

## **COMMITTEE OF THE WHOLE – JANUARY 11, 2011**

### **FENCE HEIGHT EXEMPTION - 8388 PINE VALLEY DRIVE - WARD 2**

#### **Recommendation**

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 8388 Pine Valley Drive be denied.

#### **Economic Impact**

N/A

#### **Communications Plan**

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. Two objections from abutting neighbours 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 8388 Pine Valley Drive has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application to permit an existing fence located in the front yard made of precast concrete & decorative stone with pillars measuring between 5.29 feet to 7.8 feet, and to add an additional 3 inches to the pillars for finishing caps, bringing the total maximum height to 7'8"

The By-law permits a fence height of 4 feet in front yards.

This Application is a direct result of a complaint received by Enforcement Services. Enforcement Services staff inspected the Applicant's property and advise that there may be site line issues when backing out of neighbouring driveways. In addition, staff reviewed other properties within the 60 metre radius and reported there are no other fences similar in height or design in the immediate area.

There are no site plans registered for this property.

The details outlined above do not support the approval of a fence height exemption for this location. Past precedence for fence height exemptions in front yards rarely has exceeded 8 feet.

#### **Relationship to Vaughan Vision 2020**

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 a fence height exemption for this location.

**Attachments**

1. Maps of Area
2. Site Plan
3. Photos
4. Letters of Objection

**Report prepared by:**

Janice Heron  
Office Coordinator, Enforcement Services

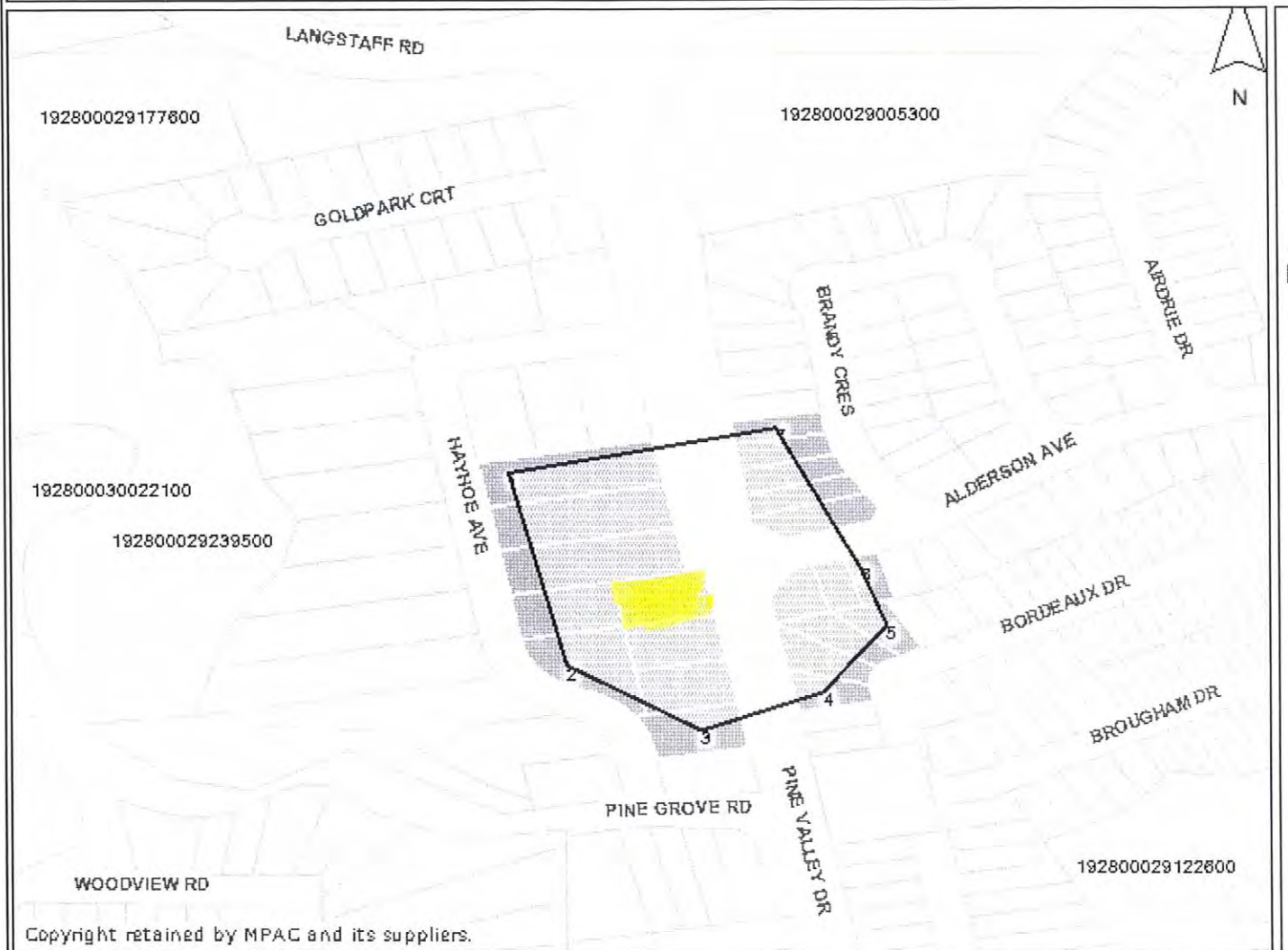
Respectfully submitted,

Tony Thompson  
Director, Enforcement Services

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



# GIS Viewer



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Map printed on: Thu Mar 18 12:43:58 2010

0 36m

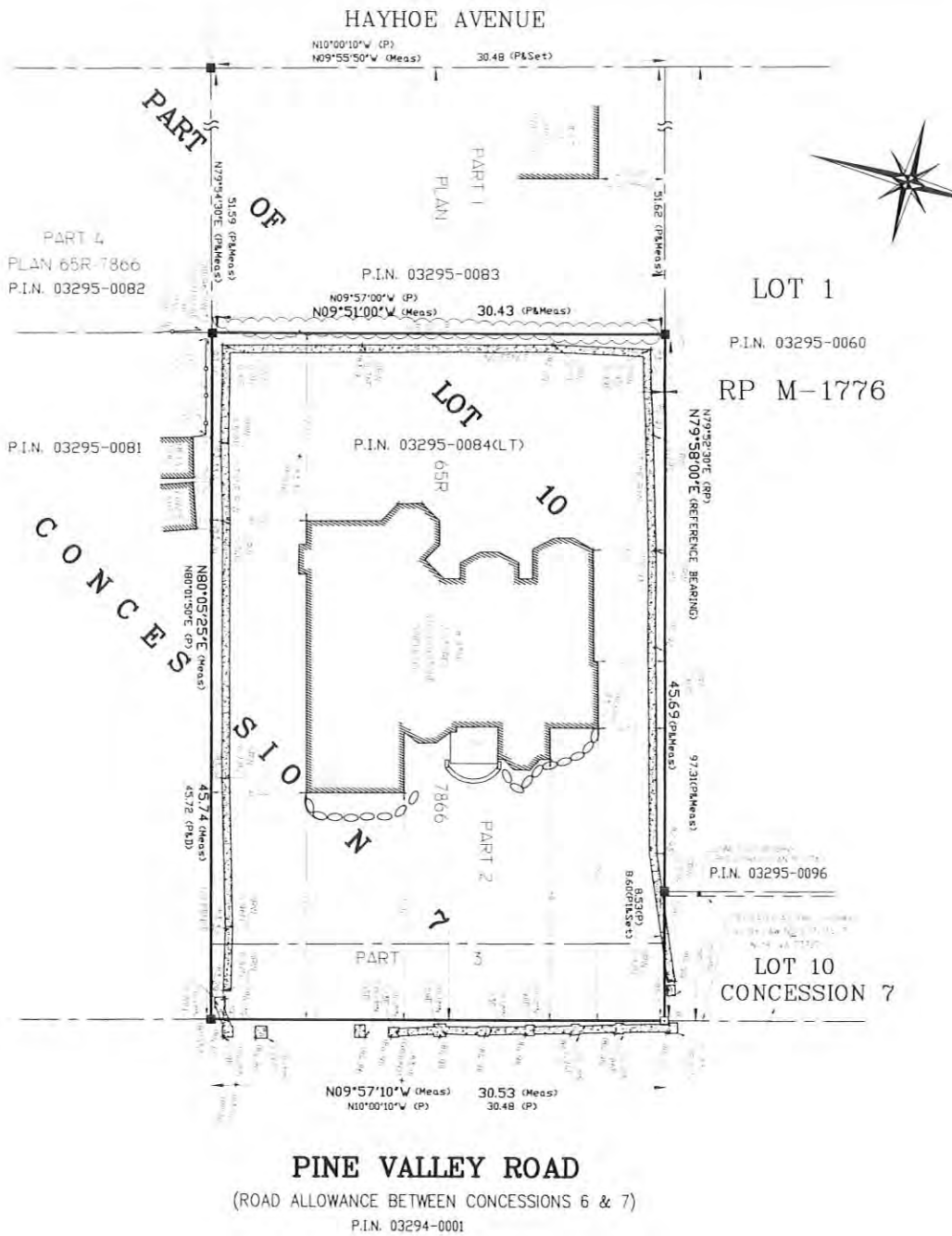
Disclaimer: Contents provided on an 'as is' and 'as available' basis. MPAC and its suppliers make no warranties or representations regarding contents (measurements and currency of contents). Not a plan of survey.

Comments: .

⊛ 60 m. radius for 8388 Pine Valley Drive



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**PINE VALLEY ROAD**

(ROAD ALLOWANCE BETWEEN CONCESSIONS 6 & 7)

P.I.N. 03294-0001

**NOTE**  
ALL ELEVATIONS SHOWN HEREON ARE TAKEN ON TOP OF COLLUMS ALONG PINE VALLEY ROAD & ON TOP OF THE STONE RETAINING WALL UNLESS NOTED OTHERWISE.

**BENCHMARK NOTE**  
ELEVATIONS ARE GEODETIC AND ARE RELATED TO THE CITY OF VAUGHAN BENCH MARK No. 38-3. ELEVATION = 166.040 m

NEURONVAL MUNICIPALITY OF TURK  
SCALE 1:300  
10 METRES  
0 1 2 3 4 5

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

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**PART 2 : REPORT**  
THIS REPORT WAS PREPARED FOR PHONG DO AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

**BOUNDARIES**  
PART OF LOT 10, CONCESSION 7

**TITLE SEARCH INDICATES**  
NO REGISTERED EASEMENTS OR RIGHTS-OF-WAYS ON TITLE

**REMARKS**  
THE LOCATION OF THE STONE WALL, COLLUMS AND WALLS ALONG THE PROPERTY LIMITS IS SHOWN ON THE PLAN.

**BEARING NOTE**  
BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF PLAN 65R-7866 SHOWN THEREON AS HAVING A BEARING OF N79°58'10"E.

**LEGEND**  
□ DENOTES SURVEY MONUMENT SET  
■ SURVEY MONUMENT FOUND  
SIB STANDARD IRON BAR  
P IRON PIPE  
R IRON ROD  
N NOT IDENTIFIABLE  
OU ORIGIN UNKNOWN  
WT WITNESS  
RP REGISTERED PLAN M-1776  
P PLAN 65R-7866  
PD PLAN 65R-4291  
D INSTR. VAUGHAN 76715(PIN 03295-0081)  
D 967 WINDYAN, O.L.S.  
C RONALD J. STEWART, O.L.S.  
G W.S. GIBSON & SONS LTD. O.L.S.  
M Measured  
N, S, E, W North, South, East, West  
C/C CONCRETE PORCH  
C/F CHAIN LINK FENCE  
D/BF DOUBLE BOARD FENCE  
S/W STONE RETAINING WALL

**SURVEYOR'S CERTIFICATE**

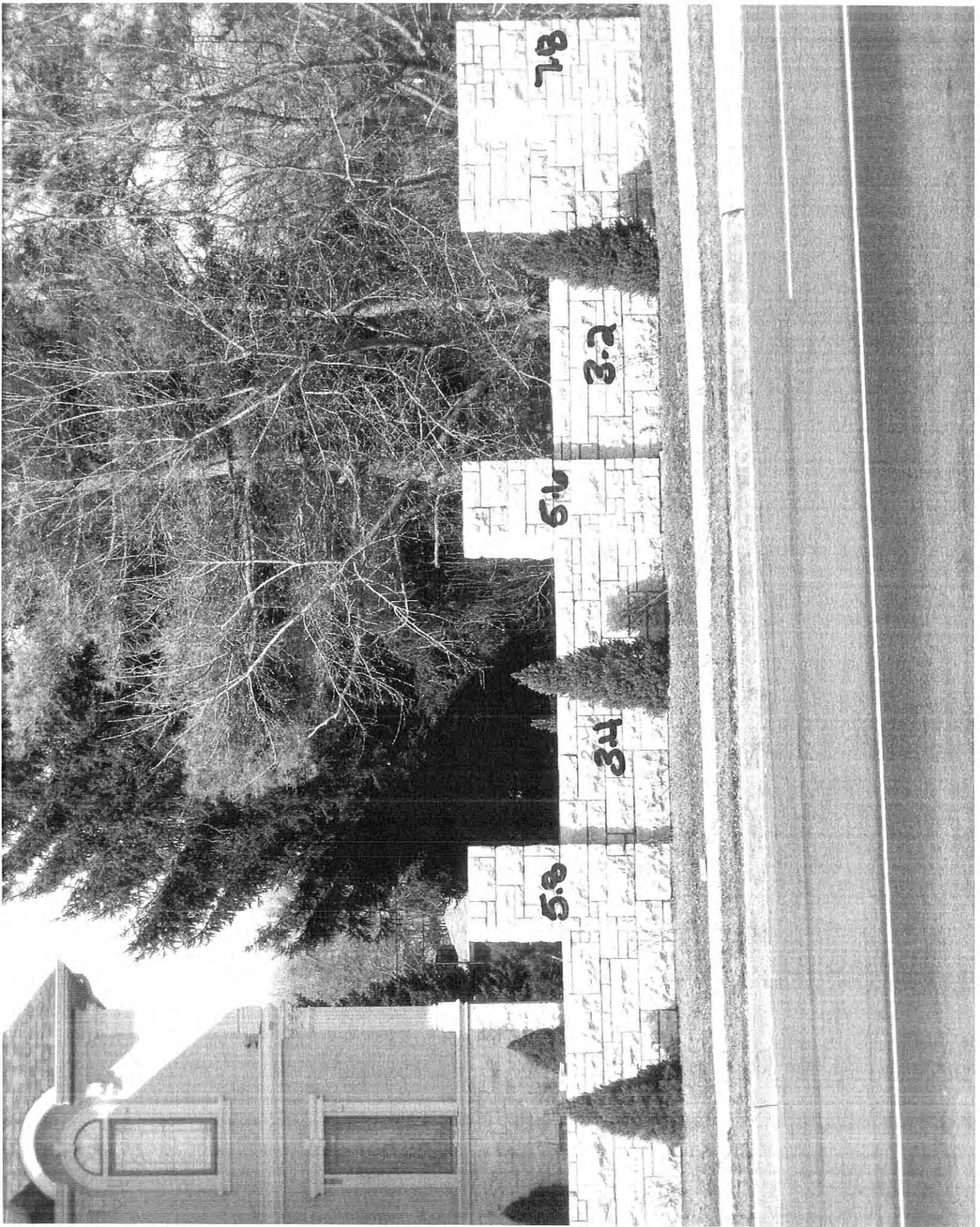
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATIONS AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 22nd DAY OF DECEMBER, 2009

DATE: JANUARY 05, 2010  
M. PARSON  
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS  
PLAN SUBMISSION FORM  
1758522

THIS PLAN IS NOT VALID UNLESS IT IS AN ENCLOSED ORIGINAL COPY ISSUED BY THE SURVEYOR.  
Regulation 1026, Section 28(2).

**ROWAN-STANCIU LTD**  
ONTARIO LAND SURVEYORS  
24 LORNE AVENUE, RICHMOND HILL, L4C 1C1  
Tel: (905) 789-0227 Fax: (905) 508-0239



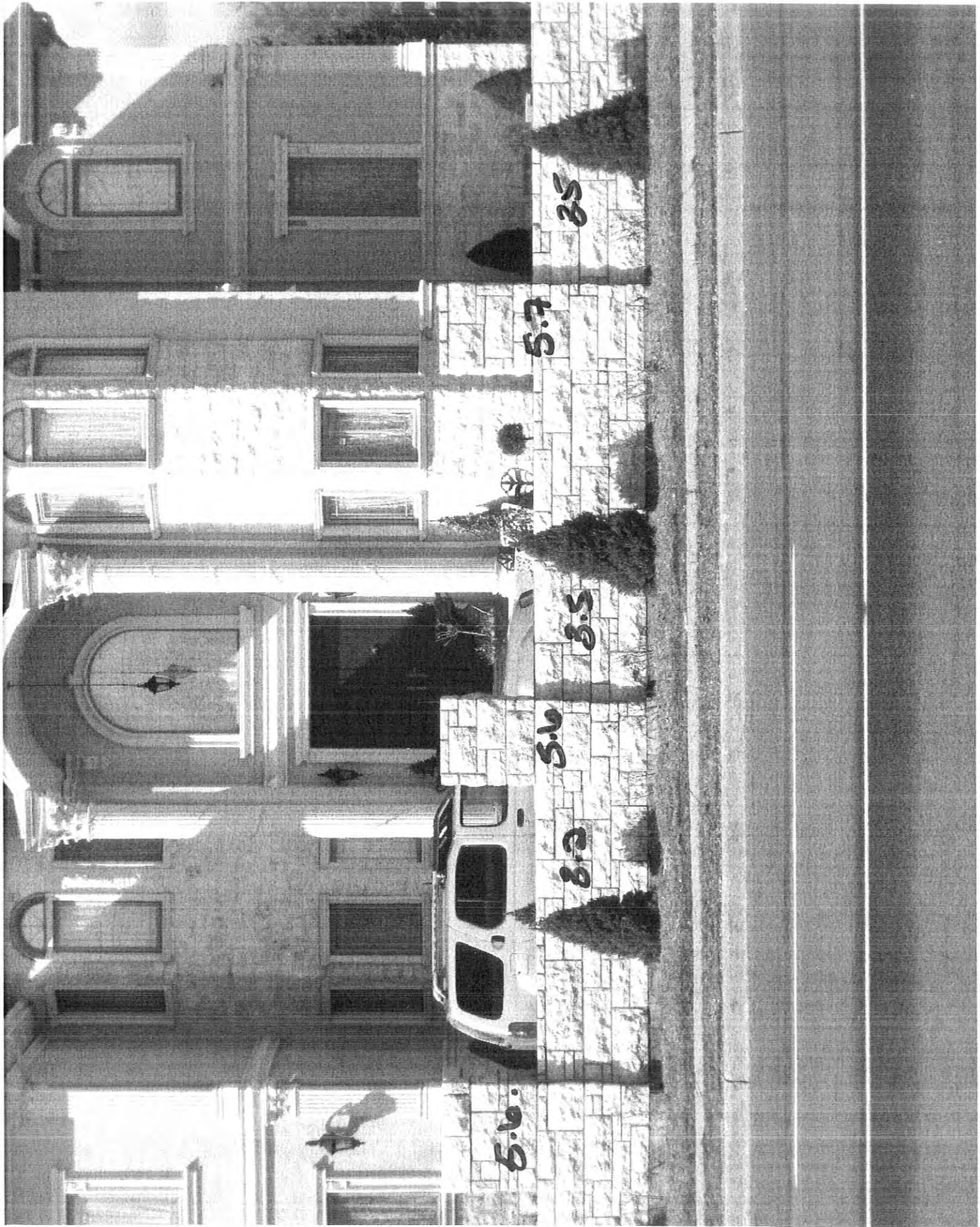
78

32

66

34

58



5.6

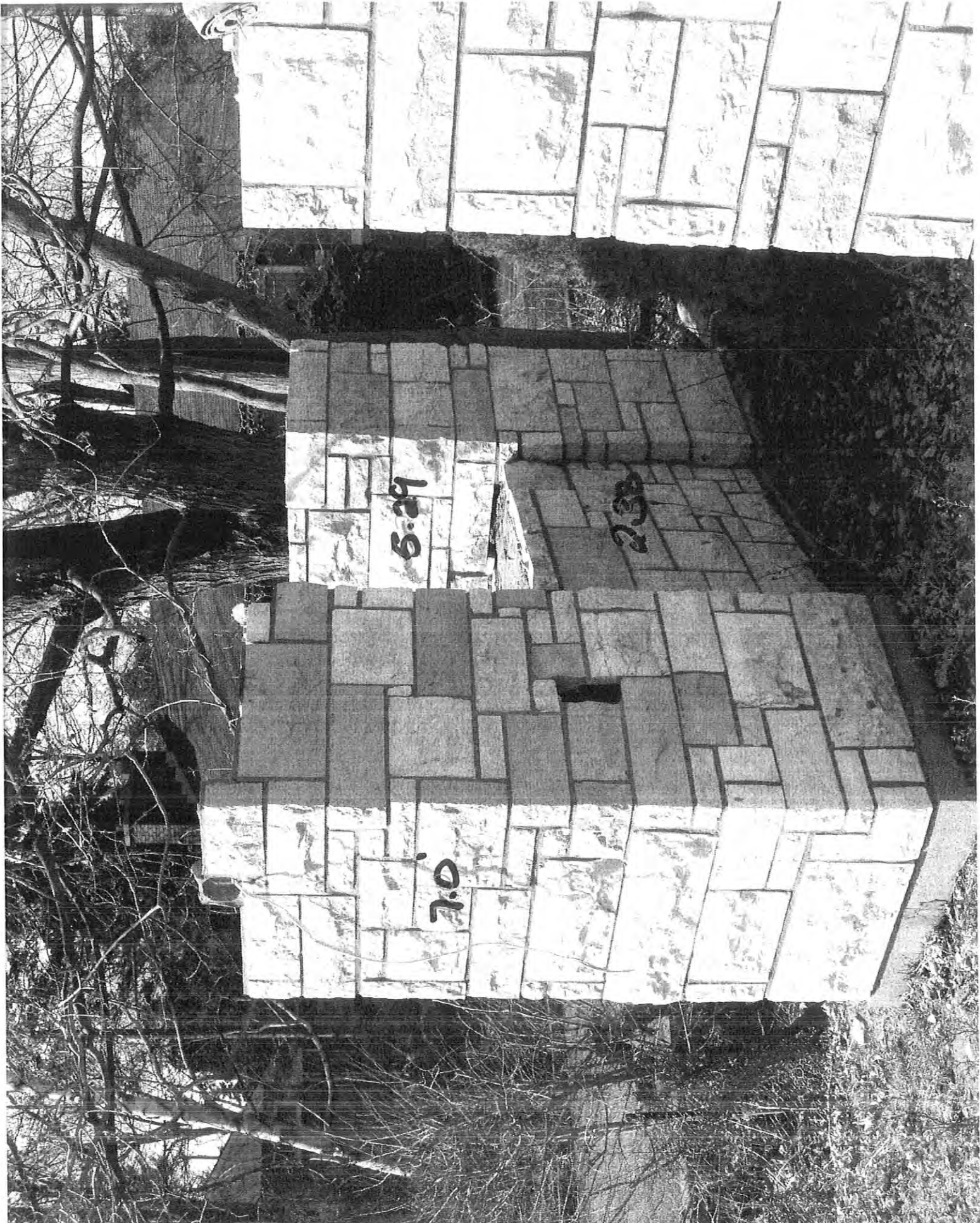
8.5

5.5

8.5

5.7

8.5



6.29

2.33

7.0



## Heron, Janice

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**From:** Amrit Kaur [writecreative@hotmail.com]  
**Sent:** September 13, 2010 10:47 AM  
**To:** Heron, Janice  
**Subject:** Re: 8388 Pine Valley Drive

To,  
Janice Heron  
Office Coordinator  
Enforcement Services Department

Re: Request for Fence Height Exemption at 8388 Pine Valley Drive

We received the above mentioned notice regarding the application for exemption. We, along with our neighbors have complained previously about this wall height, encroachment towards our property line and the height and quality of the raised surface along our property line, along with several other issues reported to the city and existing in this matter. We object to this exemption request and would like to be able to discuss or have input on any decision made by the city.

Sincerely,

Ravinder Singh Minhas and Amrit Kaur Minhas  
61 Hayhoe Avenue, Vaughan, L4L 1S5

September 13, 2010

Janice Beron  
Office Co-ordinator  
Enforcement Services Dept.  
City of Vaughan.

Dear Janice

Re the request for fence height exemption at 8358 Pine Valley Dr, we are sending you a copy of a letter sent to Todd Cole on July 1, 2009 which expresses our concerns.

This property has been "Under Construction" for over 4 years, and in our opinion many problems including the drainage have not been solved.

Sincerely

Grant Boyle  
June Boyle

July 1, 2009

Todd Colès, BES; MCIP, RPP  
Manager of Development Services and  
Secretary- Treasurer to Committee of Adjustment  
Clerk,s Department,  
2141 Major Mackenzie Drive,  
Vaughan, Ontario; L6A 1T1

Objections - Re File A047/o8

8388 Pine Valley Drive,  
Woodbridge, Ontario.

Dear Sir:

The wall on the north, west & south property lines are constructed of stone boulders 3½ to 4 feet high and in some cases higher. The stones have shifted due to freeze-thaw conditions, and some are no longer resting on top of one another, indicating a danger of toppling over onto our cedar hedge. It is already bad enough with all the cement-like fill around our cedar hedge and on to our property which is slowly suffocating our trees

With the construction of these walls there is no grading to allow drainage.

The landscape company that did the erection of these walls left something to be desired and no doubt they were never inspected or certified by a structural engineer.

In our opinion there are many errors in the landscaping and grading of this house which would never have happened if a back-split home had been built, as we and our neighbours were led to believe by the City of Vaughan.

As for the "retaining wall" it is my understanding it is on "Region" property as the lot is only 150 feet deep, and with the proposed height of it plus the gate columns it presents a definite hazard for neighbours entering onto Pine Valley Drive.

Attached are 3 photos pertaining to the above situation.

- #1 Lot showing natural grade
- #2 Fill around cedar hedge, in some places 2 feet over lot line.
- #3 House showing natural grade, which it should have been.

Sincerely,

Grant & Irene Boyce