

**COMMITTEE OF THE WHOLE - MAY 5, 2007**

**FENCE HEIGHT EXEMPTION – 25 KINGSBRIDGE CIRCLE – WARD 5**

**Recommendation**

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

That the fence height exemption application for 25 Kingsbridge Circle be denied.

**Economic Impact**

N/A

**Communications Plan**

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, one (1) objection letter has 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 25 Kingsbridge Circle 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 25 Kingsbridge Circle.

The Applicant is making application to permit the installation of two privacy panels to the existing rear yard fence on the south side only, against the brick wall of the residence.

The By-law permits a fence height of six ((6) feet in rear yards. The Site Plan for this property stipulates a fence of 1.8 metres (6 feet) along the rear property line. The existing fence panels measure 7feet, 2 inches from finished grade (as do all the fences along the row of townhomes).

The Applicant has proposed to install two solid panels against and above the existing 7foot 2 inch fence panels in the rear yard closest to the home on the south side, (see attachment 3) between the property of 25 Kingsbridge and the neighbouring property of 23 Kingsbridge Circle in order to provide a feeling of privacy while using the deck. The installation of these two panels would bring the total fence height of the two panels to 9 ½ feet.

The area was inspected by Enforcement staff and there are 2 residences in the row of townhomes with lattice panels similar in nature to that which the Applicant seeks exemption.

There is a Site Plans registered for this property .

The fence height does not pose a potential sight line issue as it will be located in the rear yard.

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 do not support the approval of a fence height exemption for this location.

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) Map of area
- 2) Site Plan
- 3) Plan Design
- 4) Photos of existing fence & similar fence in area
- 5) Letter of Objection

**Report prepared by:**

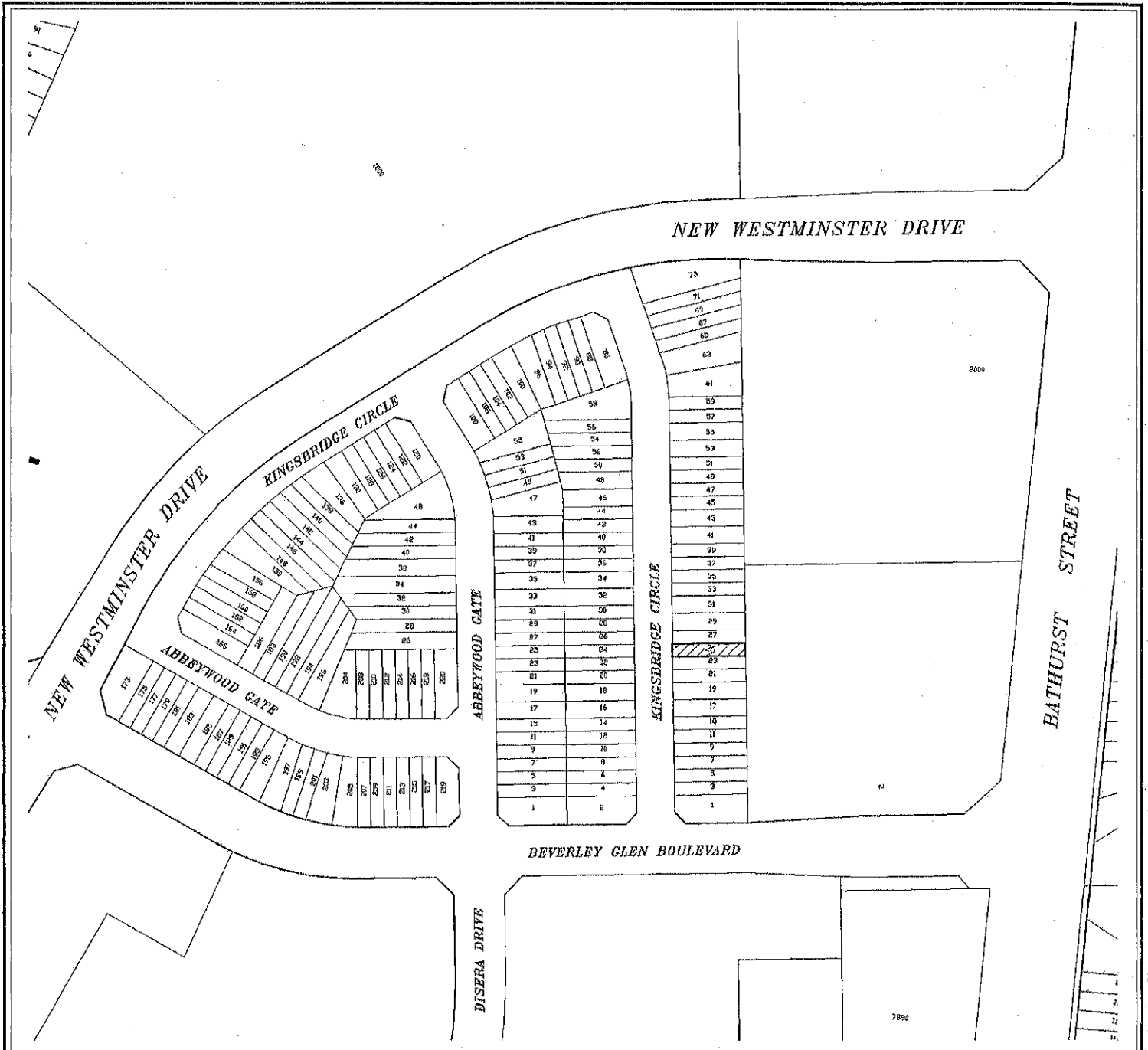
Janice Heron  
Office Coordinator, Enforcement Services

Respectfully submitted,

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

Tony Thompson  
Director, Enforcement Services

# ATTACHMENT No. 1



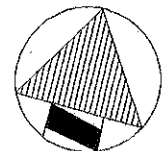
## FENCE HEIGHT EXEMPTION 25 KINGSBRIDGE CIRCLE

LOCATION: Part of Lot 7,  
Concession 2

### LEGEND

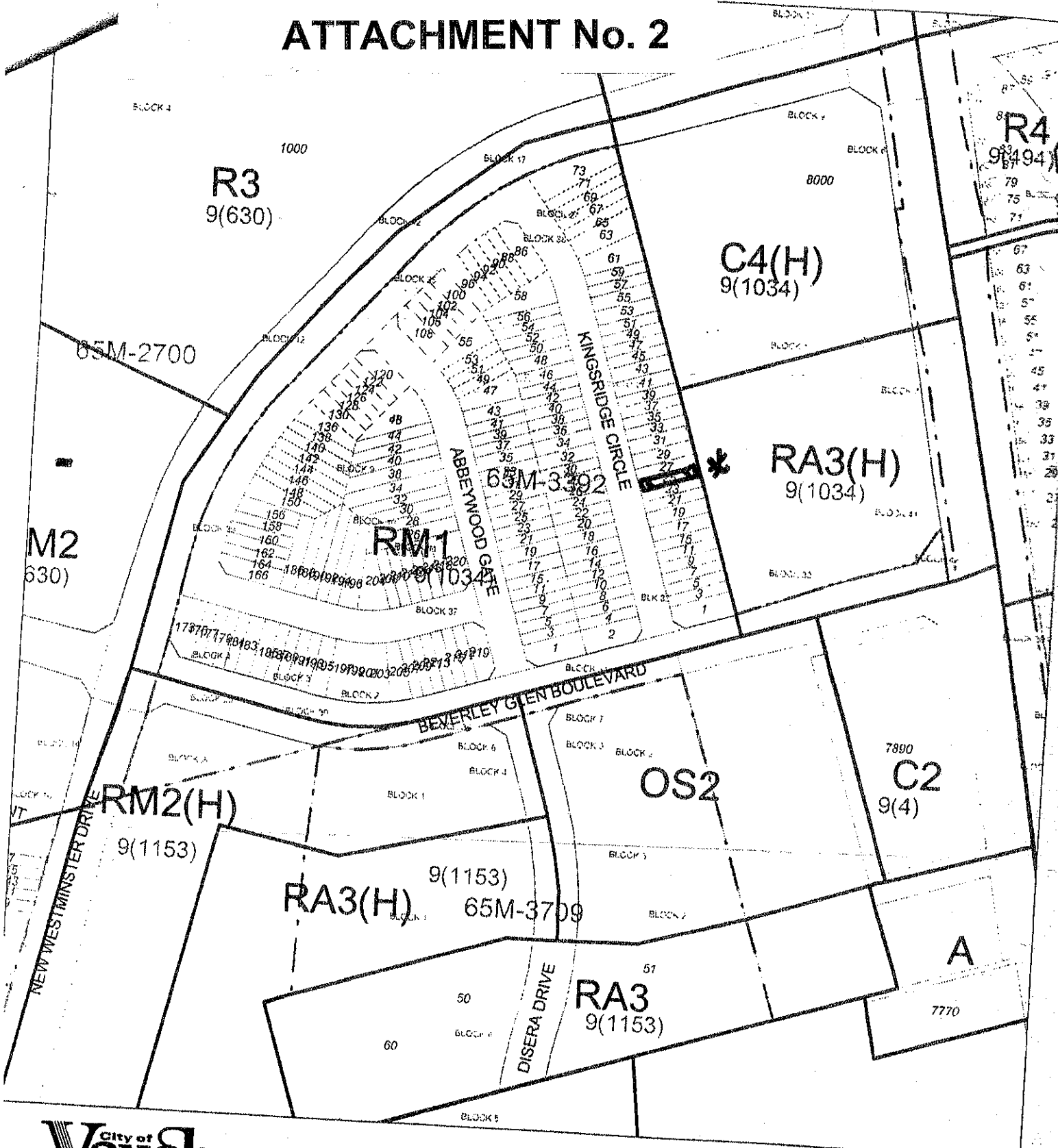


SUBJECT PROPERTY



NOT TO SCALE

# ATTACHMENT No. 2



**City of Vaughan**  
The City Above Toronto

## COMMITTEE OF ADJUSTMENT

**File No.:**

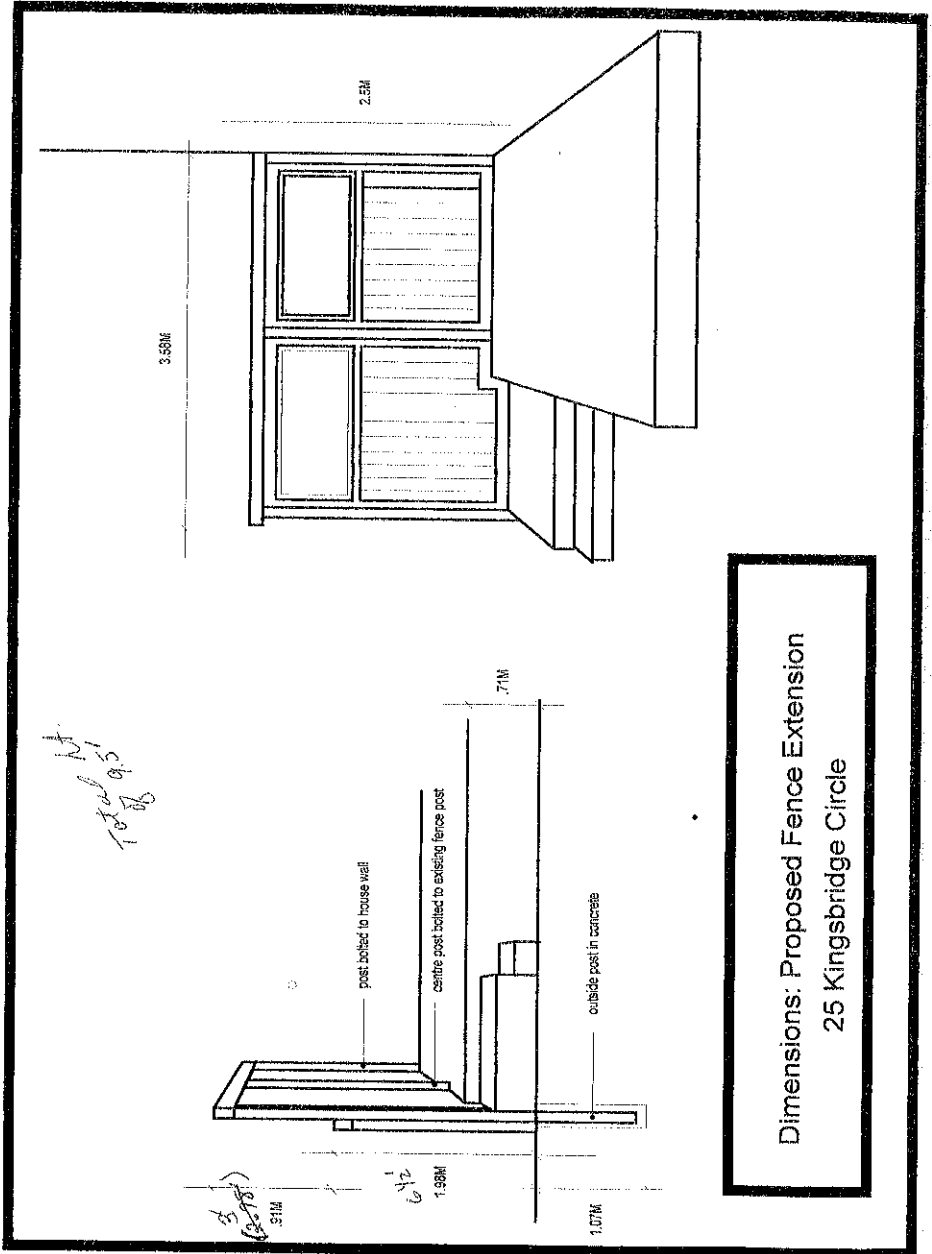
**A097/06**

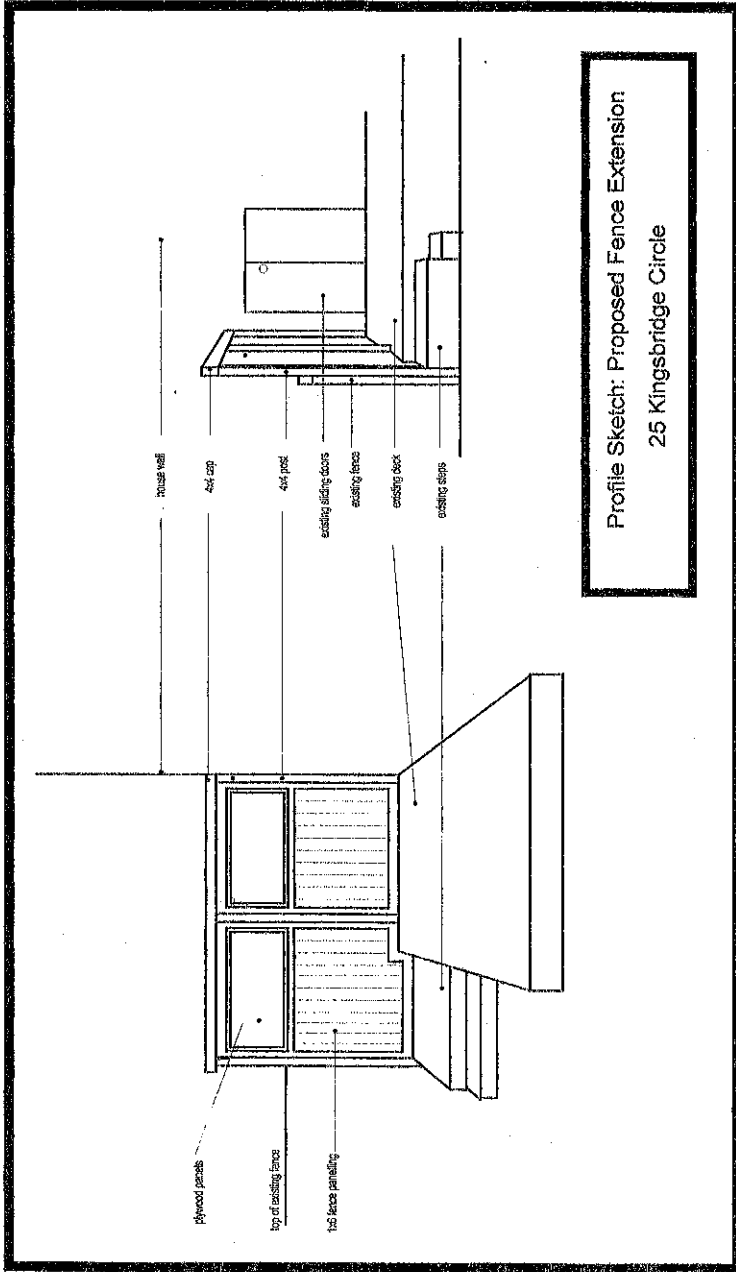
**Applicant**

**SHELDON BERNOFSKY  
ROCHELLE...**



# ATTACHMENT No. 3

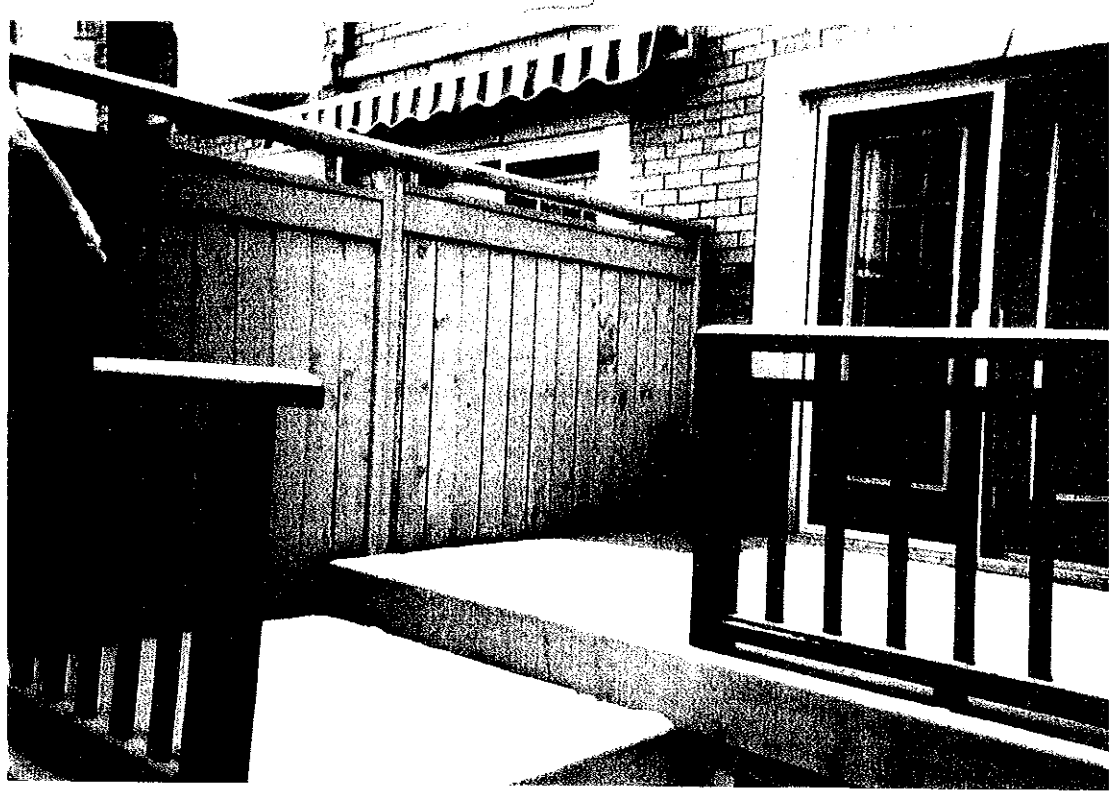




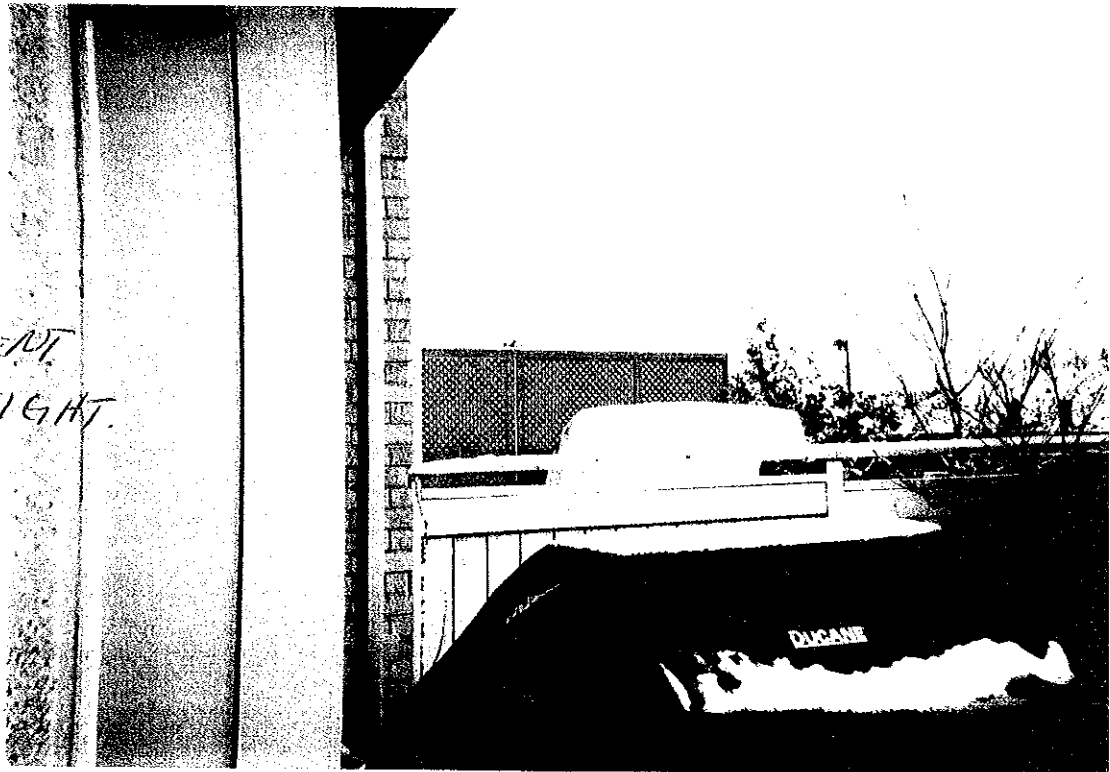
Profile Sketch: Proposed Fence Extension  
 25 Kingsbridge Circle

# ATTACHMENT No. 4

EXISTING FENCE  
+ RAISED DECK



NEIGHBOURING  
LATTICE ATTACHMENT  
OF SIMILAR HEIGHT.



# ATTACHMENT No. 5

RECEIVED

23 Kingsbridge Circle  
Thornhill, Ont  
L4J 8N8

APR 18 2008  
CITY OF VAUGHAN  
ENFORCEMENT  
SERVICES

Phone: 905-597-3432

The City of Vaughan  
2141 Major Mackenzie Dr.  
Vaughan, Ont  
L6A 1T1

Attn: Janice Heron, Office Co-ordinator  
Enforcement Services Department.

Dear Sirs:

Re: Request for Fence Height Exemption at 25 Kingsbridge Circle

We thank you for and appreciate your letter of April 4/08 regarding the subject property owners' application requesting an exemption pursuant to Section 3.5, By-Law 80-90 to erect a privacy panel taking the fence between our back yards to a height of 9'4".

We are objecting on the following Basis:

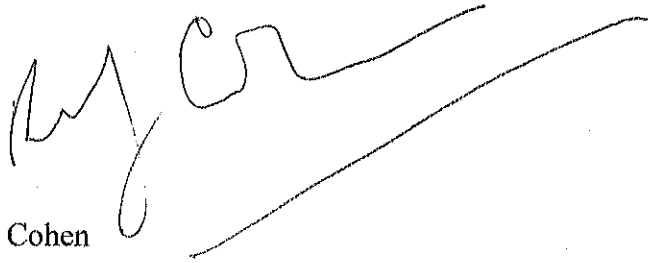
- 1: We normally eat all our meals in the eating nook of our kitchen which is located in the North East section at the rear of our house. The erection of this additional extra height panel would restrict light coming into our eating nook, especially later in the day.
2. The owners of 25 Kingsbridge Circle have built a wooden deck which is three steps above the natural common grade, having the effect of elevating their floor 2ft. higher than the ground level grade of both 23 & 25 Kingsbridge properties. The height of the existing fence is 7'1" from the back yard grade level. If they lowered their deck to ground level they wouldn't need to raise the fence for privacy reasons.
3. The back yard is already very small and the heightened fence would make it seem even smaller. From the second floor of our house, and all the other houses in the complex including #25, the next door gardens on either side are always visible even with a higher fence this wouldn't alter.
4. We think the erection proposed would pose a hazard in time of high winds. Also, the patched up partially heightened fence would be in conflict with the aesthetic and harmony of all the fences around us which are all the same height.



5. We installed an electric awning last summer over our back door and the proposed heightening of the fence could very well interfere with our use of this equipment or necessitate expensive costs to move it.

We trust you will take our objections into consideration as we feel this is really an unnecessary adjustment to make.

Yours truly,

A handwritten signature in black ink, appearing to be 'Ralf and Ruth Cohen', written over a horizontal line.

Ralf and Ruth Cohen