

COMMITTEE OF THE WHOLE - MAY 5, 2007

FENCE HEIGHT EXEMPTION – 2 CLOVIS STREET – WARD 4

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 2 Clovis Street be approved with the following condition:

1. That the total rear yard fence height on the south and west sides only, be approved to a maximum of 7 feet, including posts and caps.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, no objections 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 2 Clovis Street 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 2 Clovis Street.

The Applicant is making application to permit increasing the height of the rear yard fence.

The By-law permits a fence height of 6 feet in rear yards. The Site Plan for this property stipulates an acoustic fence 1.8 metres (or 6 feet) in height for the exterior rear and the exterior side yard facing Apple Blossom Drive. The property is located on a corner lot, backs onto a school and sides onto Apple Blossom Drive. The Applicant is proposing to increase the height of the existing 6 foot fence on the south and west sides of the rear yard fence by adding privacy screen 2 feet to 2.5 feet in height bringing the total height of the fence to 8 or 8.5 feet to provide a sense of privacy and security.

The existing fence measures approximately 6 feet in height.

The area was inspected by Enforcement staff and found another property in the same area on Clovis Street has an existing fence in the rear yard with a height of 6 foot 10 inches, with posts ranging in height from 7feet 5 ½ inches to 8 feet 1 inch.

There are is a site plans registered for this property and there is an approved Revised Landscape Plan for the property to the rear of 2 Clovis Street which stipulates additional trees be planted directly behind 2 Clovis Street.

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

The details outlined above do not support the approval of a fence height exemption for this location and there is no precedent for approving a fence of this height in this area.

The details outlined above support the approval of a fence height exemption for this location with the above noted conditions.

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 supports the approval of a fence height exemption for this location to a maximum height of 7 feet, including posts and caps.

Attachments

- 1) Map of area
- 2) Site Plan
- 3) Revised Landscape Plan
- 4) Grading Plan
- 5) Photos of existing fence/structure
- 6) Letter from Applicant

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

Respectfully submitted,

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

Tony Thompson
Director, Enforcement Services

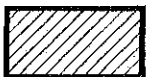
ATTACHMENT No. 1



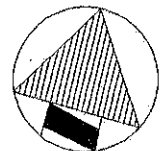
FENCE HEIGHT EXEMPTION 2 CLOVIS STREET

LOCATION: Part of Lot 14,
Concession 2

LEGEND



SUBJECT PROPERTY



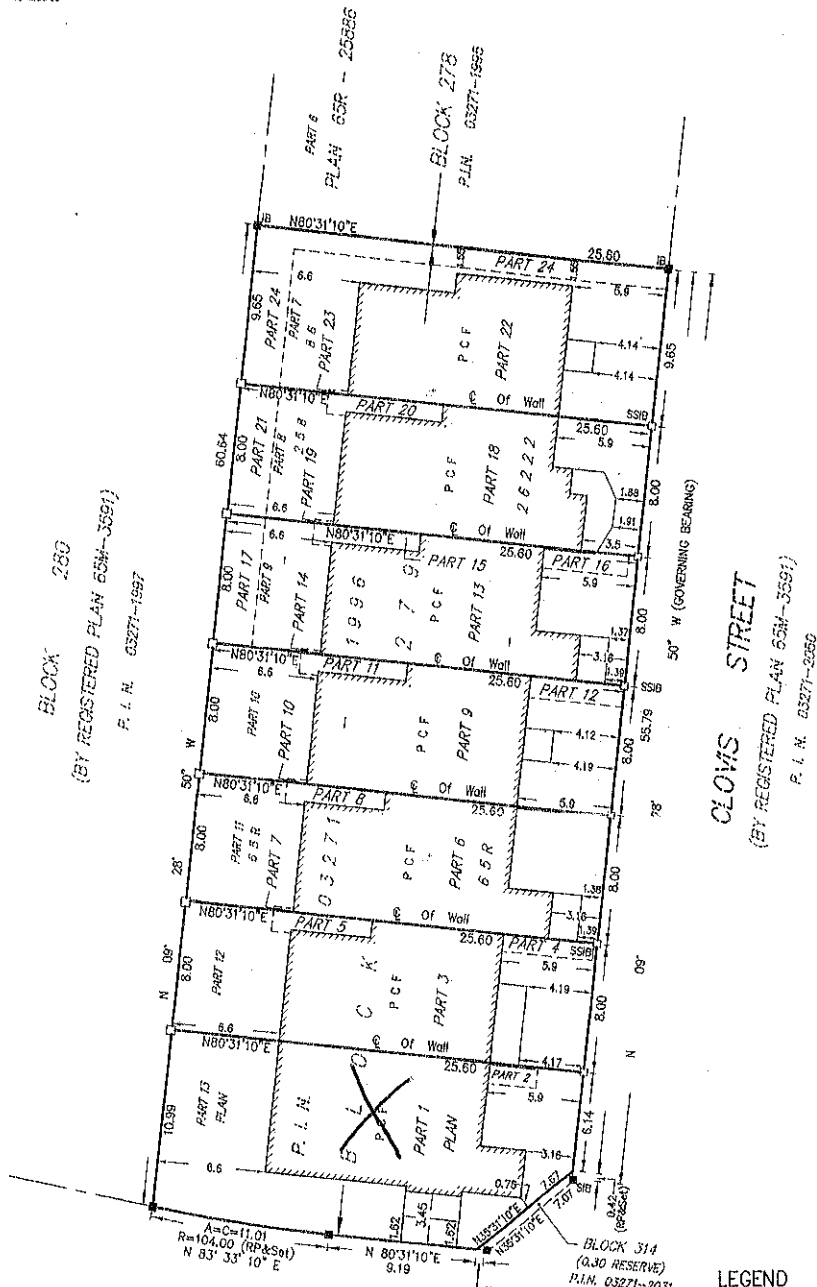
NOT TO SCALE

SURVEYOR'S REAL PROPERTY REPORT
 PLAN OF
 BLOCK 279
 REGISTERED PLAN 65M-359
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK
 SCALE 1:300

ATTACHMENT No. 2

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

5 4 3 2 1 0 5 10 Metres
 YOUNG AND YOUNG SURVEYING INC.
 ONTARIO LAND SURVEYORS
 © COPYRIGHT 2003



BLOCK 280
 (BY REGISTERED PLAN 65M-3591)
 P. I. N. 03271-1997

CLOVIS STREET
 (BY REGISTERED PLAN 65M-3591)
 P. I. N. 03271-2260

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 1473333

THIS PLAN IS NOT VALID
 UNLESS IT IS AN ENCLOSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 In accordance with
 Regulation 1026, Section 29(3)

APPLE BLOSSOM DRIVE
 (BY REGISTERED PLAN 65M-3591)
 P. I. N. 03271-2047

LEGEND

□	DENOTES	SURVEY MONUMENT SET
■	DENOTES	SURVEY MONUMENT FOUND
RP	---	REGISTERED PLAN 65M-359
SET	---	PLAN 65R-25886 & SET
SSIB	---	SHORT STANDARD IRON BAR
SIB	---	STANDARD IRON BAR
IB	---	IRON BAR
PCF	---	POURED CONCRETE FOUNDA
N,S,E,W	---	NORTH,SOUTH,EAST,WEST
P.I.N.	---	PROPERTY IDENTIFIER NUMB
⊙	---	CENTERLINE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THIS SURVEY WAS COMPLETED ON THE 21st DAY OF APRIL, 2003.

Timothy A. Young
 TIMOTHY A. YOUNG, B.A., B.Sc.
 ONTARIO LAND SURVEYOR

AUGUST 6, 2003
 DATE

NOTE

ALL FOUND SURVEY MONUMENTS ARE BY RADY-PENTEX AND EDWARD OLS, UNLESS NOTED OTHERWISE.
 ALL FOUND SURVEY MONUMENTS ARE SHORT STANDARD IRON BARS UNLESS NOTED OTHERWISE.
 ALL SET SURVEY MONUMENTS ARE IRON BARS UNLESS NOTED OTHERWISE.
 ALL BEARINGS AND DISTANCES ARE FROM PLAN 65R-25886 UNLESS NOTED OTHERWISE.

THIS PLAN WAS PREPARED FOR FIELDSIDE DEVELOPER.

BEARING NOTE

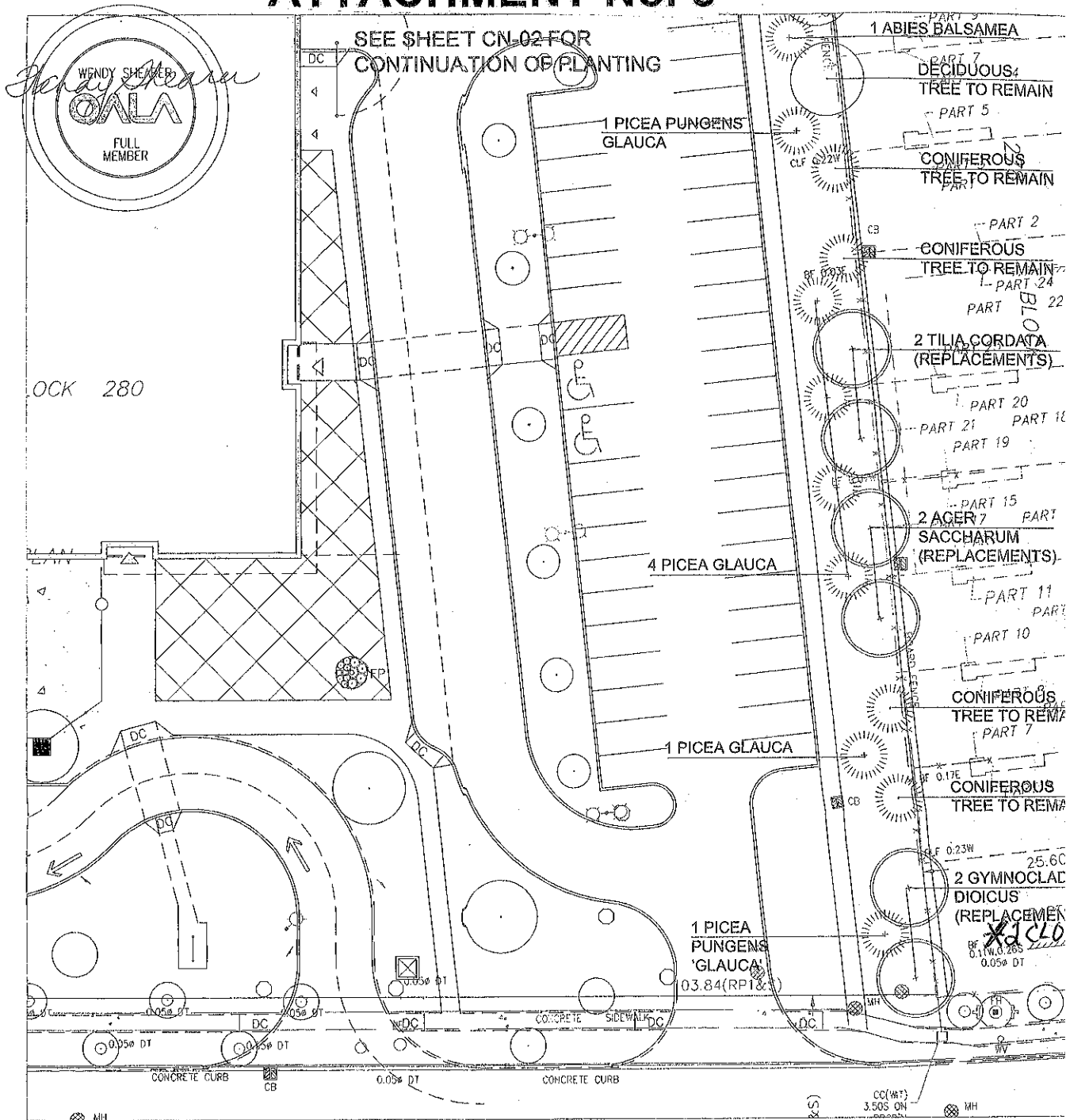
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF CLOVIS STREET, HAVING A BEARING OF N09°28'50"W ACCORDING TO REGISTERED PLAN 65M-3591

Young & Young Surveying
 PROFESSIONAL LAND SURVEYORS

TORONTO 365 THE WEST MALL, SUITE 400 TORONTO ON, M6G 1E7 (416) 621-2875	BOLTON 2 HOLLAND DRIVE, U BOLTON ON, L7E (905) 861-6000
--	--

DRAWN BY J.M. PROJECT 02-T595

ATTACHMENT No. 3



PLANT SCHEDULE CN/01 AND CN/02

TREES				
03	ABIES BALSAMEA	BALSAM FIR	200cm	W.B.
02	ACER SACCHARUM	SUGAR MAPLE	60mm	W.B.
02	GYMNOCLADUS DIOICUS	KENTUCKY COFFEETREE	60mm	W.B.
06	PICEA GLAUCA	WHITE SPRUCE	200cm	W.B.
03	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE	200cm	W.B.
02	TILIA CORDATA	LITTLE LEAF LINDEN	60mm	W.B.

AND SETTINGS, FORUJO PAGE 1 - 11/07/11 07:55 PM

WENDY SHEARER
LANDSCAPE ARCHITECT LIMITED

173 Woolwich Street • Suite 202
Guelph • Ontario • N1H 3V4
tel:(519)837-8230 • fax:(519)837-8232

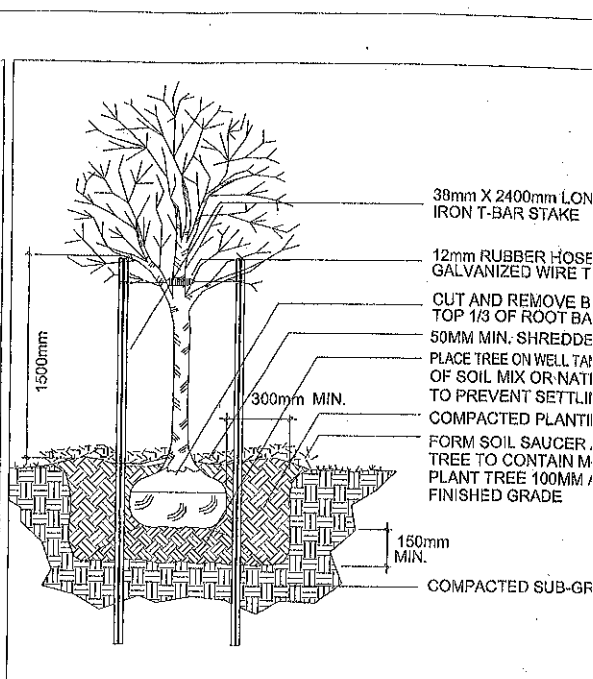
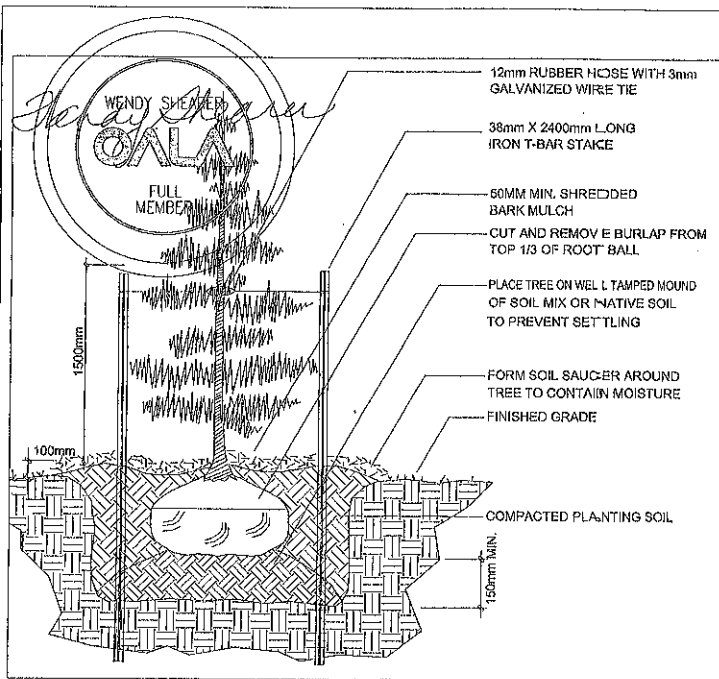
Drawing ADDITIONAL PLANTING PLAN

Project
CARVILLE MILLS

**CN
01**

No.	Date:	Revision:
01	00/00/0000	00
02	00/00/0000	00
03	00/00/0000	00

Scale:	1:500	Date:	OCT26,2007
Project No.:	20505	C.A.D. file:	26044
Drawn by:	CEI	Checked by:	WS



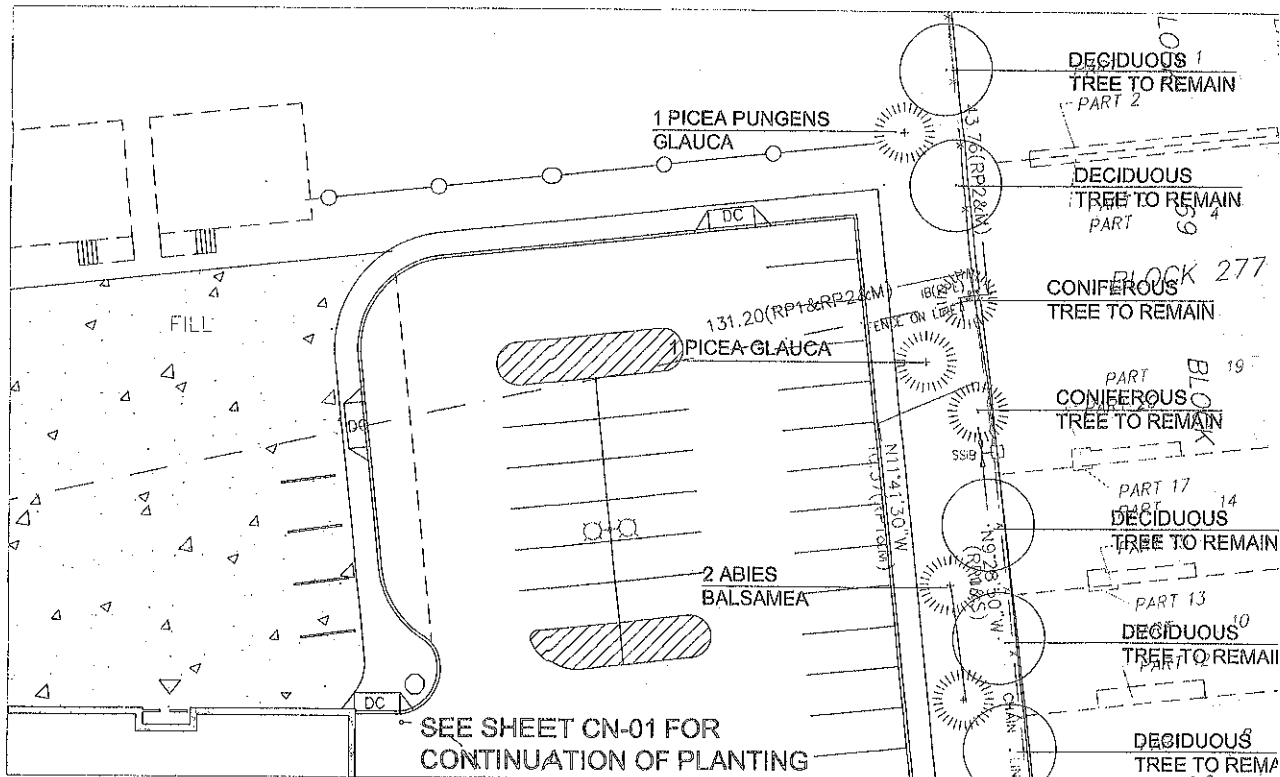
TYPICAL CONIFEROUS TREE PLANTING

NTS ALL DIMENSIONS IN MILLIMETRES

TYPICAL DECIDUOUS TREE PLANTING

NTS ALL DIMENSIONS IN MILLIMETRES

NOTE: ALL DISTURBED/DAMAGED AREAS FROM TREE INSTALLATION TO BE SODDED



Drawing

ADDITIONAL PLANTING PLAN



173 Woolwich Street • Suite 202
Guelph • Ontario • N1H 3V4
tel:(519)837-8230 • fax:(519)837-8232

Project
CARVILLE MILLS

**CN
02**

Scale:	1:500	Date:	OCT26,2007	No.	Date:	Revision
Project No.:	20505	C.A.D. file:	28044	01	00/00/0000	00
Drawn by:	GF.J	Checked by:	WS	02	00/00/0000	00
				03	00/00/0000	00

NOTES

1. FOR GENERAL NOTES REFER TO DWG. No. G-1
2. FOR BACK TO FRONT LOT DRAINAGE DETAILS SEE DETAIL ON DWG. G-11

LEGEND

<ul style="list-style-type: none"> ○ SANITARY MANHOLE ○ STORM MANHOLE □ CATCHBASIN □ DOUBLE CB RYCB REARYARD CB DICB DITCH INLET CB CBMH CATCHBASIN MANHOLE H.V. & V. VALVE & CHAMBER 200PV&C VALVE & CHAMBER ✉ COMMUNITY MAIL BOX 227.34 PROPOSED ELEV. 220.99 EXISTING ELEV. 212.5 CONTOUR ELEV. x 228.76 SPECIFIED GRADE 210.85 B/W 211.65 T/W RETAINING WALL 	<ul style="list-style-type: none"> —○—○—○— DEAD END BARRICADE —X— 1.2m RAIL FENCE —X— 1.5m BLACK VINYL CHAINLINK FENCE —XX— 1.5m GALVANIZED CHAINLINK FENCE —DX— 1.8m ACOUSTIC FENCE —Z—Z— PRIVACY FENCE W.O. WALKOUT HOUSE TYPE B.S. BACK SPLIT HOUSE TYPE F.S. FRONT SPLIT HOUSE TYPE SLOPE BETWEEN LOTS * ENGINEERED FILL
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ERS
S/LTD.
19-E-2150

180 HI
ACDUST

BENCH MARK No. 17-5
 GREEN PARK BUILDING LOCATED AT WEST SIDE OF DUFFERIN STREET AND SOUTH SIDE OF CONFEDERATION PARKWAY. SOUTH-WEST CORNER OF THE BUILDING 0.200m EAST OF SOUTH-WEST CORNER, 0.100m ABOVE GROUND ON SOUTHFACE. 8700 DUFFERIN STREET.
ELEVATION: 211.750

2.	N.V.	FEB 2003	GENERAL CITY COMMENTS	
1.	N.V.	DEC2/02	REAR LOT GRADE LOT 4 TO 22	
No.	By	Date	Revision	Checked

APPROVED AS TO FORM IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF URBAN ECOSYSTEMS LIMITED AS TO DESIGN AND SPECIFICATION.

[Signature]
 Director of Engineering

DUFFERIN CONTWO INVESTMENTS LIMITED

URBAN ECOSYSTEMS LIMITED
 7050 WESTON ROAD, SUITE 705
 WOODBRIDGE, ONTARIO L4L 8G7
 TELEPHONE: (905) 855-0888
 FAX: (905) 855-0998

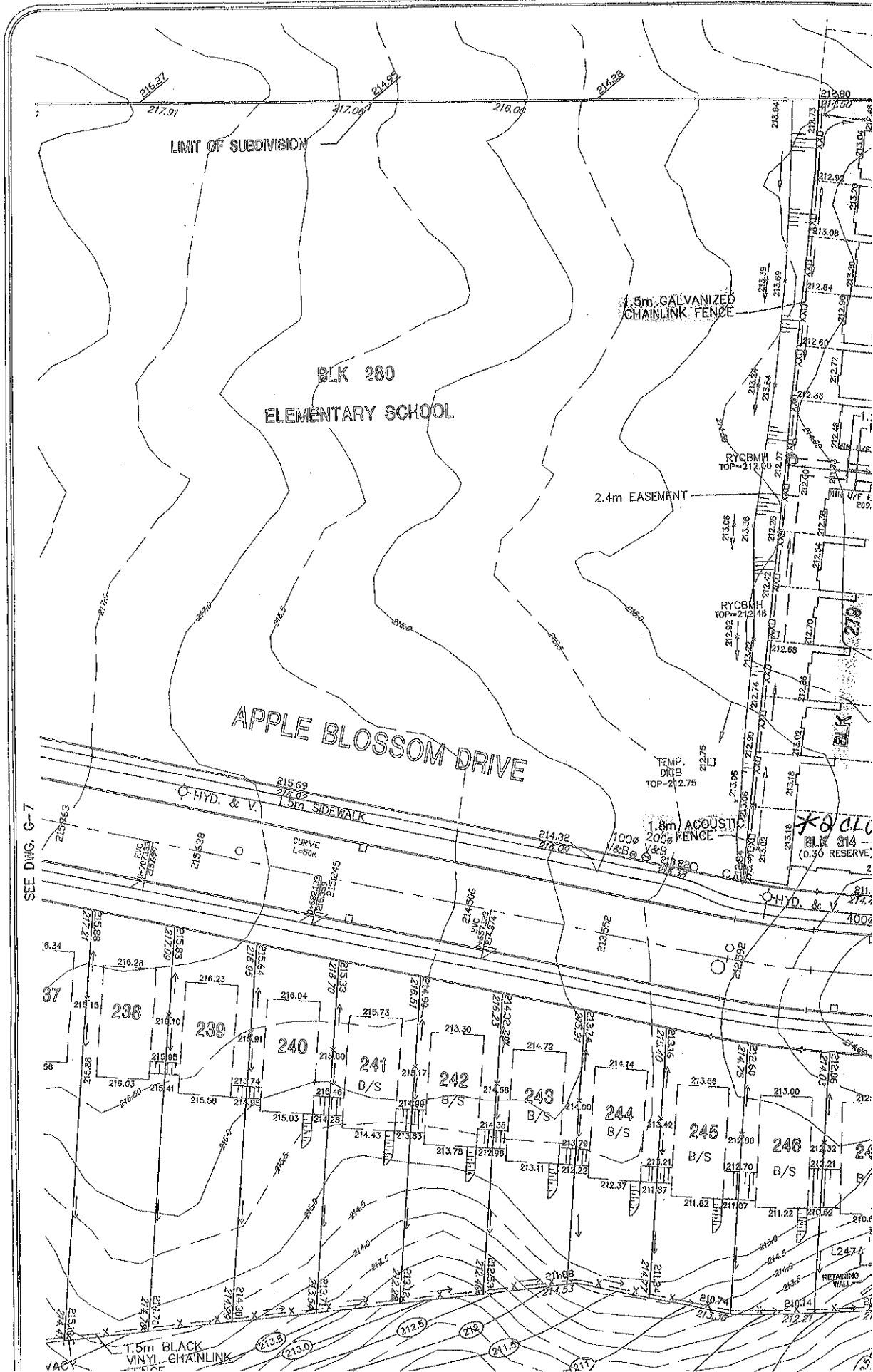
HORIZONTAL

CITY OF VAUGHAN
 ENGINEERING DEPARTMENT

THORNHILL WOODS PHASE I
GRADING PLAN

Designed By D.J.S.	Date OCT. 2000	Checked By N.V.
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D:\PROJECTS\98004\98004.dwg



SEE DWG. G-7

LIMIT OF SUBDIVISION

BLK 280
ELEMENTARY SCHOOL

APPLE BLOSSOM DRIVE

1.5m GALVANIZED
CHAINLINK FENCE

2.4m EASEMENT

HYD. & V.
1.5m SIDEWALK

1.8m ACOUSTIC
FENCE

K&C/CLO
BLK 314
(0.50 RESERVE)

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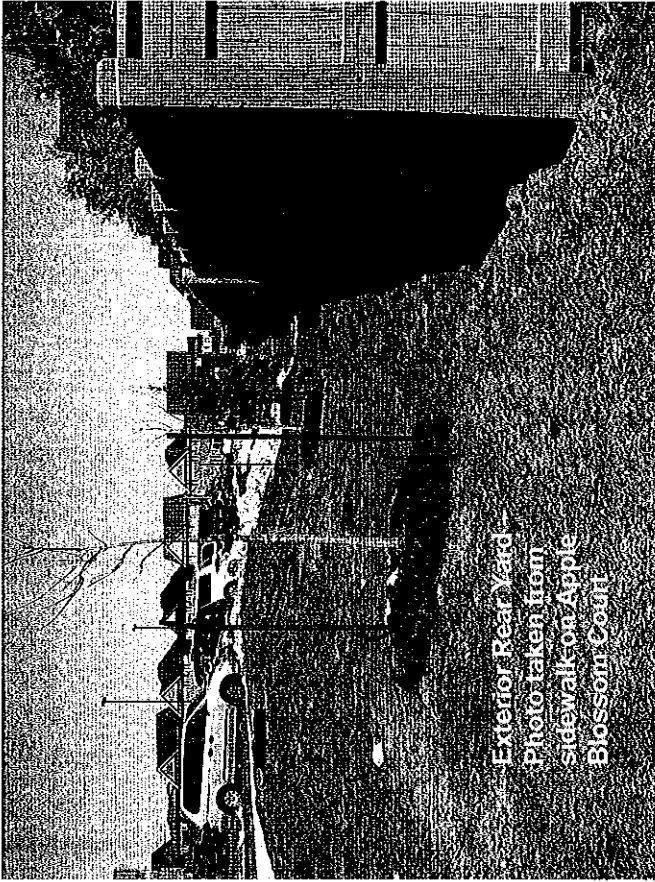
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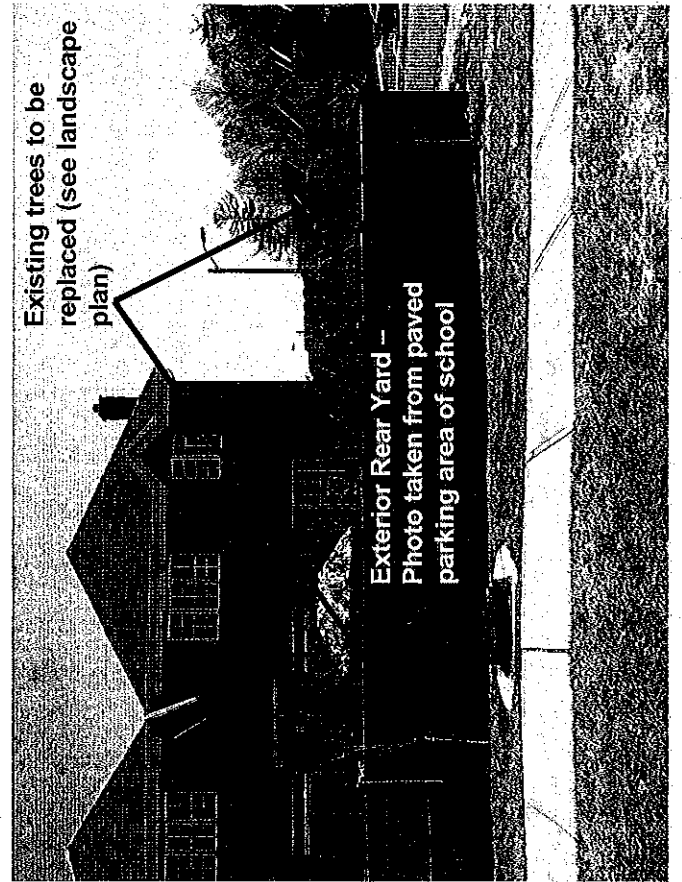
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ATTACHMENT No. 5

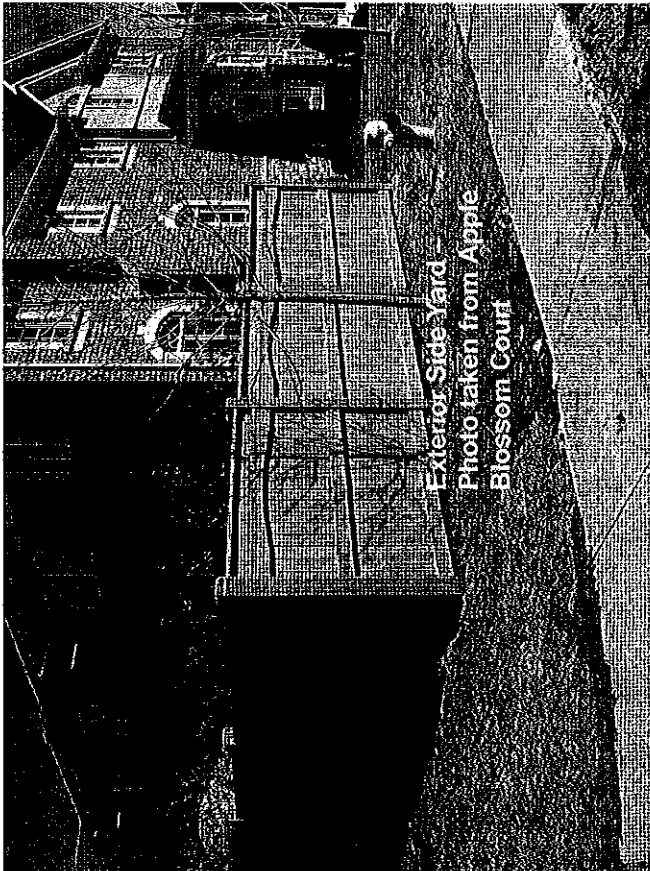


Exterior Rear Yard -
Photo taken from
sidewalk on Apple
Blossom Court

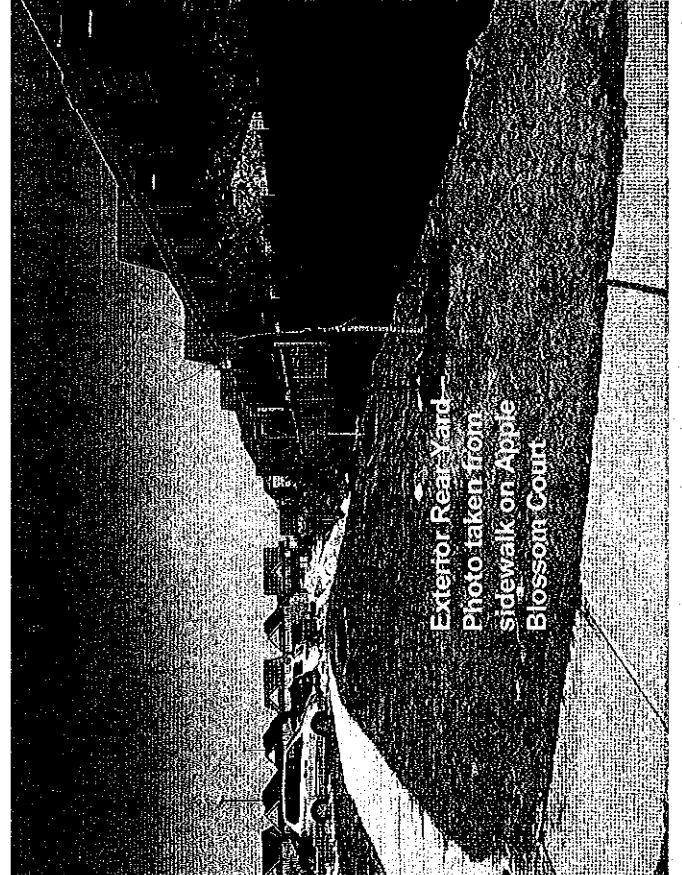


Existing trees to be
replaced (see landscape
plan)

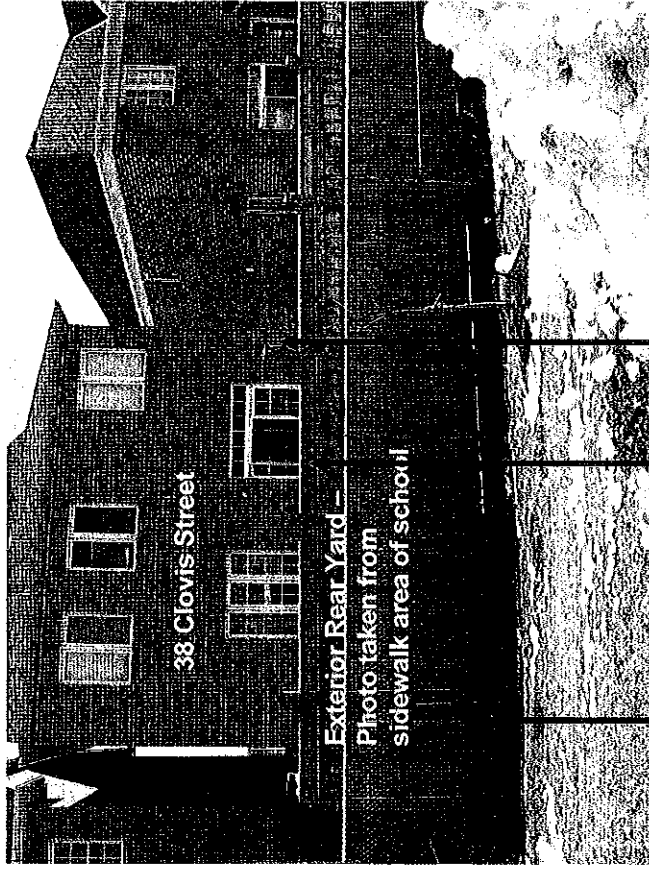
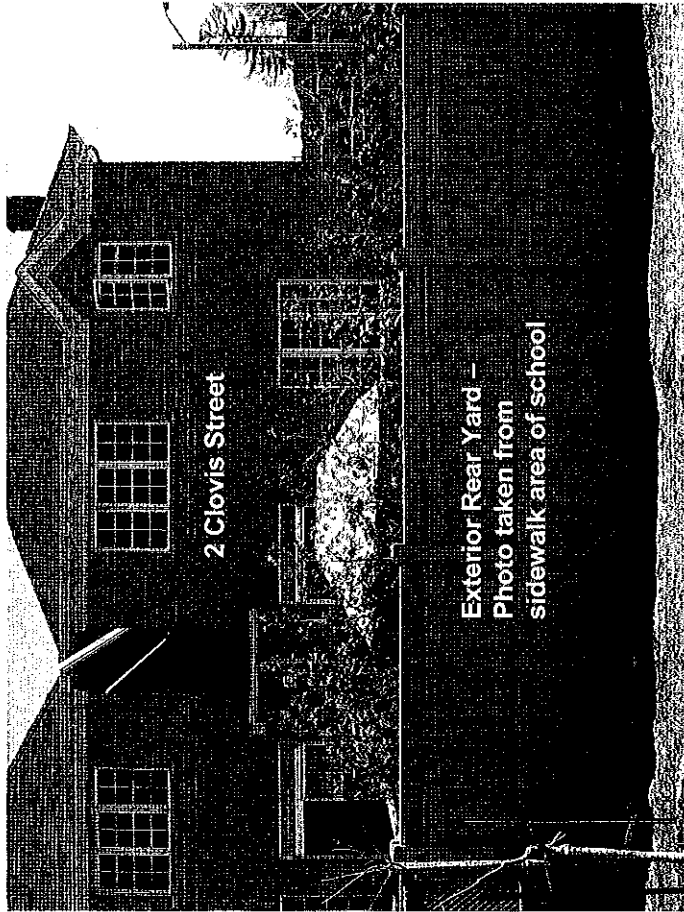
Exterior Rear Yard -
Photo taken from paved
parking area of school



Exterior Side Yard -
Photo taken from Apple
Blossom Court



Exterior Rear Yard -
Photo taken from
sidewalk on Apple
Blossom Court



Existing 6 foot chain link fence

Wood Fence 6 '10"

Wood Post 7' 5 1/2" x 6 '10"

ATTACHMENT No. 6

March 17, 2008

RE: Request for permission to install a privacy screen at 2 Clovis St.

To Whom It May Concern:

Our townhouse is located at the intersection of Clovis & Apple Blossom Streets. The house is backing to the parking lot entrance of the Carrville Mills Public School. The areas of the school as well as Apple Blossom St. are elevated above the level of our house. There is a lot of noise and lack of privacy from the school and people walking on a sidewalk behind the house can see into the backyard and windows of the house. Effectively, our 6-foot fence is equivalent to a 4-foot fence because of the street elevation.

We would like to put a privacy screen above the fence of 2-2.5 feet in order to get the same privacy at the backyard, as the house that is not located at the bottom of the elevated street.

Attached are the pictures taken from the school yard and behind the house.

Sincerely,



Mariana Aksmanov