

May 28, 2021

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Secretary-Treasurer, Committee of Adjustment
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**RE: Application Number A-36/21
60 Kathleen Street**

We support the Applicants request to seek relief from the By-Law requirements to restrict the front yard fence to 0.8 metres in height and to permit the existing fence to exist for the following reasons:

1) The Applicants have a very young family of 3 who use the side yard extensively on a daily basis for play and other activities. The property is located on a high traffic volume street and adjacent to Exhibition Park that draws many people both from within and outside the neighbourhood, again on a daily basis. In addition, the immediate adjacent sidewalk to the side yard is much used by pedestrians.

Unlike the existing fence, a by-law approved 0.8-metre-high front yard fence, is too low to provide safety and privacy necessary for young children to use the side yard. This safety factor is the most important reason to grant this application.

2) The house was originally situated on the front corner of the lot (bordering Tipperary Place) and the driveway was located behind the house over 100 years ago, long before the current By-Law was created. This resulted in no "back-yard" being created but only a "side-yard" that could be used by the property owners.

Unfortunately, this makes lot configuration makes the useable "side-yard" area subject to the By-Law's maximum front-yard fence height requirement of 0.8 metres. However, as stated in Item 1 above, a 0.8-metre-high fence is not sufficient to provide for the safety and privacy of young children. To reject this application would essentially prevent the use and enjoyment of the Applicants & their Children's use of their outdoor space & severely compromise the Applicant's family quality of life.

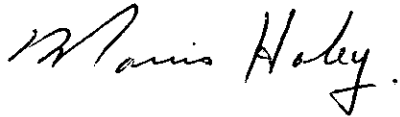
Practically, the front yard 0.8 metre height restriction makes the side yard unusable from a safety & privacy perspective. We suggest the purpose of the By-Law was not to deny property owners from using a "side-yard" in safety & privacy when a "back-yard" does not exist.

3) The existing fence does not block any sight lines for traffic and pedestrians and thus does not pose any safety concerns to the public. It is also difficult to consider how nearby property owners would be negatively impacted to allow the current fence to exist.

4) The existing fence has been constructed in an attractive way and is nicely landscaped with cedar shrubs on the sidewalk side. It is definitely not an eye sore and fits into the landscape.

For the reasons noted above, but especially for the safety & privacy concerns, we believe the Application should be granted in full.

Respectively Submitted,

A handwritten signature in black ink, appearing to read "Morris Haley". The signature is written in a cursive, flowing style with a large initial "M".

Donna & Morris Haley