravine/waterway that our home backs onto and noise reduction.

We are in complete support of the fence installed by Ms. Bradbury, resident at 85 Antonini Court, and feel as though the current fence is both needed and required for security and to reduce the significant noise from the very busy Dufferin Street which has a speed limit of 80 km/hr outside of our homes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia Lulua". The signature is fluid and cursive, with the first name "Patricia" written in a larger, more prominent script than the last name "Lulua".

May 3rd, 2012

Attn: City of Vaughan
Ms. Christine Booth, Inspector

We are the owners and reside at 91 Antonini Court, Maple Ontario. We reside beside 85 Antonini Court and our property shares the west side fence (east side fence of 85 Antonini) with Ms. Cheryl Bradbury's residence.

We are aware of and shared in the costs of building the side fence shared by our yards.

Both the east and south side of our property were fenced by our builder, Townwood Homes, prior to us taking possession of our home. We are also less than 10 metres away from Dufferin Street and have a small child. Dufferin Street causes a significant amount of noise and having a fence of 7.5 to 8 feet, which is the same height as the fence on the other side and back of our property, is in keeping with both safety for our young son and noise reduction.

We are in complete support of the fence installed by Ms. Bradbury, resident at 85 Antonini Court. The fence improves the aesthetics of our backyard while also assisting to reduce the significant noise from the very busy Dufferin Street that presently has a speed limit of 80 km/hr outside of our home.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Sangha".

GARY SANGHA Kathleen Sangha