

**COMMITTEE OF THE WHOLE - SEPTEMBER 18, 2006**

**REQUEST FOR FENCE HEIGHT EXEMPTION  
42 THEODORE PLACE, THORNHILL - WARD 5**

**Recommendation**

The Senior Manager of Enforcement Services 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 has authorized Kevin Manuel of Kevin Manuel Architect Limited to act as their Agent with respect to a request for an exemption to the existing fence height restrictions pursuant to Section 3.5 of By-law 80-90 to permit the erection of a rear yard fence. The By-law permits a fence height of six feet.

The owners purchased the home with the existing fencing around an already installed inground pool. The existing fence ranges in height from 6'4" to 8'8" measured from grade. The interior side yard fencing measures 8'0". The rear yard fence measures 6'2" with both corners stepping up to 8'0". (See photos attached as Schedule "C").

The Applicant is requesting an exemption to permit the existing fence in order to maintain a sense of privacy for the homeowners and their family when using the swimming pool. The Applicant feels the increased fence height provides an additional degree of safety and security to the property by further deterring the public from entering the rear yard.

**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**

Schedule "A" - Letter of Authorization  
Schedule "B" - Site Plan  
Schedule "C" - Photographs of Existing Fence

**Report prepared by:**

Janice Heron  
Administrative Coordinator, Enforcement Services

Respectfully submitted,

Tony Thompson  
Senior Manager, Enforcement Services

Janice Atwood-Petkovski  
Commissioner of Legal & Administrative Services

Schedule 'A'

To: City of Vaughan  
Enforcement Services Department  
2141 Major Mackenzie Dr.  
Vaughan, ON., L6A 1T1

Date: July 4, 2006

To Whom It May Concern: Attn.: Janice Heron

Re: 42 Theodore Place

I/We Marjorie Green

are the registered owners of the property known as 42 Theodore Place  
in the City of Vaughan

I/We hereby authorize Kevin Manuel Architect Limited, their staff, agents and assigns to  
apply for a fence height exemption with regard to this property.

Thank you for your assistance

Signed: 

1/21/2006 10:25:07 AM



### KEY PLAN

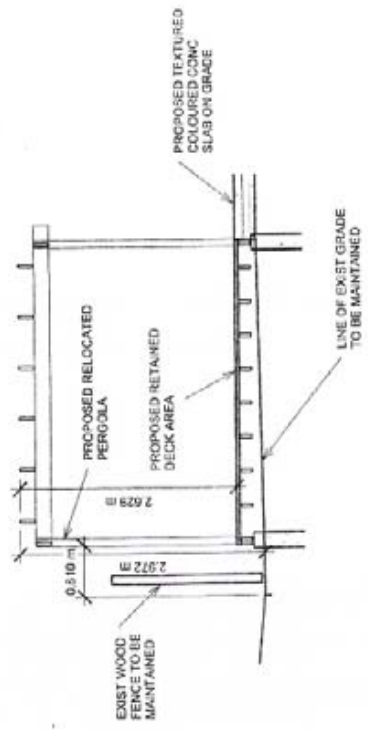
**Site Information**

42 THEODORE PLACE  
 PART LOTS 13 AND 14 RP 65M 2941  
 CITY OF VAUGHAN  
 REGIONAL MUNICIPALITY OF YORK

SURVEY INFO FROM  
 P. SALVA CO. OLS  
 REF. NO. SRI-2941  
 DEC. 15, 1984

### Site and Building Statistics

ZONING: R3 BYLAW 1-88	REQUIRED	EXISTING	PROPOSED
REAR YARD AREA	143.00SQM	N/A	0.1765M
REAR YARD SOFT LANDS	0.00E.00SM-0.46SM	N/A	0.28M
POOL & AC EQUIP SETBACK	1.2M	0.705M	0.81M
DECK SETBACK REAR	1.2M	0.60M	0.51M
DECK SETBACK REAR	5.7M	0.22M	0.51M
FENCE HEIGHT	1.5M	1.88 TO 2.43M	1.58 TO 2.43M
PERGOLA HEIGHT	N/A	2.872M	2.972M
PERGOLA SETBACK SIDE	2.972M	0.00M	0.81M
PERGOLA SETBACK REAR	2.972M	0.22M	0.61M



### Section Through Proposed Pergola



### Site Information and Cross Section

**KEVIN MANUEL ARCHITECT LIMITED**  
 55 TOWN CENTRE COURT, SUITE 700  
 SCARBOROUGH, ONTARIO  
 M1P 4X4

SCHEDULE "C"

42 THEODORE PLACE  
FENCE HEIGHT EXEMPTION

- SIX (6) PHOTOGRAPHS



Photo showing fence along west property line. Existing fence height along this property line is 8'-0" [2.438M]



Photo showing southwest corner. Existing fence wraps around the corner at 8'-0" [2.438M] and steps down to 6'-2" [1.88M]

Rear yard fence

side yard fence



Photo showing fence along south property line. Existing fence height along this property line is 6'-2" [1.88M]

Rear yard fence

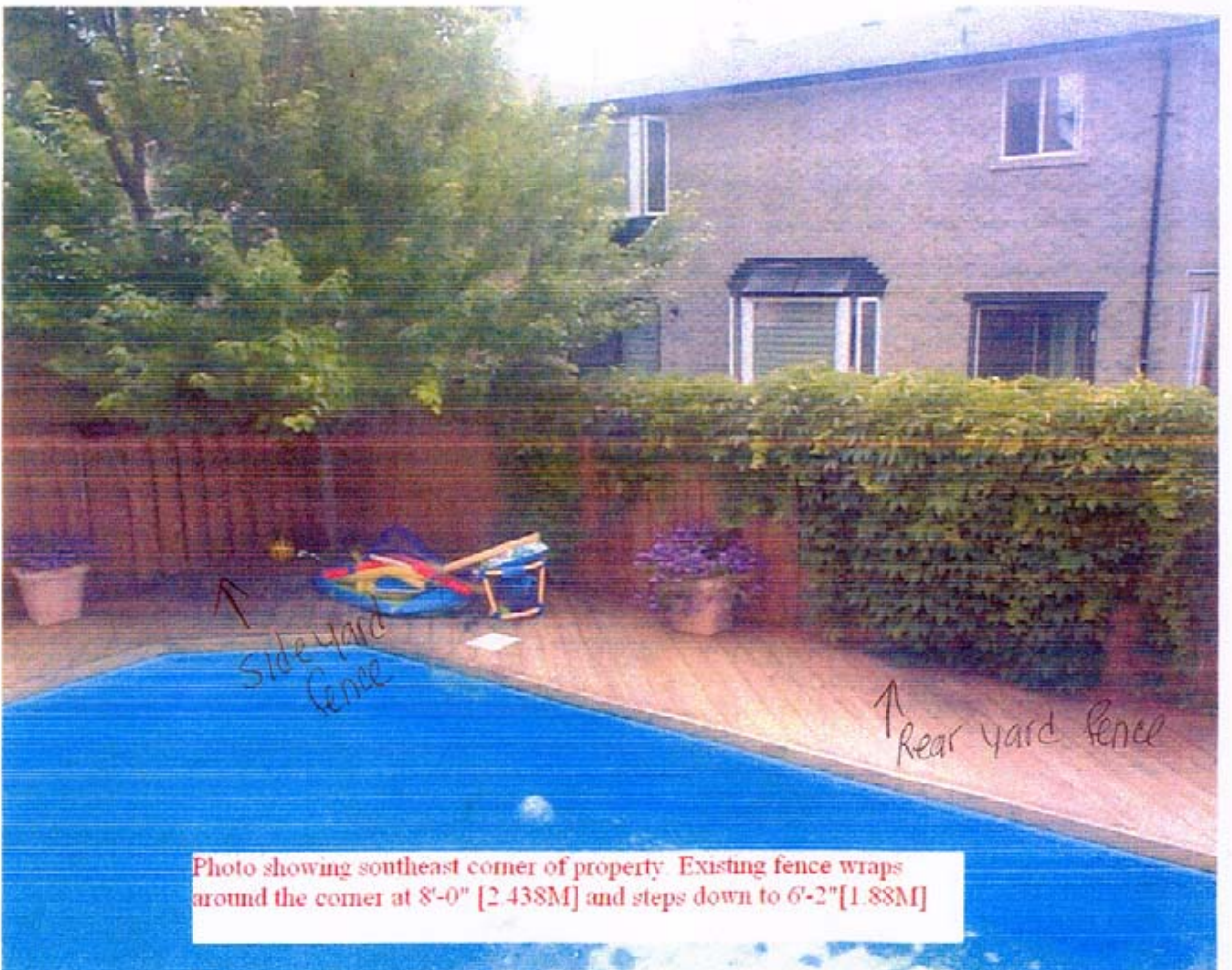


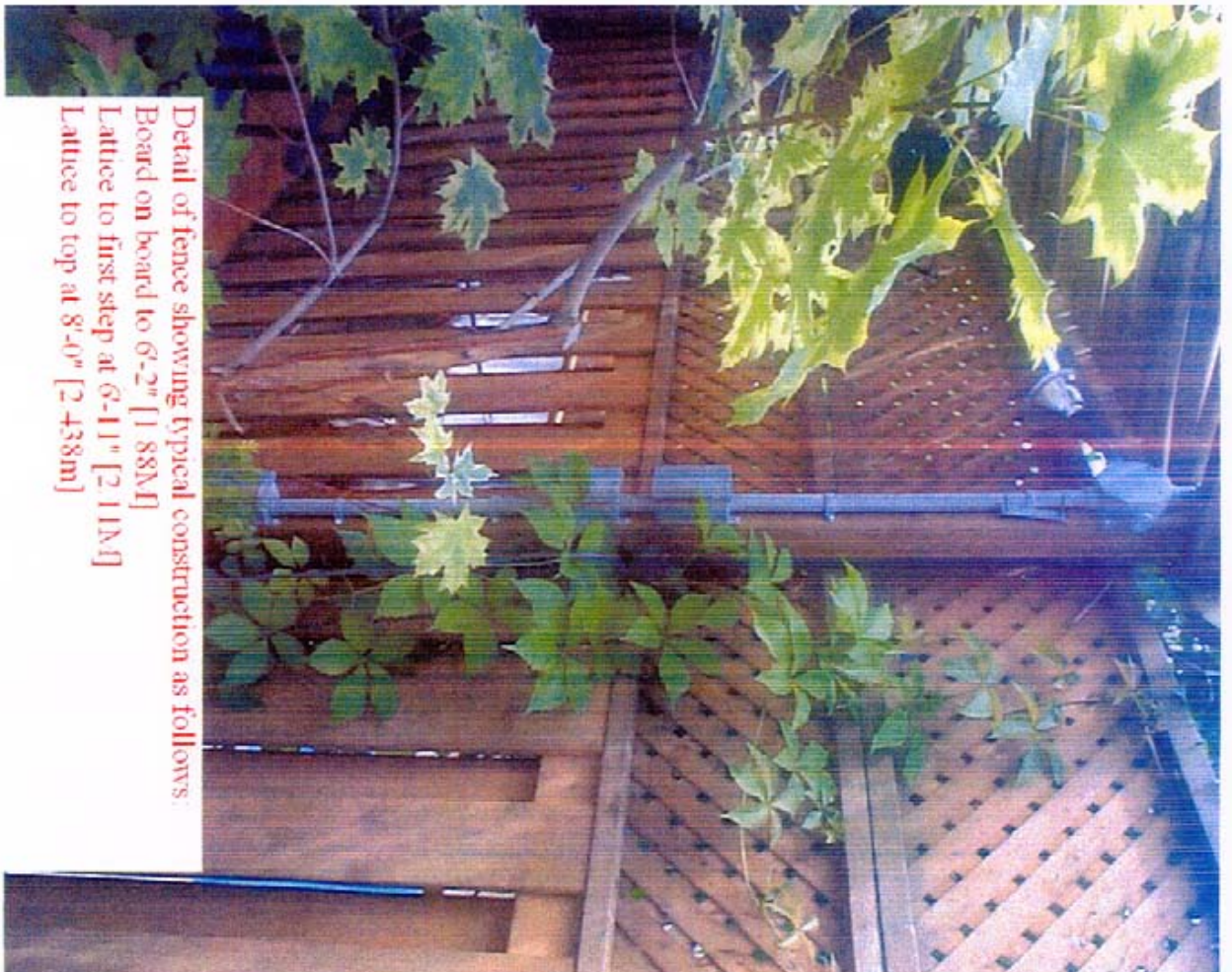
Photo showing southeast corner of property. Existing fence wraps around the corner at 8'-0" [2.438M] and steps down to 6'-2" [1.88M]

↑ Side yard fence

↑ Rear yard fence



Photo showing fence along east property line. Existing fence height along this property is 8'-0" [2.438M]



Detail of fence showing typical construction as follows:  
Board on top to 6'-2" [1.88M]  
Lattice to first step at 6'-11" [2.11M]  
Lattice to top at 8'-0" [2.438m]