

Committee of Adjustment

From: The Elders [REDACTED]
Sent: Thursday, June 3, 2021 12:01 PM
To: Committee of Adjustment
Subject: Application :A-36/21 Committee of Adjustment

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To Trista Di Luillo

Secretary Treasurer of the Committee of Adjustment
ReApplication :A-36/21

From Deborah and Barry Elder 1Dear Committee of Adjustments

We are opposed to the existing fence in the front yard maintaining the same height of the existing fence of 60 Kathleen because: it exceeds the front yard height requirement of 0.8 meters, in context is not a minimal change, affects the sight-line on narrow, busy park-side street and creates a precedent both in process and fence size to changes in front yards.

The fence that preceded the existing front fence ended just before the foundation of the house. By moving the fence location forward to the edge of the front porch this not only changed the size of the fenced in yard but the grade change raised the elevation of the front fence.

The fence at 60 Kathleen was constructed With much dialogue with our neighbours with the understanding that we could come to an agreement ourselves. With much reference to style and we did come to agreement. However a a last minute request of exceeding the agreed to six foot height set set alarm bells and an understanding that this was not code. We did agree but without the understanding of what the by-law was.

The rule of law is: [No person is permitted to be non-compliant with any City of Guelph By-laws. Citizens do not have the authority to decide which by-laws to be in compliance with.](#)

Allowing 60 Kathleen to maintain the same height of the existing fence and almost triple the maximum sets a precedence that does impact the landscape. Fences are walls that have a long life. This fence also has the addition of a cedar hedge that is a living wall that has the potential to expand and grow to 10 to 15 feet .

The height standard for front yards is for a reason and I would say particularly for this narrow section of Kathleen across from a popular park with lots of foot traffic to the park and pathways to three schools plus the extra vehicle traffic the park attracts. Our driveway runs parallel to the length of our shared side traffic lines and we have noticed that our sightline has been reduced by the new extended 7'2" side panel of fence and ability to see approaching pedestrians and cars requires more vigilance. The altered site-line has a greater impact because the houses are closer to the street, the median next to the sidewalk narrow and because street parking is allowed a parked car impacts the need for a good sight line. Front properties with fences and shrubs that meet the front yard standard of no higher than 0.8 metres provide a greater standard of safety and something the planning department factor in when considering site-line and safety in high traffic areas.

Thank you for your consider of our concerns.

Deborah and Barry Elder