

COMMITTEE OF THE WHOLE - MAY 11, 2010

FENCE HEIGHT EXEMPTION – 2 BEVERLEY GLEN BOULEVARD – WARD 5

Recommendation

The Director of Enforcement Services recommends:

That the fence height exemption application for 2 Beverley Glen Boulevard be denied.

Economic Impact

N/A

Communications Plan

N/A

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 Beverley Glen Boulevard 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 Beverley Glen Boulevard.

The Applicant is making application to permit an existing temporary fence surrounding a vacant lot located on the north side of Beverley Glen Boulevard west of Kingsbridge Circle, which abuts residential homes.

In 2006, the Regional Municipality of York leased the lands for use as a staging area and tunnel shaft related to construction of the Bathurst Street Collector sanitary sewer. An upgraded 10 foot high, painted, solid plywood fence was erected for safety and security of the site, pedestrian passage and surrounding properties. The Region's lease agreement expired in January 2009 and the property reverted back to the Applicant's control. The Applicant indicates they are presently moving ahead with submission of plans to the City for a Site Plan submission for a residential high-rise development. However, to date no application for site plan has been filed. This would mean that the temporary fence would be in place for a year, if not longer.

The By-law permits a fence height of 6 feet in side and rear yards and 4 feet in front yards. The Applicant has requested an exemption to permit the existing solid plywood temporary fence, which surrounds a vacant lot and ranges in height from 8 feet to 10 feet (including posts). Historically, there has been no fence height exemption applications received with respect to temporary fencing. This fence height contravention was first brought to the attention of the Enforcement Services Department via complaint.

Enforcement Services staff inspected the Applicant's property and also reviewed other properties within the 60 metre radius. Staff indicated that there is no rear yard or front yard fences of similar design and height in the immediate area. The fencing does not fit in with the surrounding neighbourhood.

There are no site plans registered for this property.

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.

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

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Photos
- 4) Letter from Baif Developments (Applicant)

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

Respectfully submitted,

Tony Thompson
Director, Enforcement Services

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



TATINSON AVE

NEW WESTMINSTER DRIVE

WEST MOUNT BLVD

BATHURST ST

8000 BATHURST COMMERCIAL PLAZA

FUTURE HIGH DENSITY RESIDENTIAL

J. Beverley G.P.T.

BEVERLEY GLEN BLVD. EXTENSION

FUTURE HIGH DENSITY RESIDENTIAL

FUTURE HIGH DENSITY RESIDENTIAL

FUTURE PARK

FUTURE INSTITUTION

FUTURE ROAD

MOUNBATTEN RD

CLV

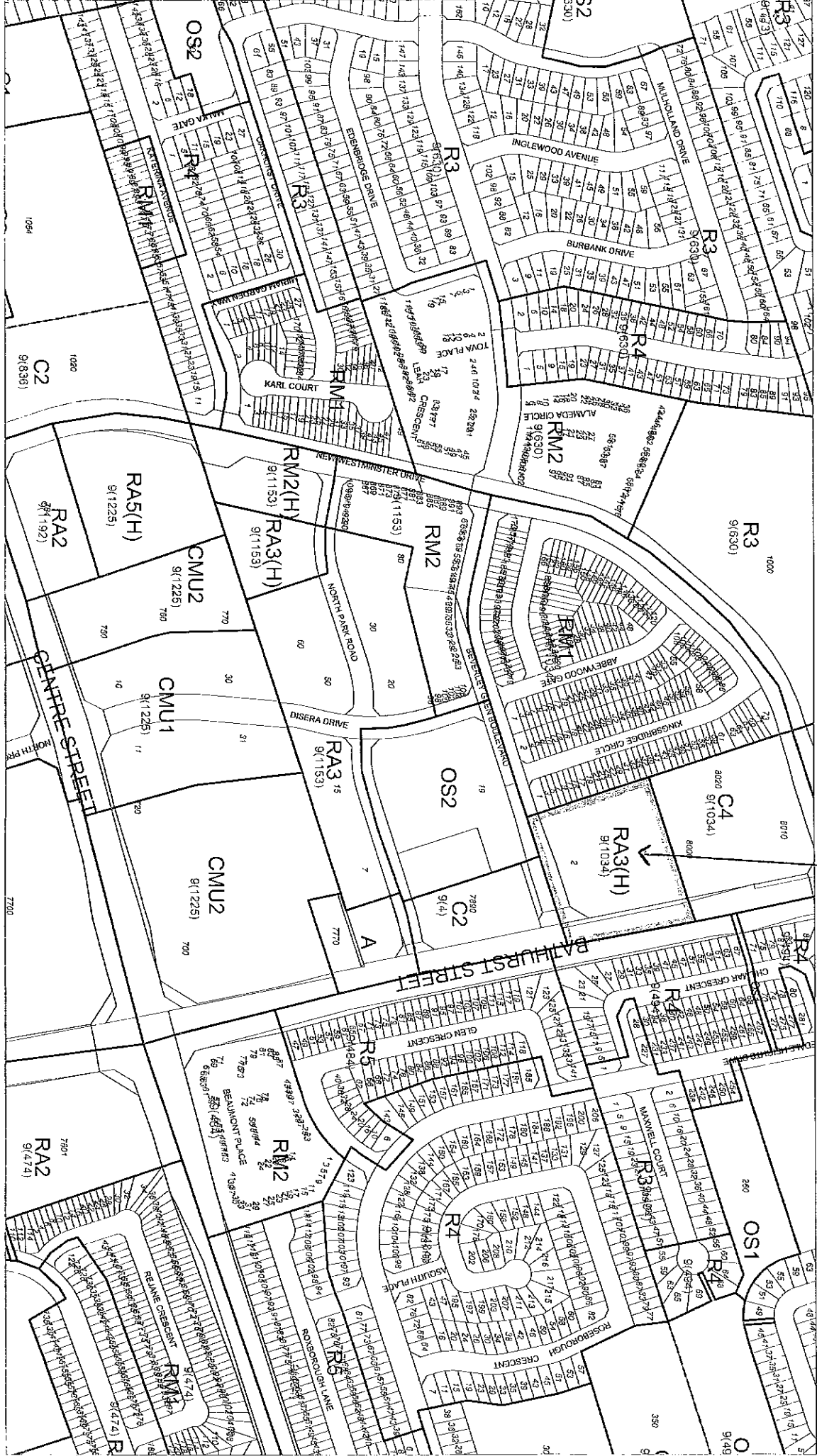
VALEMAN

OSBORN PUBLIC SCHOOL

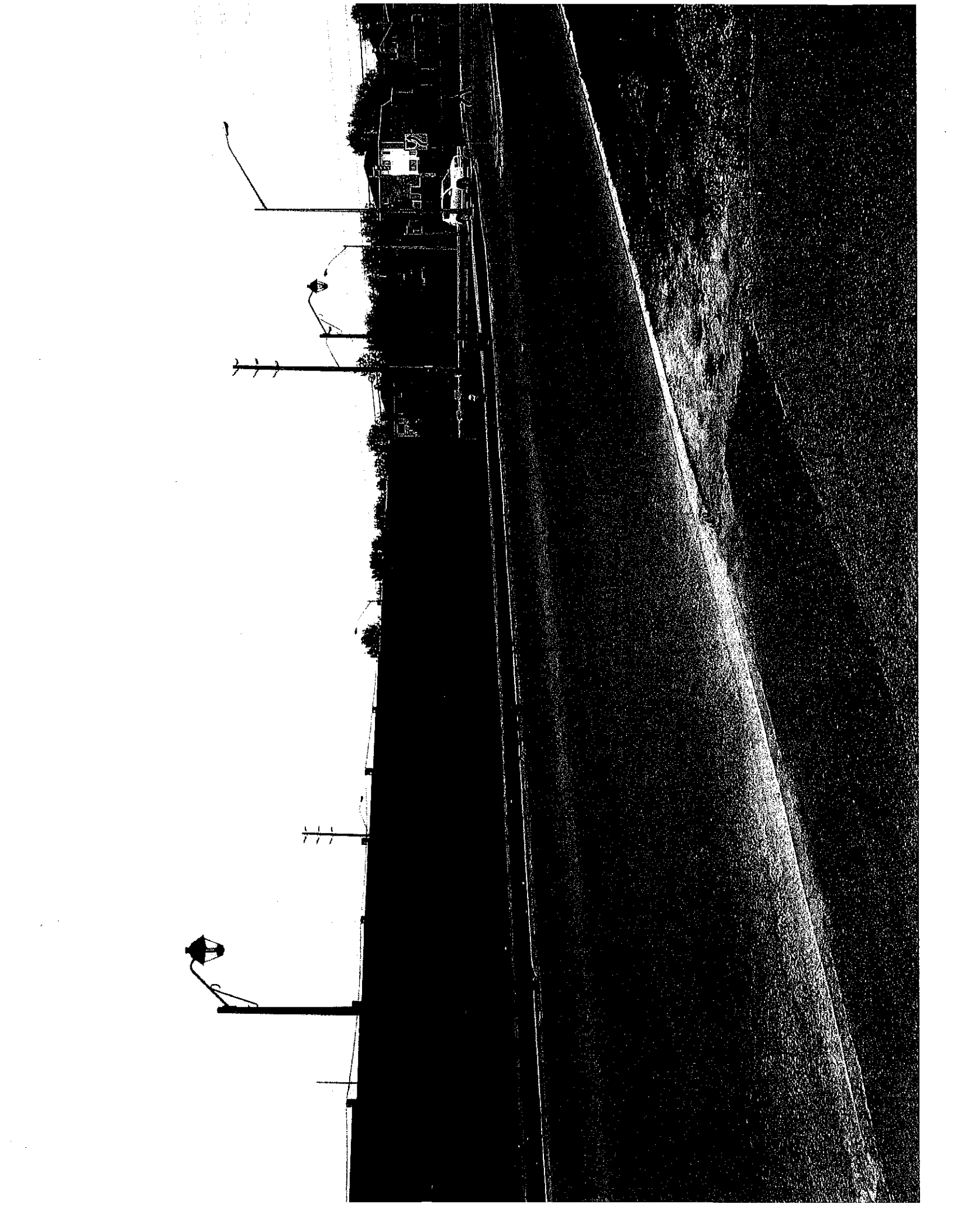
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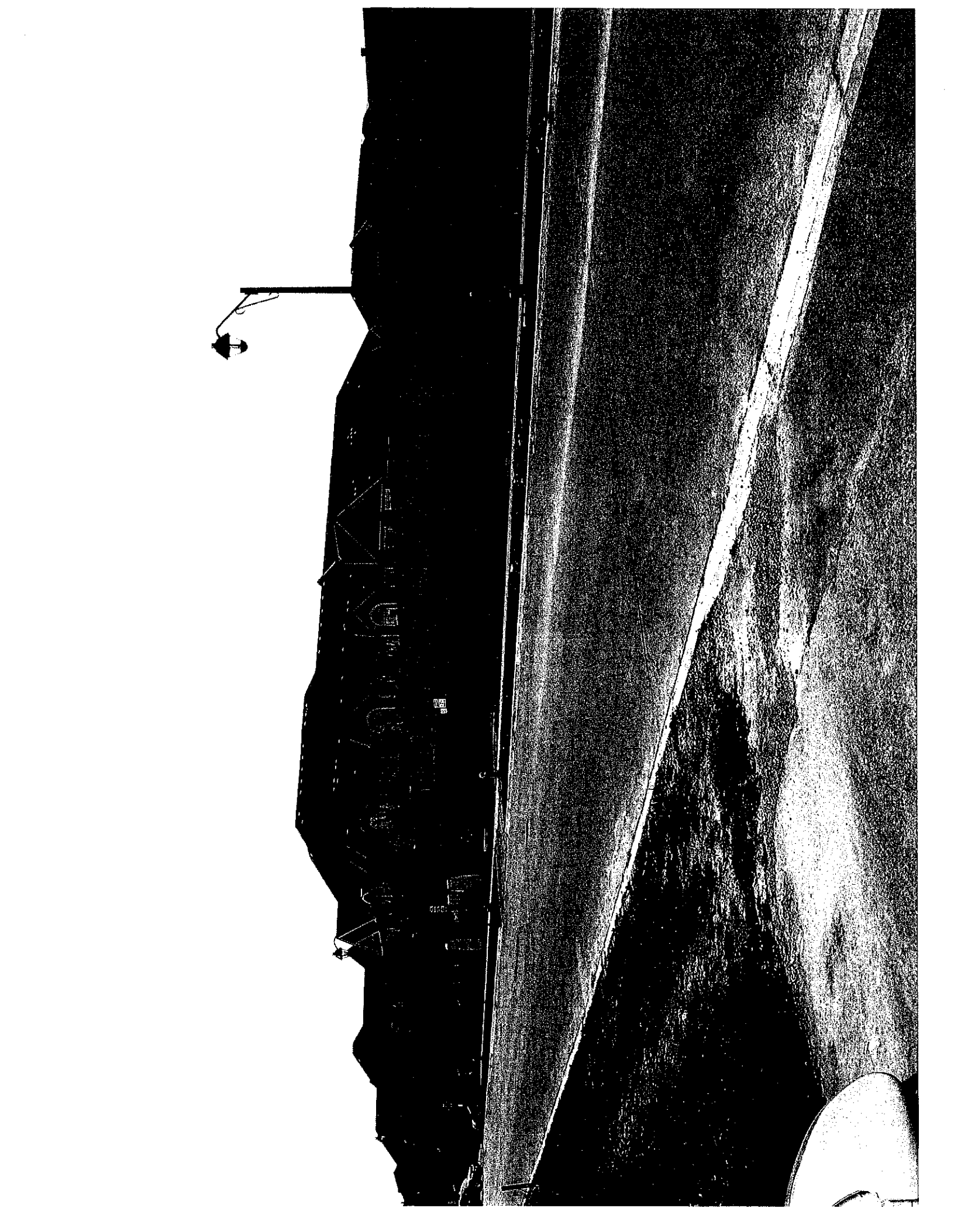
BEVERLEY GLEN

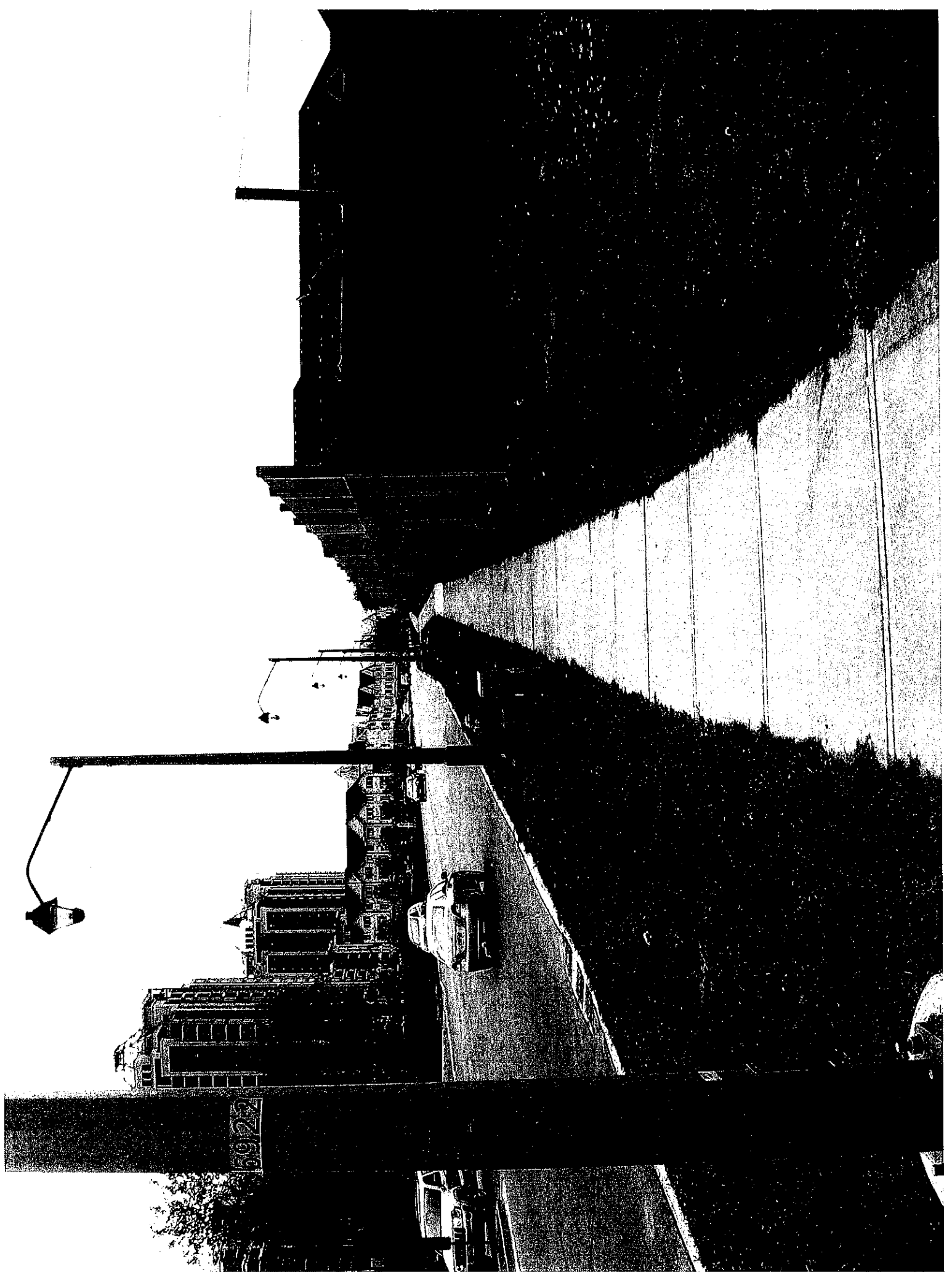
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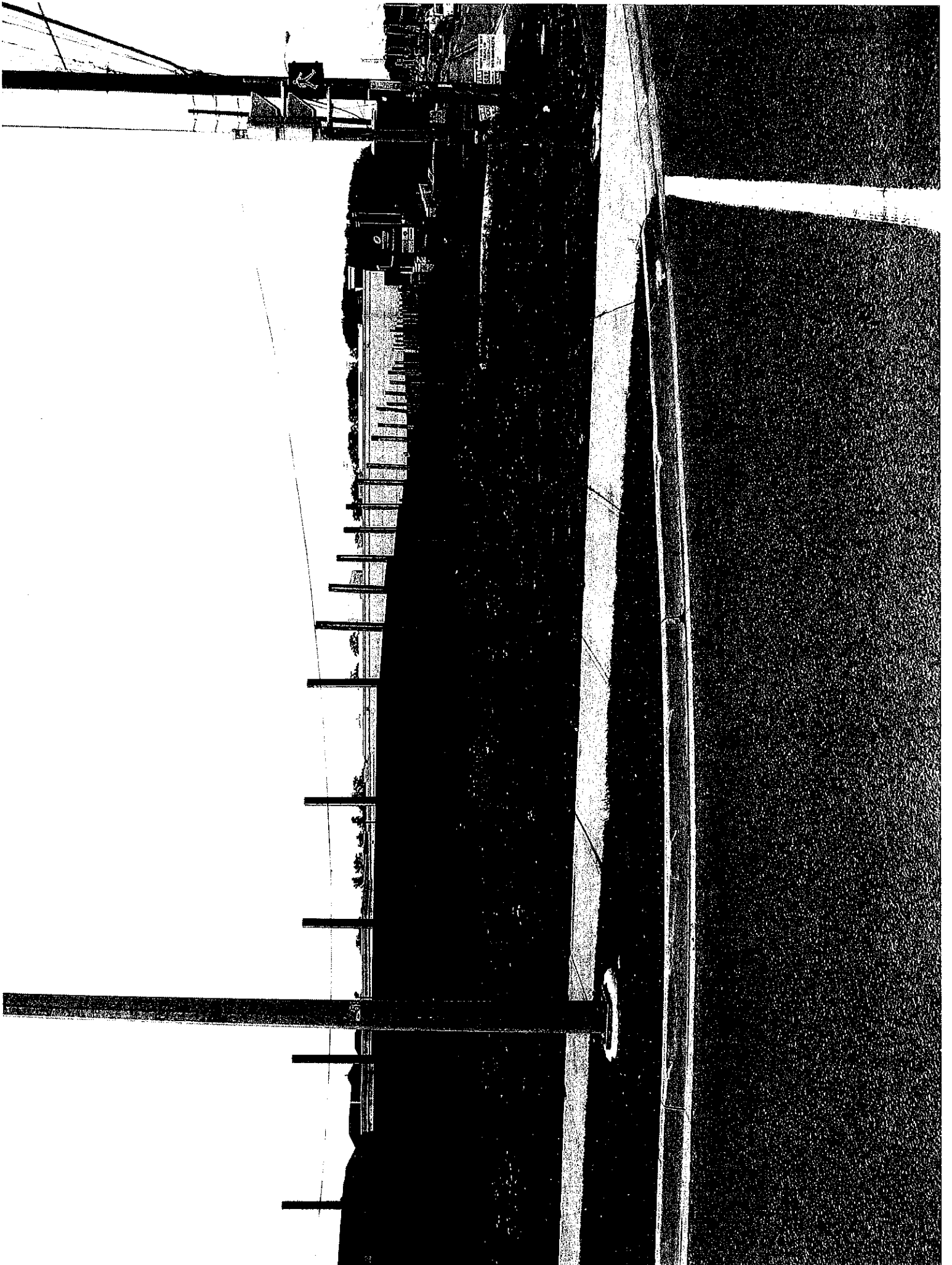
#2 Beverley Glen.







5922





September 22, 2009

City of Vaughan
Enforcement Services Department
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Ms. Heron

Dear Madam:

Re: Future Apartment Site at Northwest Corner of Beverley Glen and Bathurst
Application for Fence Height Exemption

We wish to apply for a fence height exemption for our apartment site located at the northwest corner of Bathurst Street and Beverley Glen Boulevard. The existing hoarding currently contravenes the City's fence bylaw.

Background

In 2006 the Regional Municipality of York leased the subject lands for use as a staging area and tunnel shaft related to construction of the approximate 5km-long Bathurst Street Collector sanitary sewer. As part of the Regional requirements, an upgraded 3m high painted, solid wood, fence was erected for safety and security of the site, pedestrian passer-bys, and surrounding commercial and residential properties.

The Region's lease agreement expired on January 2009 and the lands have now reverted back to our control. Part of our negotiations with the Region in having the site returned to us involved leaving the existing hoarding in place. We are presently moving ahead with submission of plans to the City for a Site Plan submission for a residential high-rise development.

Given that the land is vacant and that we will soon look to erect fencing as part of the initial permitting process, we request the current fence remain in place for a number of reasons. Firstly, the

safety and security of the site and surrounding residents and to prevent illegal access and dumping is paramount. The current fence has avoided any incidents or issues to date, since the site was vacated by the Region. Secondly, the fence has been well maintained (see photographs enclosed) and the fence itself exceeds the standard used on many construction sites. The added height of the solid wood hoarding has protected, and will continue to protect, pedestrians and vehicular traffic by controlling dust and flying debris. Thirdly, the added fence height will prevent motorists from being distracted by the activities on site, thereby again increasing overall site safety.

To facilitate our request, we enclose the following items:

- i) Key map showing the site in proximity to the surrounding area
- ii) Survey of the site
- iii) Completed and executed application form
- iv) Cheque for \$200 to cover the application fee
- v) Four (4) recent photographs of the site

If you require anything further to process our request, please contact the undersigned.

Yours very truly,

BAIF DEVELOPMENTS LIMITED

Per:

Lynn Barkey, CET

LB/blb
Enclosures

cc: Mr. D Grabel – MMM Group Limited