

COMMITTEE OF THE WHOLE - APRIL 20, 2010

FENCE HEIGHT EXEMPTION – 7 CUPOLA CRESCENT – WARD 3

Recommendation

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

That the fence height exemption application for 7 Cupola Crescent be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. Twenty nine letters were sent out, only one objection was received, and it was from a property not abutting the Applicant.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 7 Cupola 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 7 Cupola Crescent.

The Applicant is making application to permit an existing side and rear yard fence.

The By-law permits a fence height of 6 feet in interior side and rear yards. The Applicant has requested an exemption to permit the existing wooden fence, which surrounds a swimming pool, along the interior side and rear yards.

The fence encloses a swimming pool and ranges in height as follows:

Interior Side Yard (North)

Gate measures 6 feet 5 inches in height

Panels range in height from 6 foot 7 inches to 6 foot 11 inches

Posts range in height from 6 foot 11 inches to 7 foot 5 inches

Interior Rear yard (East)

Panels range in height from 6 foot 7 inches to 7 foot 5 inches

Posts range in height from 7 foot to 7 foot 3 ½ inches

Interior Side Yard (South)

Gate measures 6 feet 9 inches in height

Panels range in height from 5 foot 5 inches to 6 foot 9 inches

Posts range in height from 5 foot 11 ½ inches to 7 foot 3 ½ inches

Enforcement Services staff inspected the Applicant's property and also reviewed other properties within the 60 metre radius. Staff indicated that the majority of rear yard fences on Cupola are of similar design and height.

There are no site plans registered for this property.

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

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

This application is outside of the parameters of the delegated authority 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.

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Fence Sketch .(with measurements)
- 4) Photos
- 5) Letter of Objection

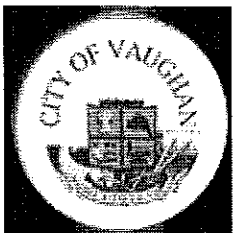
Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

Respectfully submitted,

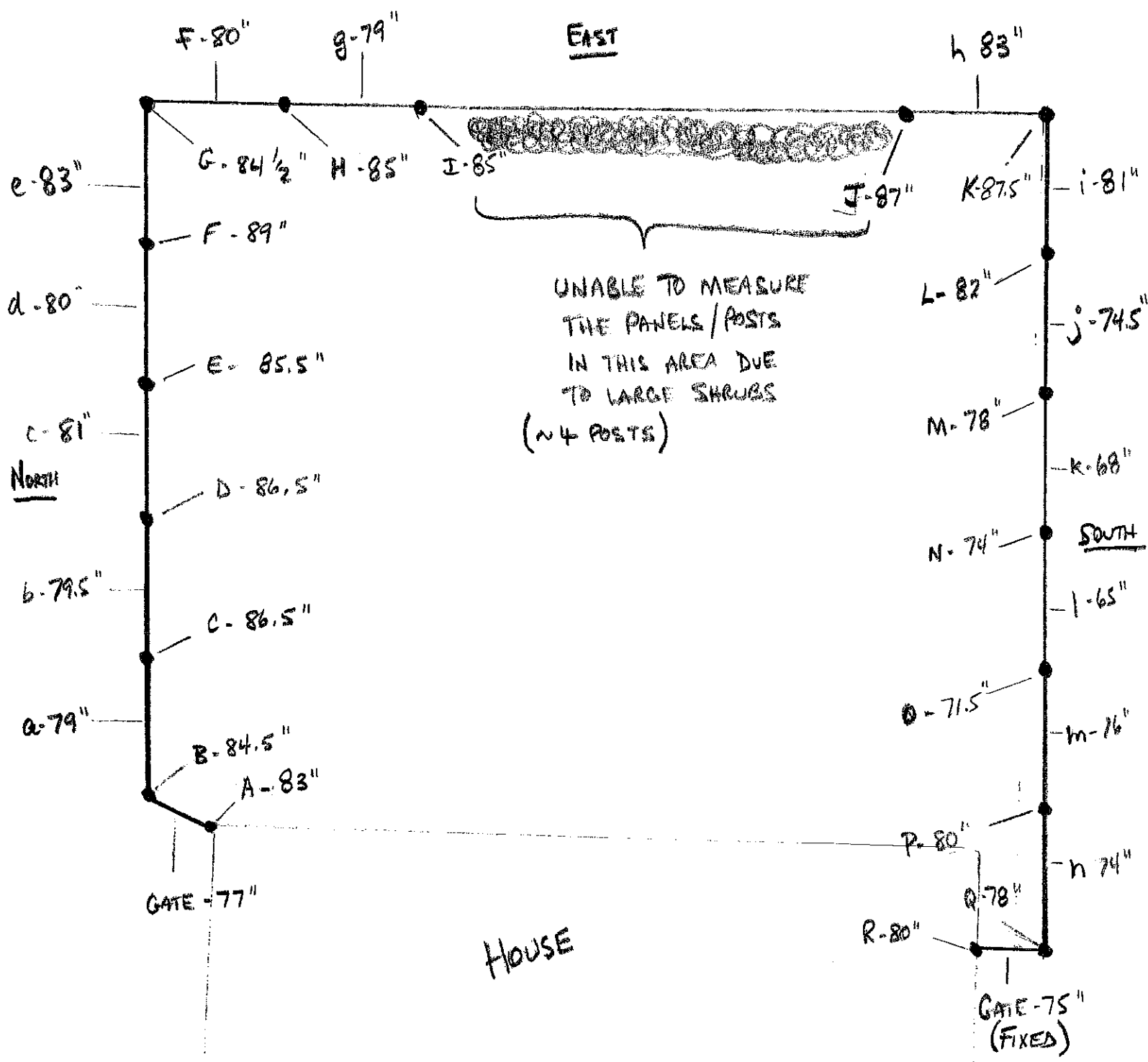
Tony Thompson
Senior Manager, Enforcement Services

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

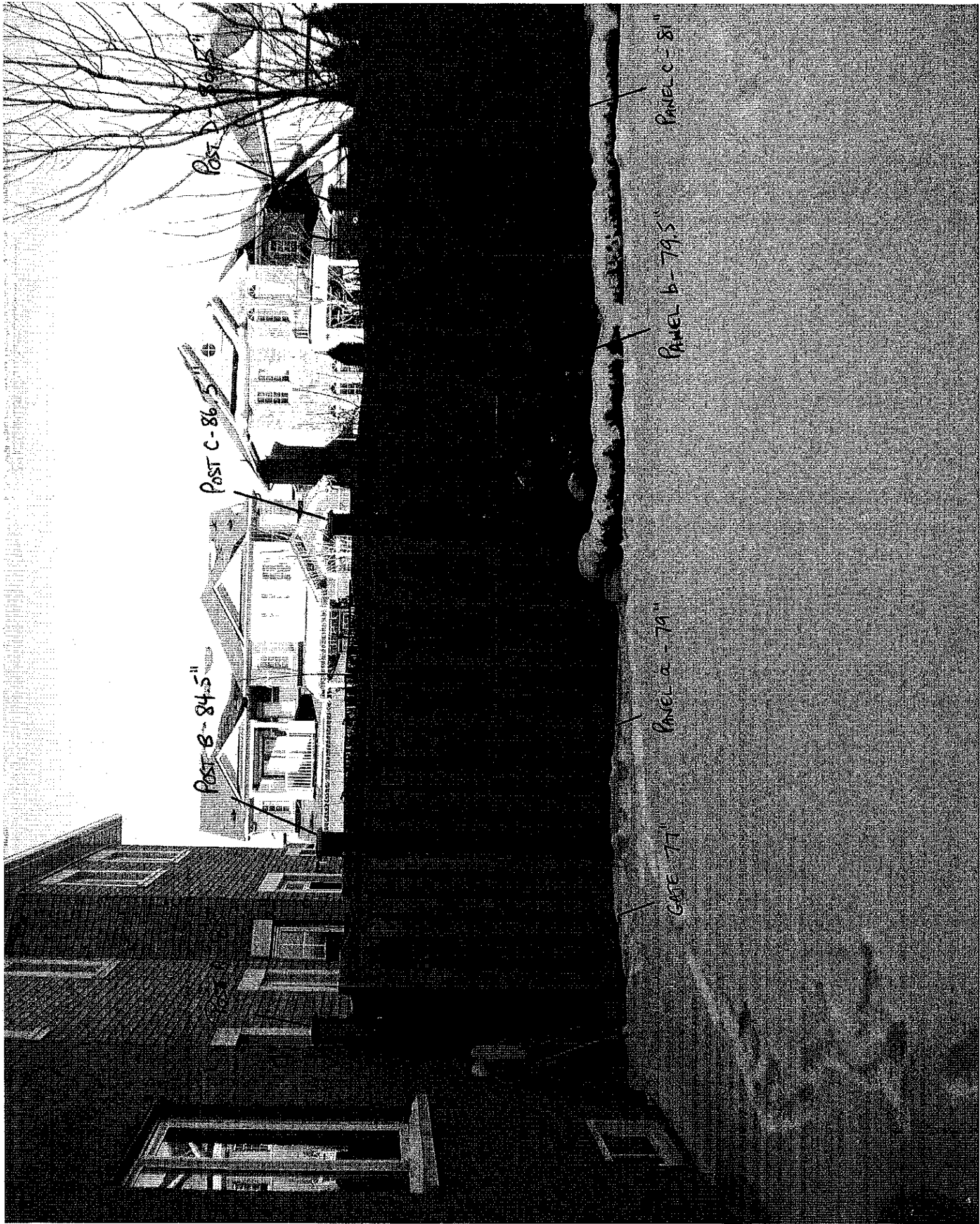


City of Vaughan Development Application Tracking

7 CUPOLA CRESCENT – JANICE HERON

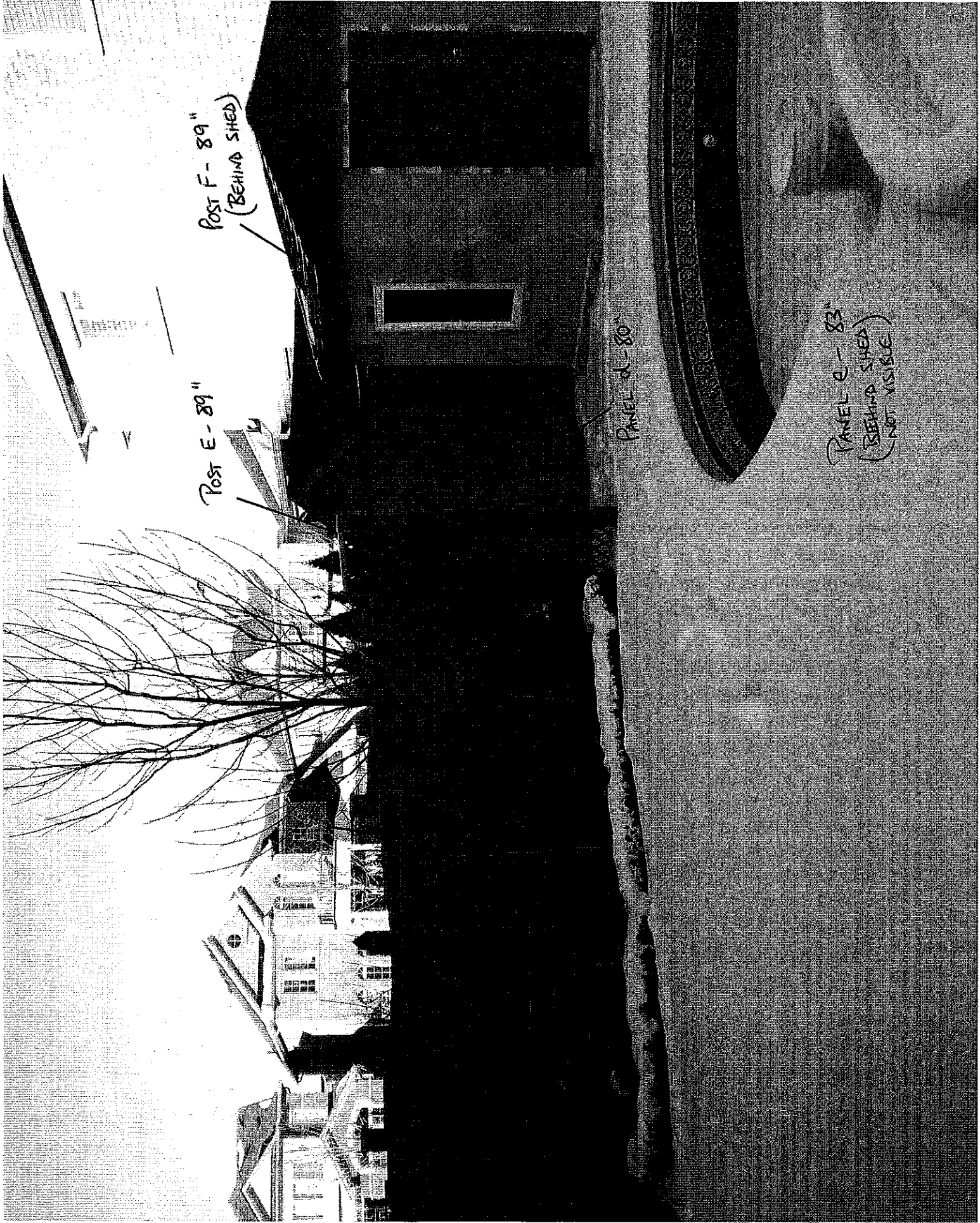


7 CUPOLA CRS - FENCE



JANUARY 12, 2010

7 CORONA CDS - NORTH A



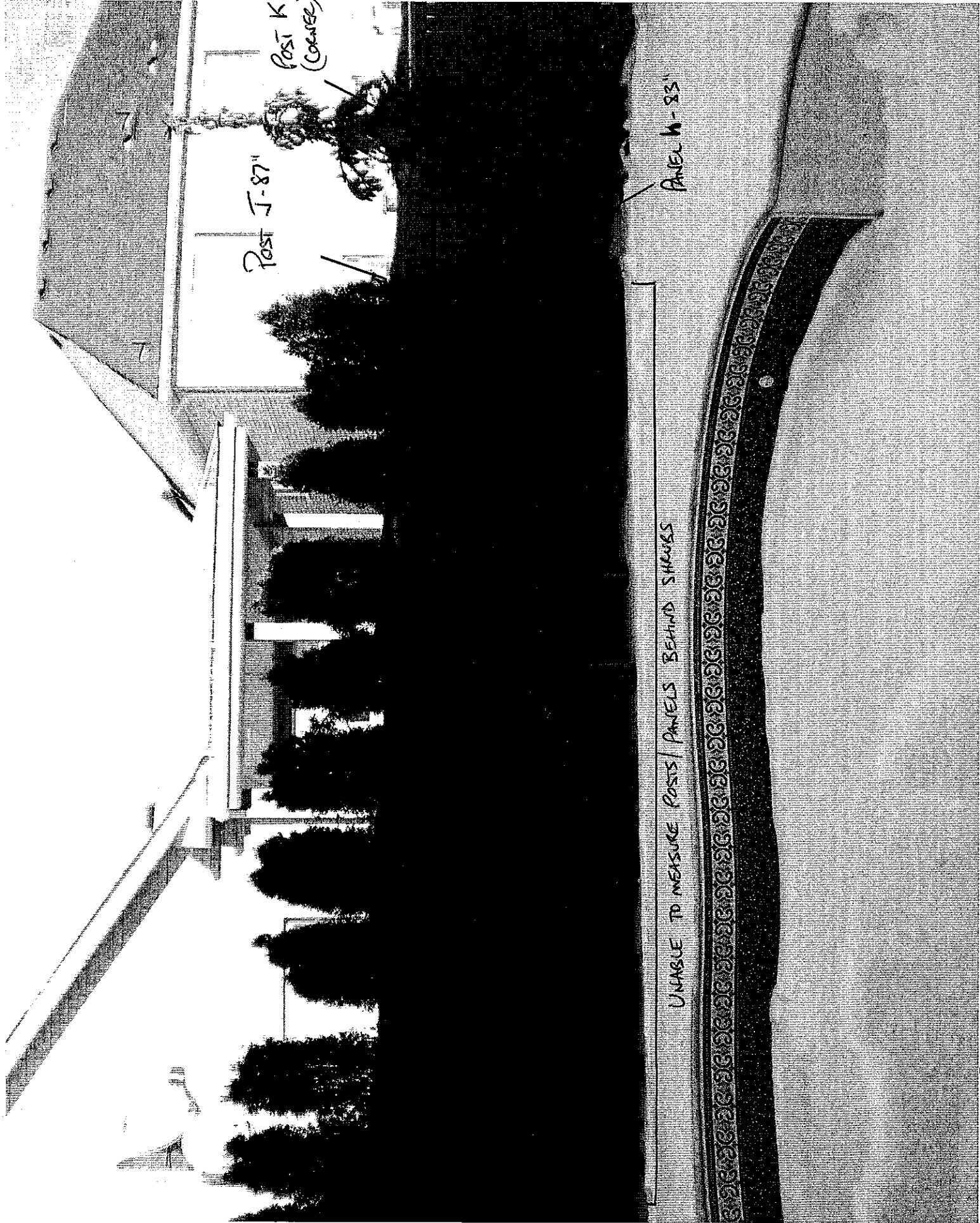
7 CURBOLA CRS- NORTH S

JANUARY 12, 2010



January 12, 2010

7 CUROLA CAS - EAST A



JANUARY 12, 2010

7 CUPOLA CDS - EAST - B



POST N-74"

POST M-78"

POST L-82"

PANEL I-81"

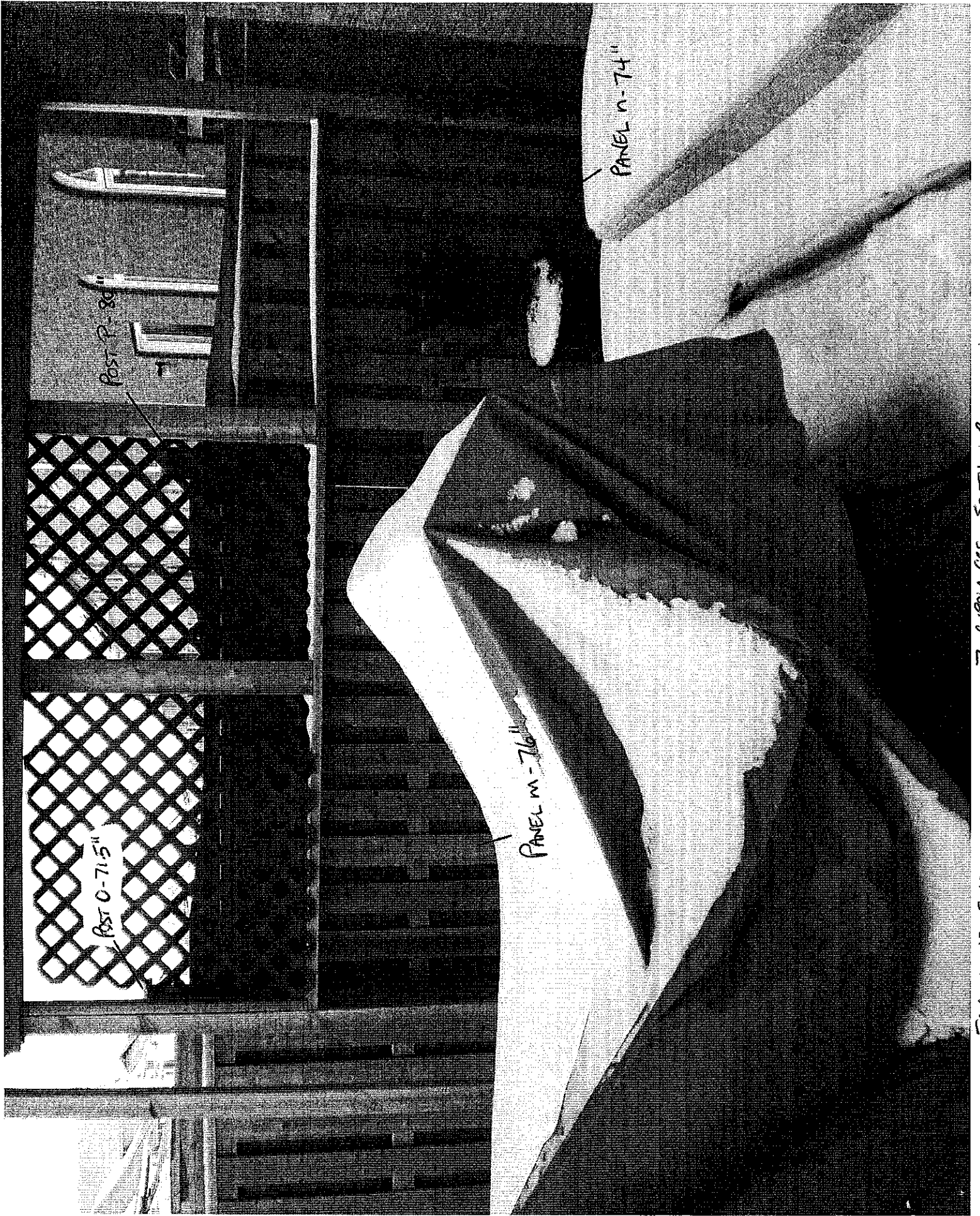
PANEL J-74.5"

PANEL K-68"

PANEL L-65"

JANUARY 12th, 2010

7 CORONA CDS - SOUTH FACING - A



7 (UPOLA CES - GATE (FIXED SHUT) - SOUTH SIDE OF HOUSE

JANUARY 12, 2010



JANUARY 12, 2010

Heron, Janice

From: Amrit Sangha [asangha@ryerson.ca]
Sent: March 30, 2010 1:37 PM
To: Heron, Janice
Subject: Re: RE: 7 Cupola Cres

161 St. Nicholas Cres
Woodbridge, ON
L4H 3E6

Amrit Sangha
Vice President, Finance
Law and Business Student Association
asangha@ryerson.ca
(C) 416-788-8636

----- Original Message -----

From: "Heron, Janice" <Janice.Heron@vaughan.ca>
Date: Tuesday, March 30, 2010 1:30 pm
Subject: RE: 7 Cupola Cres
To: 'Amrit Sangha' <asangha@ryerson.ca>

> Good Afternoon Amrit:

>
> Thank you for your e-mail response to the fence height exemption
> request for 7 Cupola Crescent.

>
> Please include your full address in your response.

> Thank you.

>
> Janice Heron
> Office Coordinator
> Enforcement Services Department
> CITY OF VAUGHAN
> (905) 832-8505, Ext. 8769

> -----Original Message-----

> **From:** Amrit Sangha [mailto:asangha@ryerson.ca]
> **Sent:** March 30, 2010 12:27 PM
> **To:** Heron, Janice
> **Subject:** 7 Cupola Cres

> Hello Janice,

>
> I am emailing you regarding the fence height exemption for 7 Cupola
> Cres, in Woodbridge. Though I believe whole heartedly in freedom of
> expression, I feel that it would set a bad precedent to exempt my
> fellow neighbour from this particular rule. I live on St. Nicholas
> Cres., directly behind Cupola Crescent, so I would be directly
> affected should this request be granted.

>
> I take an issue with what a heightened fence represents. Our
> neighbourhood is very open, family orientated and relatively safe. If
> we lived in a place with a high crime rate and frequent theft, then I
> could understand the motivation behind this request. However, this is
> obviously not the case and there appears to be no legitimate reason as
> to why this heightened fence is necessary. I think it sends the wrong

> message to the neighbourhood and its visitors; that this family feels
> the need to isolate themselves for whatever reason.
>
> By its very nature, suburban homes are built very close together, so
> increasing the height of the fence would not result in increased
> privacy. The majority of homes that surround 7 Cupola are two storeys
> tall so people can still see over the fence from upstairs.
> I think it is un-neighbourly and should not be allowed. If this is
> because our neighbours at 7 Cupola have an issue with a particular
> neighbour (or the neighbourhood itself) and then they decide to move
> out, we as a community will still be left with a fence that protrudes
> above everything else.
>
> Thank you,
>
>
>
> Amrit Sangha
> Vice President, Finance
> Law and Business Student Association
> asangha@ryerson.ca
> (C) 416-788-8636
>
> This e-mail, including any attachment(s), may be confidential and is
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