

COMMITTEE OF THE WHOLE - OCTOBER 1, 2007

FENCE HEIGHT EXEMPTION - 16 PRESTONWOOD COURT - WARD 1

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 16 Prestonwood Road be denied.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, 2 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 16 Prestonwood 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 16 Prestonwood Court.

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

The By-law permits a fence height of four feet in front yards. A front yard fence is considered to start at the front door of the house that is set back the farthest. The Applicant has constructed a fence in the interior side yard which extends past the front corner (door) of the neighbouring house (#18 Prestonwood Court) by 8 feet 8 inches, which places this fence in the front yard pursuant to the By-law.

The fence varies in height, however, the highest point of the panels is 6 feet, and highest point of the posts measures 7 feet 2 inches and the gate is 6 feet 7 inches.

The area was inspected by Enforcement staff and there are no similar fences in front yards in the immediate area.

There are no site plans registered for this property.

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

In this general area there have been no similar fence height exemptions applied for recent years.

Polling was conducted and 2 letters were received objecting the application.

Due to the objections from neighbours and no similar fence in the area, staff does not recommend this applications approval.

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) 6 Photographs
- 2) Site Plan
- 3) Area Map of Surrounding Streets
- 4) Letter of Objection
- 5) Letter of Objection

Report prepared by:

Janice Heron
Administrative Coordinator, Enforcement Services

Respectfully submitted,

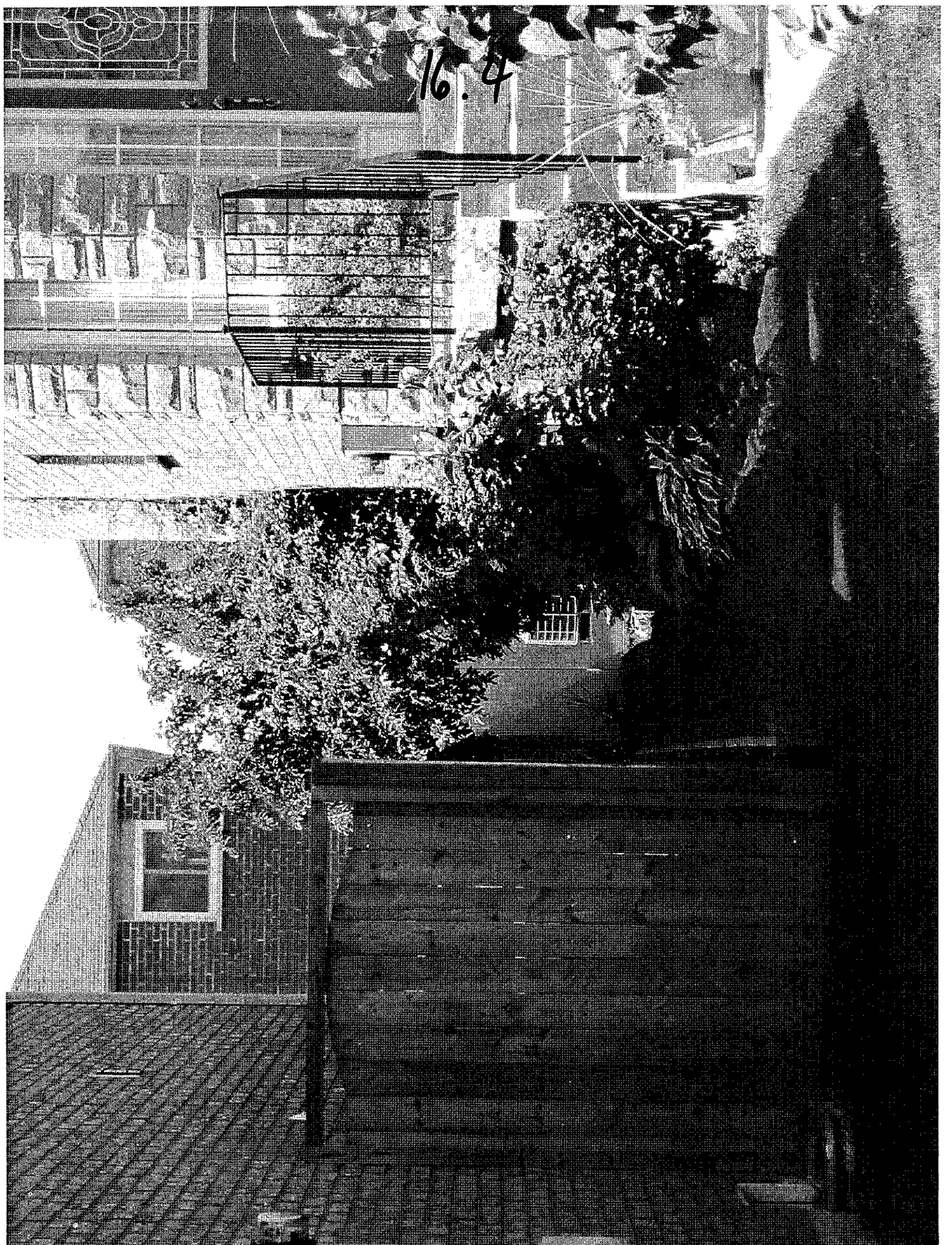
Janice Atwood-Petkovski
Commissioner of Legal & Administrative Services
and City Solicitor

Tony Thompson
Director, Enforcement Services

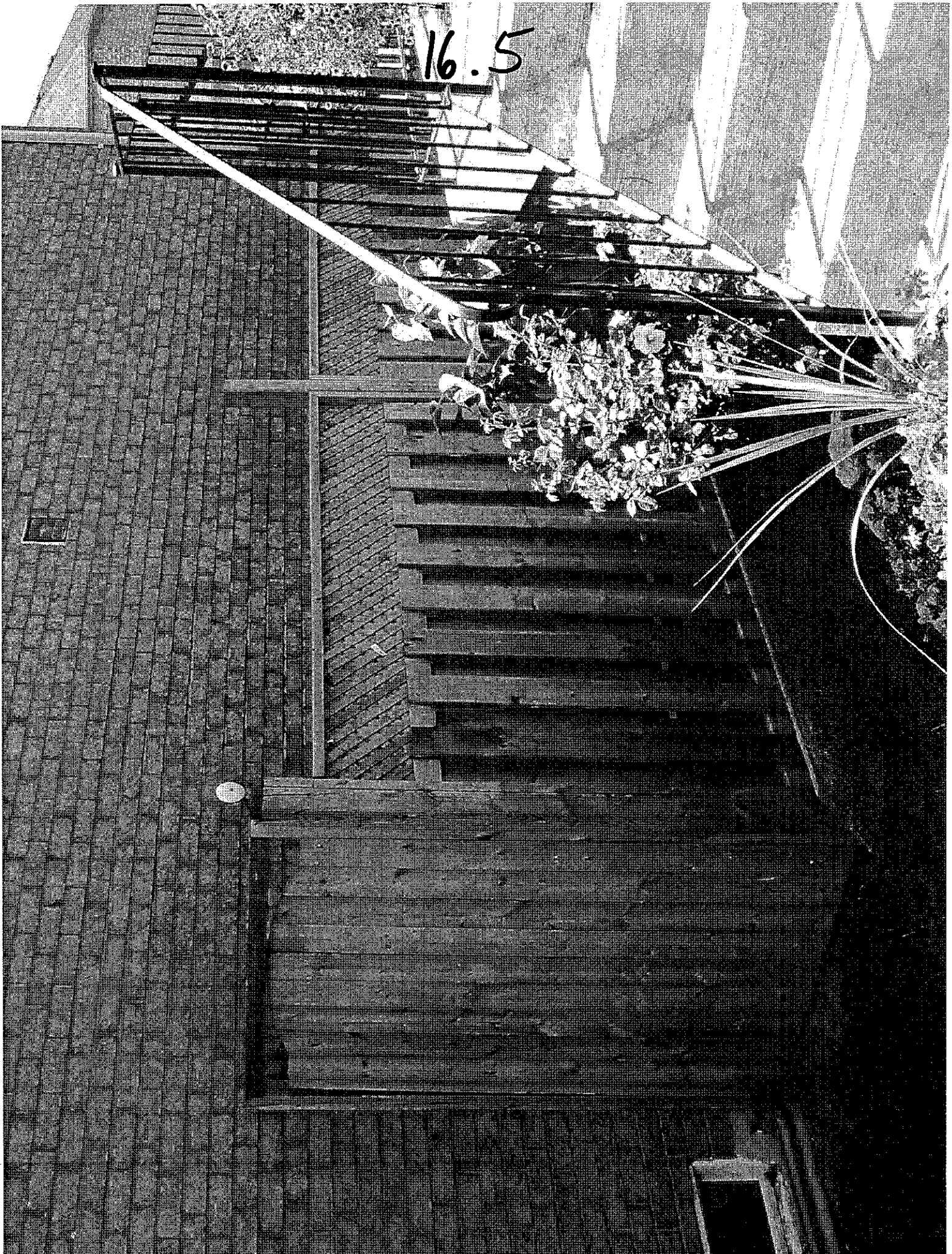
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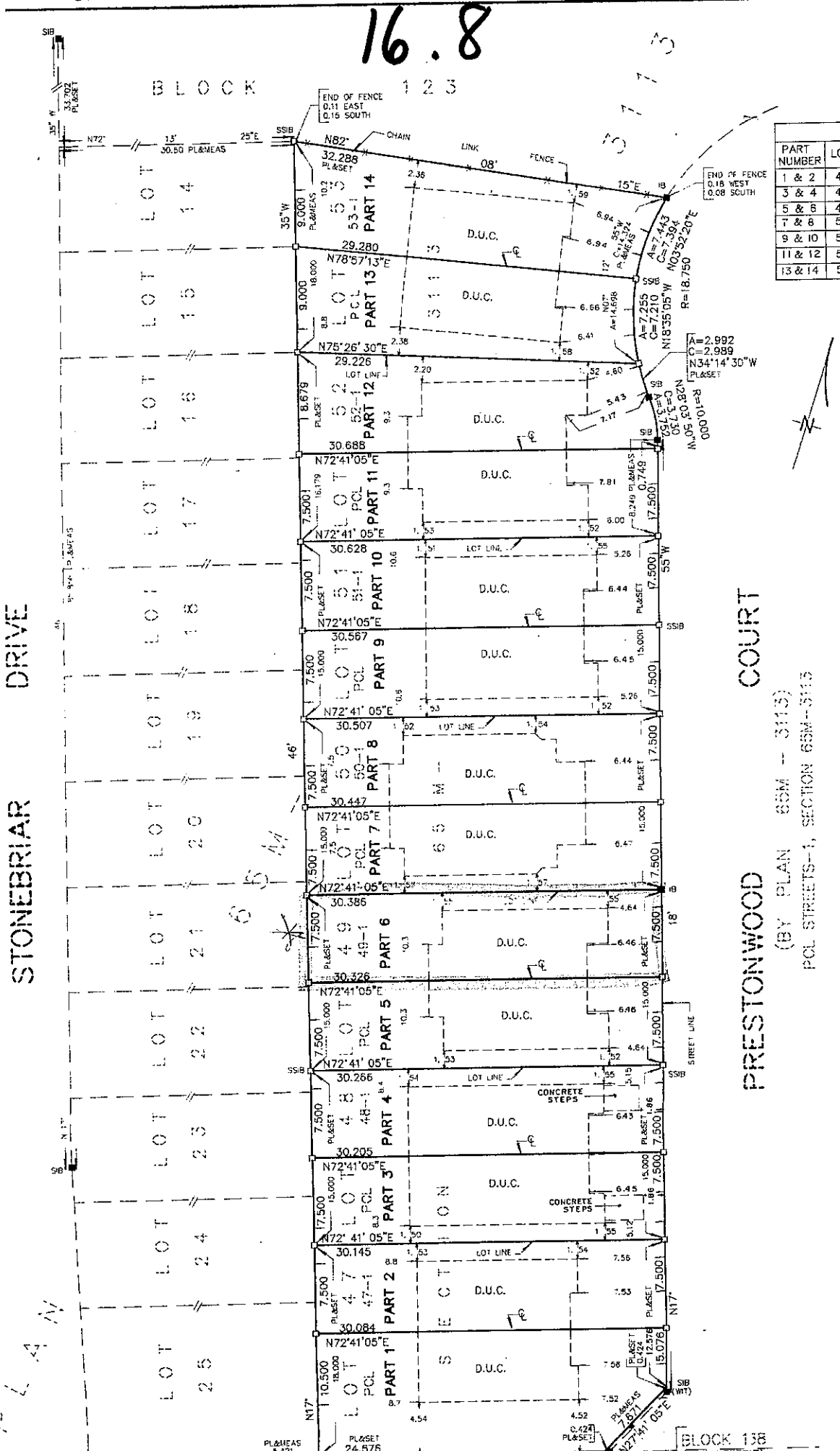
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3 & 4	48		48-1
5 & 6	49		49-1
7 & 8	50	65M-3113	50-1
9 & 10	51		51-1
11 & 12	52		52-1
13 & 14	53		53-1

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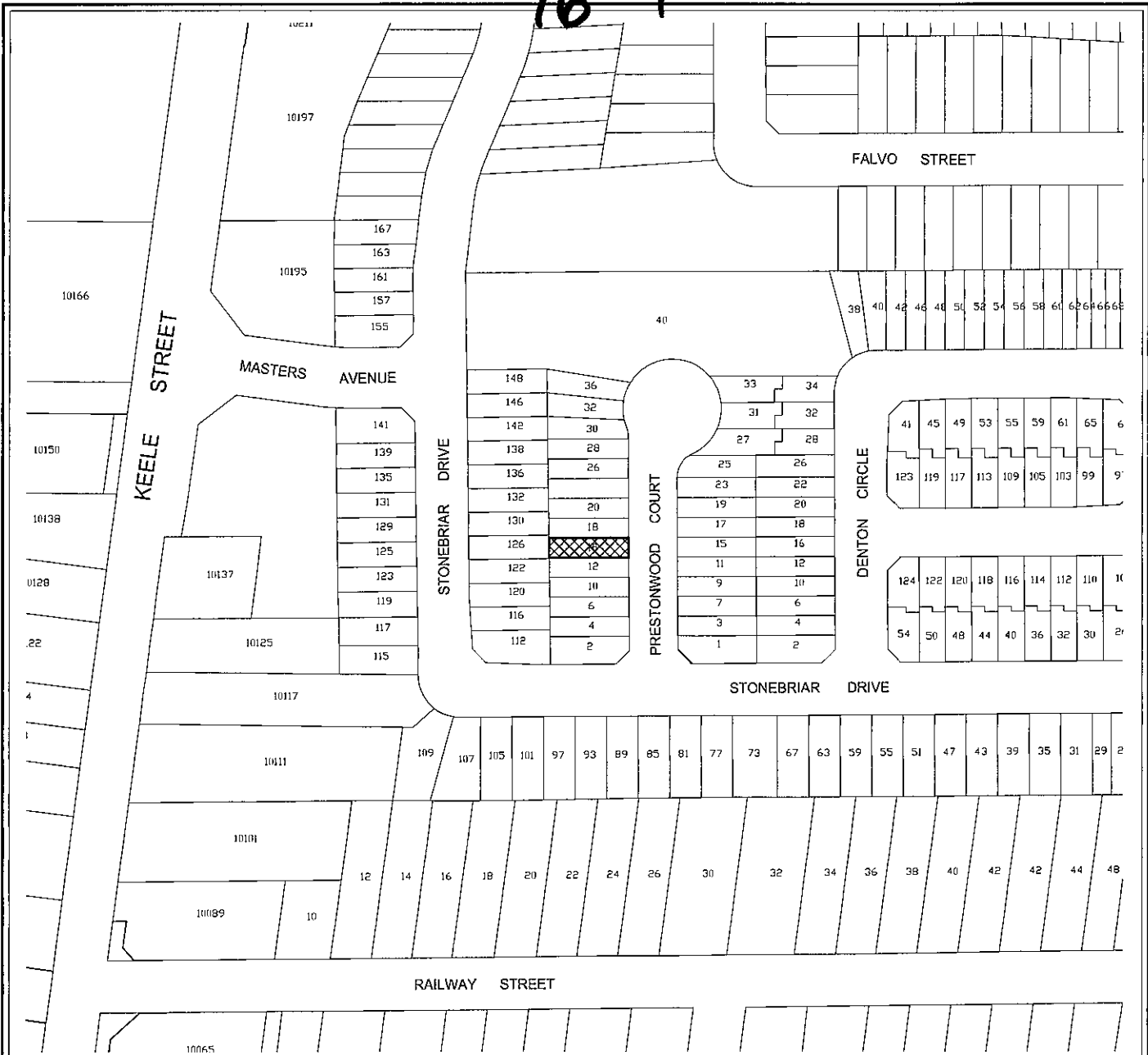
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ATTACHMENT No. 3


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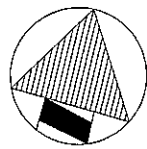


FENCE HEIGHT EXEMPTION 16 PRESTONWOOD COURT

LOCATION : Part of Lot 21, Conc. 3

LEGEND

 SUBJECT LANDS



NOT TO SCALE

16.10

**The City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1**

RECEIVED

[Handwritten Signature]
SEP 13 2007

**CITY OF VAUGHAN
ENFORCEMENT
SERVICES**

September 13, 2007

Att: Mr. Tony Thompson
Enforcement Services

Re: Appeal to the request for the fence height exemption at 16 Prestonwood Court Maple, Ontario

Dear: Tony Thompson

In reference to the above outlined application I wish to express my objection to the approval of such application for the following reasons; I own the property at 18 Prestonwood Court and this matter directly involves my property.

The fence in question extends approximately 9 feet along my front porch, and its height shadows my basement windows allowing little daylight to come in. It also spoils the appearance of the entrance and it will decrease the value of my property, and the outlook of the street.

For a better evaluation of your decision I am attaching photos of the fence in question.

Also I would like to inform you that I will not be able to attend the hearing as I will be out of town until October 2, 2007 and I would appreciate if the hearing could be postponed for a later date.

Trusting this appeal will be granted.

Sincerely,

[Handwritten Signature]
Giuseppe DeCicco

16.11

September 14, 2007

RECEIVED

SEP 14 2007

CITY OF VAUGHAN
ENFORCEMENT
SERVICESThe City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1**Re: Appeal to the request of fence height extension at 16 Prestonwood Crt,
Maple ONT**

Attention: Mr. Tony Thompson, Enforcement Services

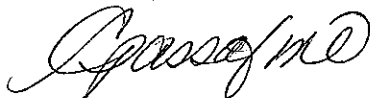
Thank you kindly for allowing our family to voice our opinion at the request of a fence height extension at 16 Prestonwood Court. We object to the approval of the application made for the fence height extension for many reasons. Our family lives at 20 Prestonwood Court; any decision the committee makes in favor of allowing this extension will not only affect my address but also those in the neighborhood.

The fence in question is not the regulated length or height it should be (Section 3.5 of By-Law 80-90 the Fence By-Law. These by-laws are put into place for a reason and should be followed by everyone in the community, including myself. If this fence is allowed to remain as it, it will give everyone within the community the impression that we can make plans, build and go ahead without prior consent of the city.

On a more personal note, should this fence at 16 Prestonwood Crt be permitted, it will allow my direct neighbor to build the same fence; and so on and so on. This fence spoils the general appearance of the address in question (*the caps are out of alignment and the gate is not installed properly*). Generally speaking by allowing this fence to remain as it is, our family feels that it will eventually decrease the quality of neighborhood we've come to love and enjoy.

I trust the committee will make the right decision.

Sincerely,

The Passafiume Family
20 Prestonwood Court
Maple, ON
L6A 2M9