

COMMITTEE OF THE WHOLE - JUNE 5, 2012

FENCE HEIGHT EXEMPTION - 68 COG HILL DRIVE – WARD 5

Recommendation

The Director of Enforcement Services recommends the following:

1. That the fence height exemption application for 68 Cog Hill Drive be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius of the applicants home. Two letters of objection and one letter of support were received from direct neighbouring properties.

Purpose

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

Background - Analysis and Options

The property owner of 68 Cog Hill Drive has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

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 fence ranging in height from 6 feet 7 ½ inches to 7 feet 6 inches, which was erected to match the neighbouring fence located at 66 Cog Hill Drive. A letter of support from the resident at 66 Cog Hill Drive was submitted along with the application.

This fence was brought to the attention of the Enforcement Services Department as a result of a complaint.

There are no site plan or safety implications with this application.

The application is only 6 inches beyond the designated authority.

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

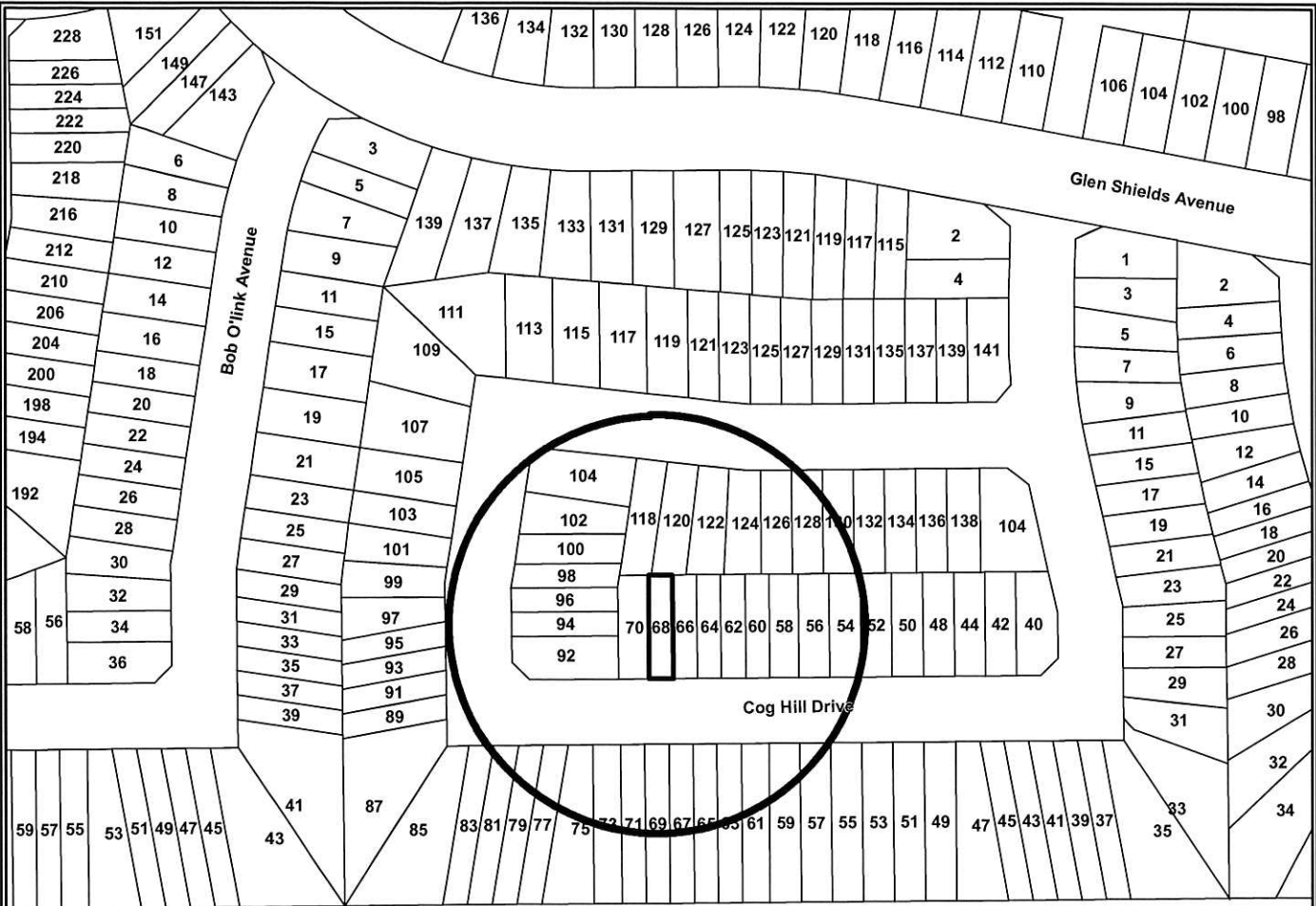
1. Map of surrounding streets
2. Letter with Photographs
3. Email from Applicant with Photographs
4. Letter of Support
5. Letters of Objection (X2)

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

Respectfully submitted,

Tony Thompson
Director, Enforcement Services



68 COG HILL DRIVE
LOCATION MAP

LEGEND

 60m RADIUS ADDRESS BUFFER


NOT TO SCALE

28.02.2012

Attention to: Janice Heron
Enforcement Services Department
Administrative Coordinator

From:

Diana & Igor Mourachov
68 Cog Hill Drive
Concord, Ontario
L4K 1M7
Tel. 905-761-0135
E-mail: diananewmail@yahoo.ca

Dear Janice Heron,

We kindly request an exemption to the height restrictions of our rear yard property line fence with a lattice top. The existing fence height is between 7-8 feet.

We have two adjacent properties: 70 Cog Hill Drive and 66 Cog Hill Drive with shared property lines.

Our neighbor to the right (66 Cog Hill Drive) has previously fenced his rear yard with a fence between 7-8 feet in height to match the other neighbors in line.

Later we erected our rear yard property line fence between 68 Cog Hill Drive and 70 Cog Hill Drive (7-8 feet in height) to match our 66 Cog Hill Drive neighbor's fence.

Before fencing our back yard we notified our neighbors (70 Cog Hill Drive) via registered mail about upcoming fence construction at our own expenses and asked to let us know if they want to discuss any specifics regarding the fence (height, materials, and so on). The letter was successfully delivered. See the Canada Post tracking sheet attached. They didn't reply.

As you can see from photos, 70 Cog Hill Drive house has a rear yard covered deck directly abutting the fence. It is high above the ground. A 6 feet high fence is too low to offer privacy from the neighbors' constructed deck and it becomes useless. We attached the decorative lattice panels to offer us privacy. This allows us privacy from their deck to our main sitting area.

The 7-8 feet fencing is intended to block the view of the people on their deck.

We are in an estranged relationship with these neighbors and if we see them every day it will impact our lives in a negative way. We had to call the police a few times to resolve the issues with them.

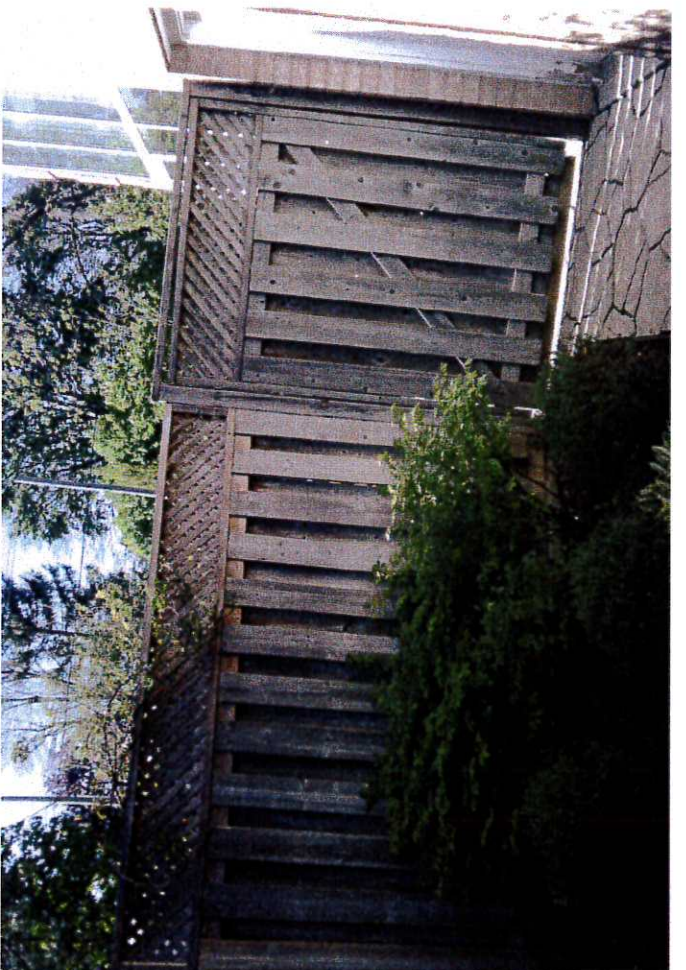
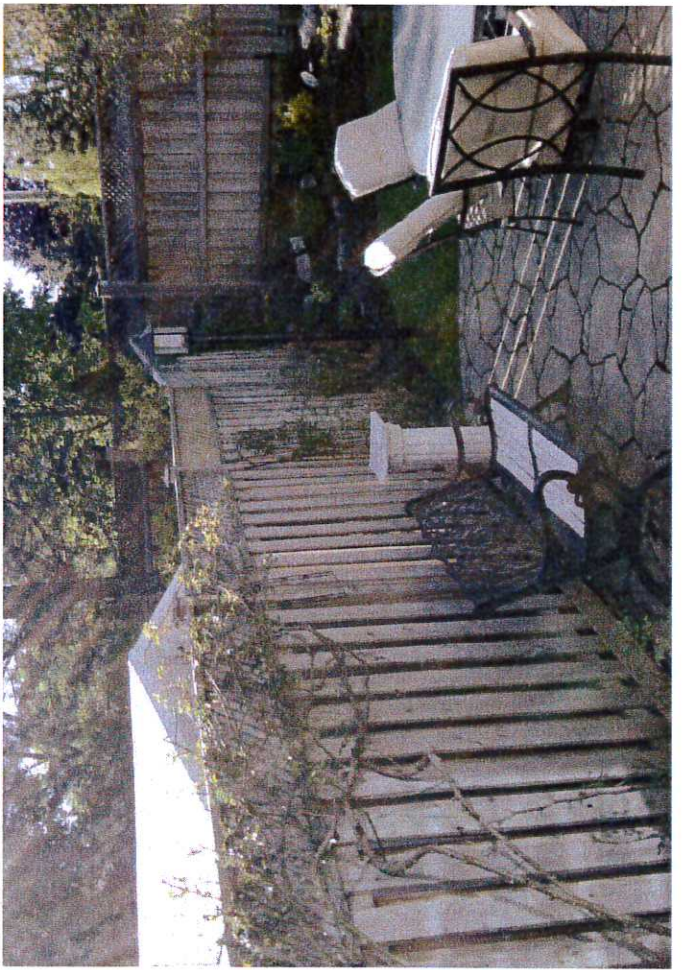
There are similar in height interior yard fences in our area.

Thank you in advance for investigating this issue. We truly appreciate your time and effort.

Sincerely,




Diana & Igor Mourachov
68 Cog Hill Drive, Concord, ON, L4K1M7





Heron, Janice

ATTACHMENT NO. 3

From: diana mourachova [diananewmail@yahoo.ca]
Sent: Tuesday, May 15, 2012 5:56 PM
To: Heron, Janice
Subject: Fence height exemption hearing by Committee on June 5, 2012
Follow Up Flag: Follow up
Flag Status: Blue
Attachments: letter of support fence 68 Cog hill drive.jpg

15.05.2012

*Attention to: Janice Heron
 Enforcement Services Department
 Administrative Coordinator*

*From:
 Diana & Igor Mourachov
 68 Cog Hill Drive
 Concord, Ontario
 L4K 1M7
 Tel. 905-761-0135
 E-mail: diananewmail@yahoo.ca*

Dear Janice Heron,

We applied to the City of Vaughan for a fence height exemption to permit an existing fence height with lattice from 6.75 feet to 7.6 feet. This matter will be heard by Committee on June 5, 2012 at 1:00pm. We would like to comment on this matter.

We have two adjacent properties: 70 Cog Hill Drive and 66 Cog Hill Drive with shared property lines.

Our neighbor to the right (66 Cog Hill Drive) has previously fenced his rear yard with a fence from 6.75 feet to 7.6 feet in height to match the other neighbors in line.

Later we erected our rear yard property line fence between 68 Cog Hill Drive and 70 Cog Hill Drive (6.75 feet to 7.6 feet in height) to match our 66 Cog Hill Drive neighbor's fence.

Before fencing our back yard we notified our neighbors (70 Cog Hill Drive) via registered mail about upcoming fence construction at our own expenses and asked to let us know if they want to discuss any specifics regarding the fence (height, materials, and so on). The letter was successfully delivered. They didn't reply.

As you can see from photos, attached to our application, 70 Cog Hill Drive house has a rear yard covered deck directly abutting the fence. It is high above the ground. A 6 feet high fence is too low to offer privacy from the neighbors' constructed deck and it becomes useless. We attached the decorative lattice panels to offer us privacy. This allows us privacy from their deck to our main sitting area.

The 6.75 feet to 7.6 feet fencing is intended to block the view of the people on their deck. We are in an estranged relationship with these neighbors and if we see them every day it will impact our lives in a negative way. We had to call the police a few times to resolve the

5/18/2012

issues with them.

We also provided a letter of support from another adjacent property owner, attached to our application.

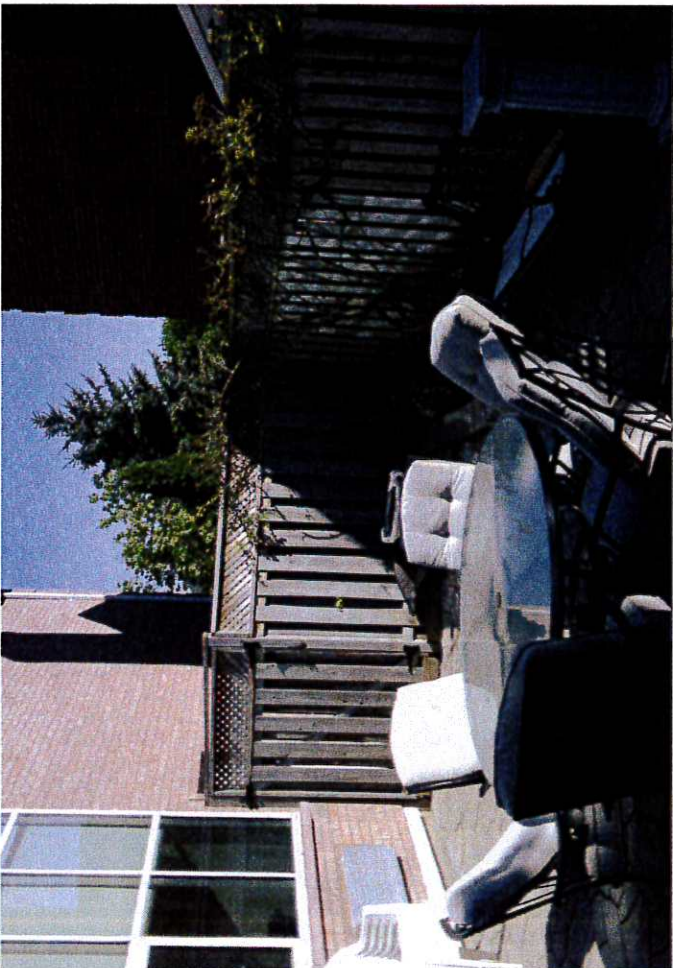
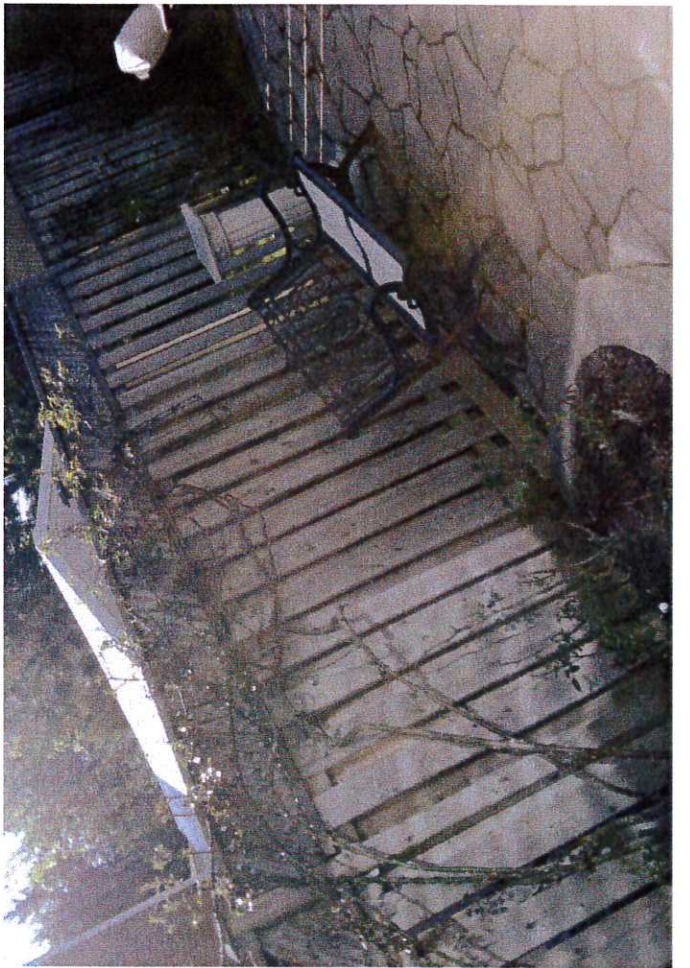
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Sincerely,

Diana & Igor Mourachov
68 Cog Hill Drive, Concord, ON, L4K1M7

5/18/2012



Name: Mohad Kazim Bayat

Address: 66 Cog Hill Drive, Concord, Ontario

Telephone number: 647 818 9854

Date: Feb 25, 2012

Dear Sir/Madam,

This letter is to confirm that we are in total agreement with the back yard fencing of our neighbors' property at 68 Cog Hill Drive, Concord, Ontario

in terms of height, size, and layout. The fence is well built, safe and looks nice.

Sincerely, Bayat Bi

ATTACHMENT NO. 5

Heron, Janice

From: Manuel Valente [valente@live.ca]
Sent: Sunday, May 13, 2012 12:48 PM
To: Heron, Janice
Subject: Request for Fence Height Exemption - Comments

Hey Janice,

In response to the exemption height of the fence request, i do not agree. It is a lot of fence and seems out of proportion with the house size. I think this by-law still gives people a suitable/substantial sized fence. I do not think there is any need to go over the height dictated in the by-law.

Thanks for reading,

Manuel Valente
118 Cog Hill Dr.
L4K 1M7
Concord, ON
mobile: 416-931-4163

5/14/2012

Janice Heron
Office Coordinator
Enforcement Services Department
CITY OF VAUGHAN

RE: 68 Cog Hill Drive Request for Fence Height Extension

Dear Janice Heron,

Please take into your consideration that I Tatyana Larina and my family is strongly against the fence build by our neighbours. The fence has been built on our property and the original that was constructed by the builder, has been taken down and thrown away with no permission from our behalf.

Also the concrete that supports the posts of the fence are located on our side of the property. The fencing was not properly built and looks awful from our side of the territory.

If you have any further questions please feel free to contact me.

Sincerely,

Tatyana Larina
70 Cog Hill Drive
Concord, ON
L4K 1M7