

COMMITTEE OF THE WHOLE - OCTOBER 1, 2007

FENCE HEIGHT EXEMPTION - 64 LOOKING GLASS CRESCENT. - WARD 3

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor and the Director of Enforcement Services recommends:

That the fence height exemption application for 64 Looking Glass Crescent be approved, conditional upon meeting the requirements contained within the report.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, no appeals 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 64 Looking Glass Crescent 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 64 Looking Glass Crescent.

The Applicant is making application as a result of Court action by the City for the repair/replacement of a noise attenuation fence.

The By-law permits a fence height of 6 feet in rear yards. The Site Plan for this property stipulates a noise attenuation fence of 1.83 metres (or 6 feet) along the rear property line facing Langstaff Road and the exterior side property line facing Ansley Grove Road. The Applicant has constructed a fence in the exterior side yard along Ansley Grove and the rear yard along Langstaff which exceeds the maximum height permitted per the Site Plan.

The fence panels vary in height from 7 feet 4 inches to 7 foot 9 inches, the posts vary in height from 7 foot 11 inches to 9 foot 3 inches. The height variances are in large part due to the uneven grade of the property.

The area was inspected by Enforcement Services staff and adjacent fences are similar in height to the applicants. In this area there have been no similar fence height exemptions applied for in recent years, however 9 homes on Looking Glass Crescent have replaced their dilapidated rear yard noise attenuation fences due to Property Standards Orders being issued. All 9 homes have installed/replaced the rear yard noise attenuation fences with heights of approximately 7 foot 6 inch panels with 7 foot 9 inch posts (including caps).

There is a Site Plan registered for this property.

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

The details outlined above support the approval of a fence height exemption for this location provided that the fence posts be reduced to a maximum of 1 inch above each fence panel and the temporary gate at the corner of Langstaff Road and Ansley Grove Road be replaced with permanent panels in keeping with the existing panel height and the posts be reduced to 1 inch above each fence panel.

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 support the approval of a fence height exemption for this location.

Attachments

- 1) 4 Photographs
- 2) Site Plan
- 3) Site Plan Agreement (excerpt)
- 4) Area Map of Surrounding Streets

Report prepared by:

Tony Thompson
Director, Enforcement Services

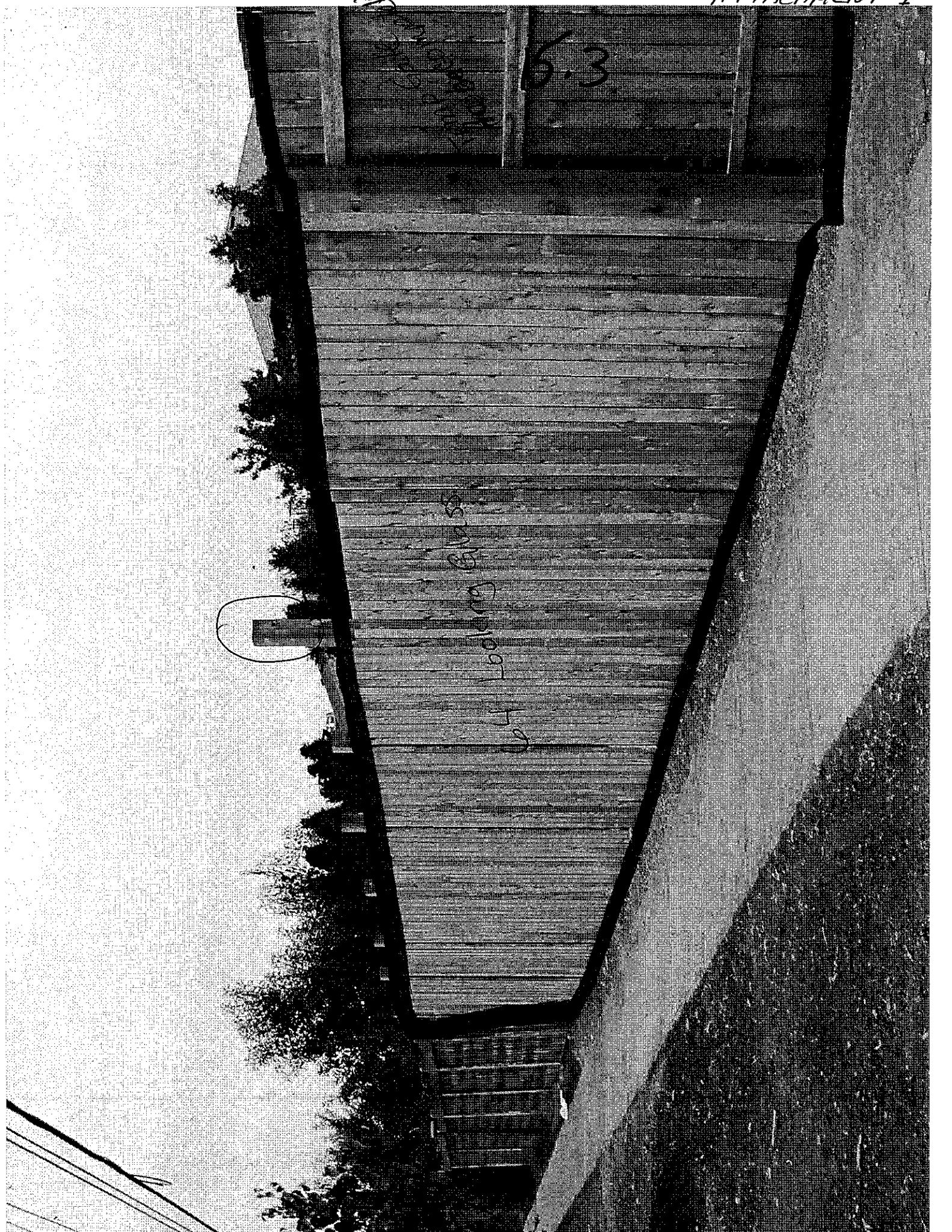
Respectfully submitted,

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

187

6.3

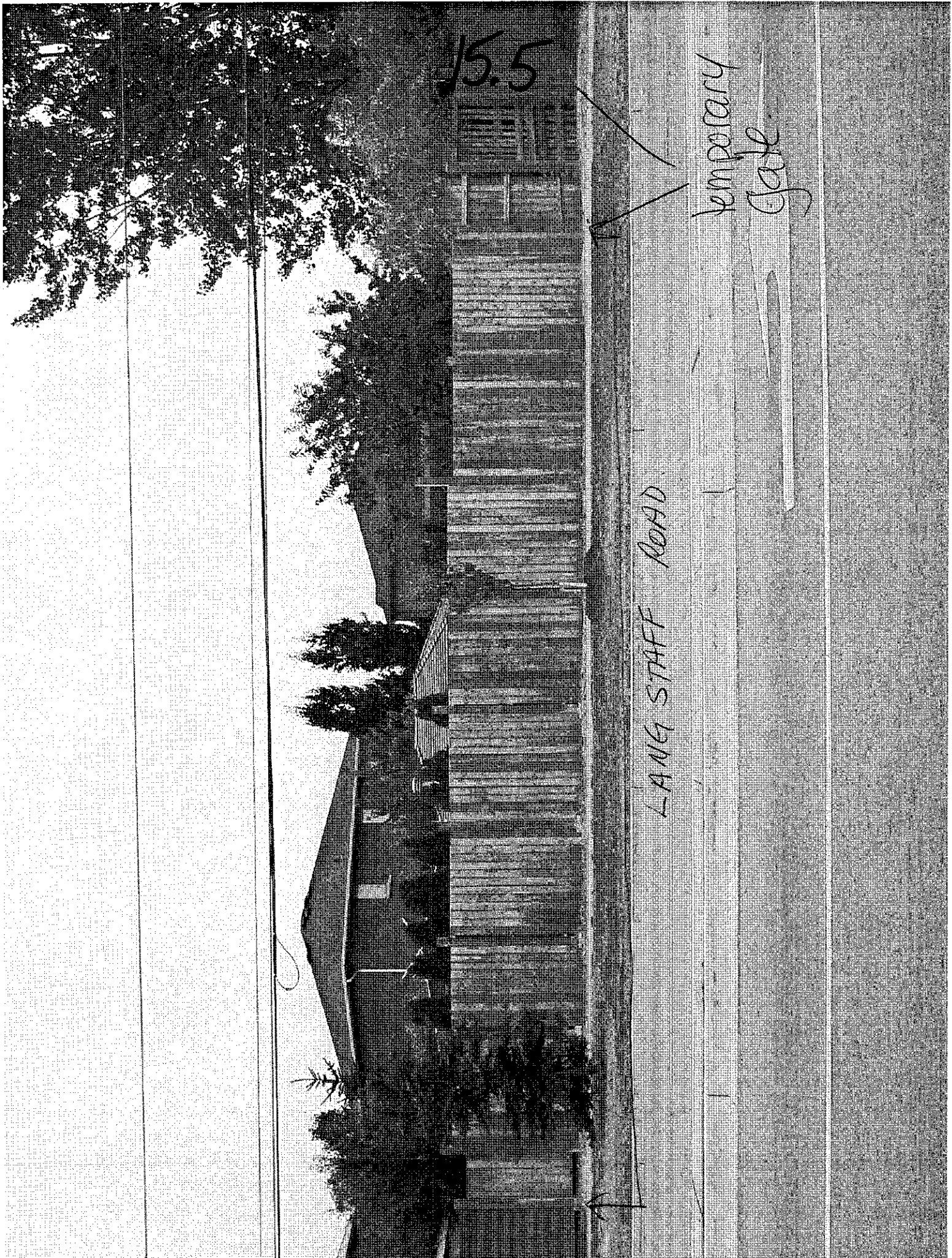
6.4 Looking Glass



154

64 Looking Glass Gate (to be
temporary gate) replaced
← complete replacement

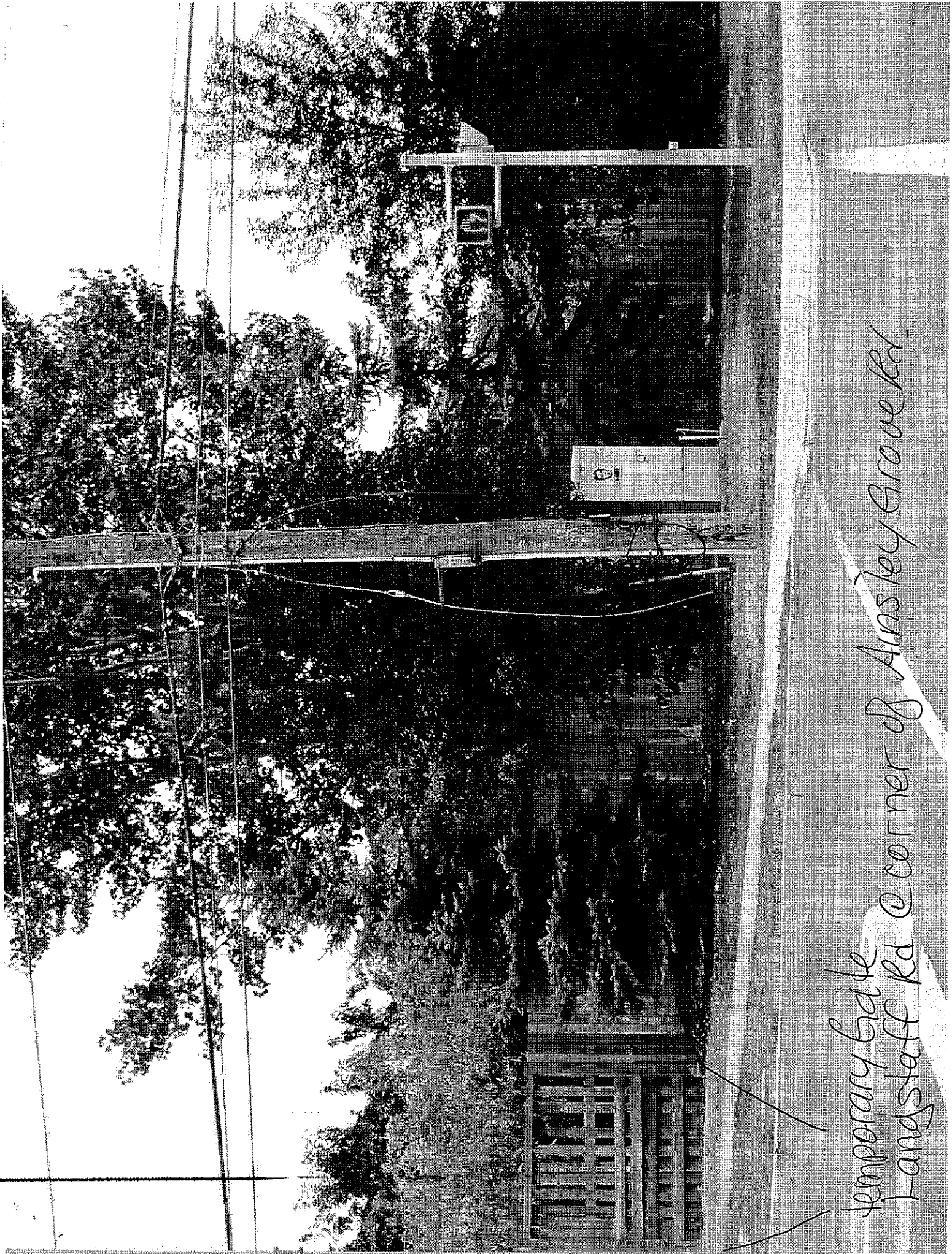




15.5

LANG STAFF ROAD

temporary gate



Temporary Gate
Langstaff Rd @ corner of Ansley Grove Rd.

15.7

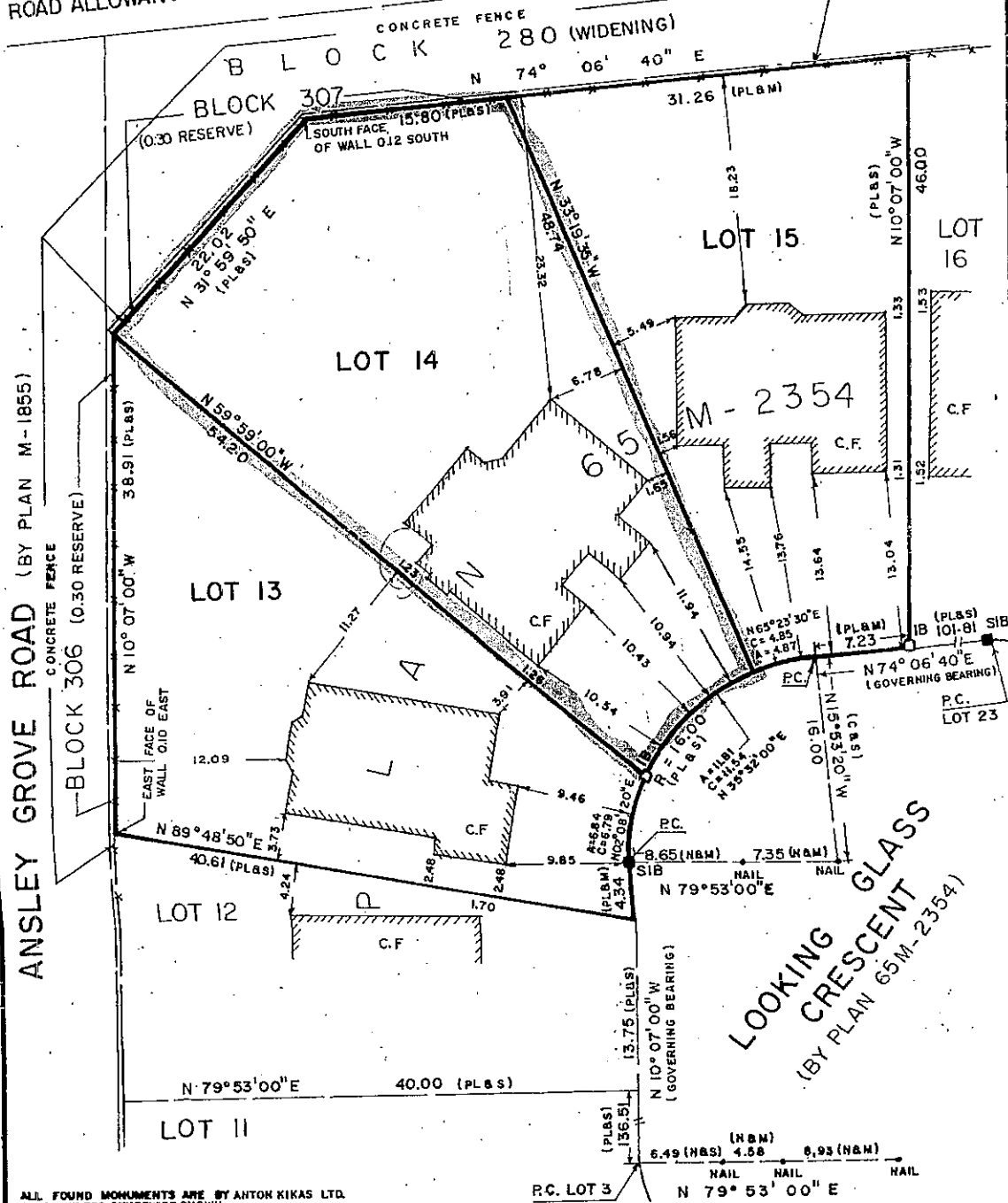
**BUILDING LOCATION SURVEY OF
LOTS 13 TO 15 INCLUSIVE
PLAN 65M-2354
TOWN OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK**

METRIC
MEASUREMENTS SHOWN ON THIS
PLAN ARE IN METRES AND MAY
BE CONVERTED TO FEET BY
DIVIDING BY 0.3048

SCALE 1:400



LANGSTAFF ROAD
ROAD ALLOWANCE BETWEEN LOTS 10 & 11, CON. 6



ALL FOUND MONUMENTS ARE BY ANTON KIKAS LTD.
O.L.S. UNLESS OTHERWISE SHOWN

NOTES

BEARINGS ARE ASTROPHOMIC AND ARE
DERIVED FROM THE WEST LIMIT
OF LOOKING GLASS AS SHOWN ON
REGISTERED PLAN 65M-2354
HAVING A BEARING OF N10°07'00" W

LEGEND

- DENOTES SURVEY MONUMENT SET
- ⊕ DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- CF DENOTES CONCRETE FOUNDATION
- N DENOTES NOTES BY P. SALNA Co. LTD.
- PL DENOTES PLAN 65M-2354
- M DENOTES MEASURED
- DENOTES FOUND TEMPORARY WITNESS MONUMENT BY P. SALNA Co. LTD.
- C DENOTES CALCULATED
- P.C. DENOTES POINT OF CURVATURE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY:
THAT THE FIELD SURVEY REPRESENTED
ON THIS PLAN WAS COMPLETED ON THE
15th DAY OF AUG. 1986

R. Salna

R. SALI
ONTARIO LAND SURVEYOR
DATE: OCTOBER 20/1986

P. SALNA COMPANY LTD.
ONTARIO LAND SURVEYOR
10225 YONGE STREET
RICHMOND HILL, ONT. L4C 3B2
PHONE 884-3988, FILE: 85-85

15.8
67 LOOKING GLASS CREEK

- e) In no case shall a completed model home be occupied until all the other provisions of this agreement regarding the issuance of building permits or occupancy certificates are fulfilled for the lot in question.

21.13 No part of any noise attenuation measure shall be constructed on or within the Regional Road right-of-way on Langstaff Road. Fences adjacent to this Regional Road may be constructed on the property line provided that they are not higher than 1.83 metres.

The maintenance of noise barriers and fences and landscaping bordering on the Langstaff Road, Ansley Grove Road and Stan Gate rights-of-way and located on or abutting Lots 1 to 25 inclusive, and 28 to 50 inclusive, shall not be the responsibility of the Region or the Town and shall be maintained by the Owner as part of the municipal services as required by this Agreement. Following the Town's assumption of services in this Plan, the maintenance of the fences and barriers shall be the responsibility of the abutting lot owners, and each such owner shall be responsible for the portion abutting his lot. Any landscaping provided by the Owner for aesthetic purposes within the Regional Road allowance shall be maintained by the Owner prior to assumption and, following assumption, by the Town, with the exception of the usual grass maintenance which will be undertaken by the Region.

In the event that the Owner fails to maintain the noise barriers, fences and landscaping, the Town may draw on the municipal services Letter of Credit and carry out the necessary maintenance.

21.14 Prior to final approval of the Plan, the Owner shall pay to the Town a contribution of \$288,475.89 toward the cost of the construction of the following works:

(a) Pine Valley Trunk Sewer -	\$ 47,266.10
(b) Ansley Grove Road, including intersection improvements at Hwy #7 -	\$ 207,466.99
(c) Oversizing of Sanitary Sewers from Ansley Grove Rd. to Pine Valley Dr. -	\$ 21,969.90
(d) Jersey Creek Storm Outlet -	\$ 11,772.90
TOTAL (Item 6, Schedule "I")	\$ 288,475.89

ATTACHMENT No. 4

15.9



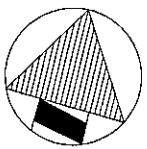
FENCE HEIGHT EXEMPTION 64 LOOKING GLASS CRESCENT

LOCATION : Part of lot 10, Conc. 6

LEGEND



SUBJECT LANDS



NOT TO SCALE