

Mr. Mario Pacitto
17 Fiorello Court
Vaughan, ON L4H 0V4

August 30, 2012

DELIVERED BY EMAIL: Janice.heron@vaughan.ca

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

Attention: Janice Heron

Dear Madam:

RE: Reconsideration for a Request for Fence Height Exemption – 25 Fiorello Court, Vaughan
Application Denied by Council – June 26, 2012

We acknowledge receipt of your letter dated August 24, 2012, with respect to the City's reconsideration of the above noted application.

As per our previous letter, which was submitted on May 16, 2012 in opposition to the aforementioned application (see attached), we are once again, writing to voice our opposition to the application. In particular, we are confused as to why there should be a reconsideration of the application given that we have not been notified of the particulars of the additional information, which forms the basis for the reconsideration.

As such, we oppose the fence height exemption for the same reasons highlighted in our letter of May 16th. In addition, we wish to advise you that we are currently in the process of having the fencing contractor return to our property to correct the issue with the height of the fence and would appreciate it if Council would stand behind their decision of June 26, 2012 so that we can have the issue corrected.

Thank you.

Yours very truly,



Mario Pacitto

Mr. Mario Pacitto and Mrs. Filomena Pacitto
17 Fiorello Court
Vaughan, ON L4H 0V4

May 16, 2012

DELIVERED BY EMAIL: Janice.heron@vaughan.ca

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

Attention: Janice Heron

Dear Madam:

RE: Request for Fence Height Exemption – 25 Fiorello Court, Vaughan

We, Mario and Filomena Pacitto, are property owners of 17 Fiorello Court and as such, adjoining neighbours to 25 Fiorello Court, the subject property of the above noted exemption request.

As adjoining property owners, we oppose the fence height exemption and would like to voice our concerns with the request for the proposed fence height exemption at 25 Fiorello Court.

At the time we contracted with Galaxy Fencing to complete the fence, all adjoining property owners, including the owners of 25 Fiorello Court agreed that the fence height for all properties would be six feet, as is stipulated in the contract with Galaxy. Unfortunately, at the time the fence was installed we were out of the country and were unable to voice our displeasure with the manner in which the fence was installed by Galaxy, in particular, the height of the fence. However, upon our return, we immediately notified all of our adjoining neighbours as well as Galaxy, that the fence was not completed properly due to the increased height of the fence.


Our concern is that the space between our side yard and that of 25 Fiorello Court is very narrow and to construct a fence that is greater than six feet, which is the maximum height under the current by-law, only makes matters worse, as the space feels very dark and enclosed. Furthermore, since our house is the smallest house of all the surrounding lots and is also a bungalow, the increased fence height makes our lot appear even smaller.

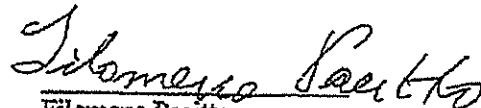
We feel that the current fence By-Law 80-90, was created to ensure uniformity amongst property owners and serves as a basis for architectural control. If the height of the fence is raised it will not only change the appearance of our house but it will change the visible appearance and feeling of the streetscape. We do not feel it is appropriate to have an exemption granted if we are not in agreement as the fence clearly affects the both of us equally. As such, it is only fair to enforce the current by-law so that all property owners are treated fairly.

In addition, we would like to advise you that all of the affected property owners namely, Vittorio and Tuccia Ferrari (15 Sangria Court), and the property owner of 11 Fiorello Court, as well as the fence contractor, Galaxy Fencing, have come to an agreement, whereby Galaxy will be cutting the fence height down to six feet for the rear lot and the lot on the opposite side of our house, as per the current by-law and the terms which were initially agreed upon when Galaxy was contracted to install the fences. (Please find attached a copy of the Contract) As a result, we are appealing the request for a fence height exemption as this would result in us having a higher fence on one side of our house when compared to the opposite side and the rear yard fence.

Based on the above, we are appealing to the Corporation of the City of Vaughan and the Committee of The Whole, to enforce the current by-law and act in the best interests of the current and future residents and to not grant the fence height exemption.

Yours very truly,


Mario Pacitto


Filomena Pacitto



CHALDIR 416-791-0271
CARLOS 416-809-1926

Galaxy Fencing (905) 451-1663

Work Order

Client Name: MARIO Date: 1/9/11
Client Address: 17
Phone Number: _____ Alt Number: _____

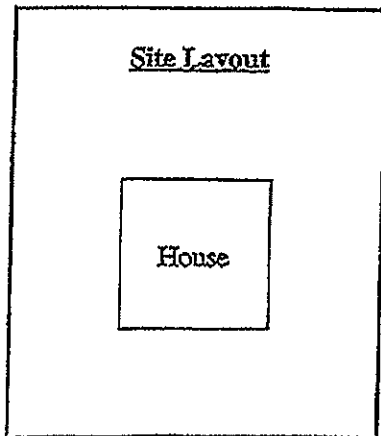
Post Size: 4x4 / 5x5 / 6x6

Fence Style: Private / Alt / Lattice
Board-on-Board / Tongue n' Groove

Height of Fence:

3ft / 4ft / 5ft / 6ft / 7ft / 8ft

Material: PT / Cedar / Trex / WI
Chain-Link / PVC / Snow Fence



Quantity and Cost

Shared Feet 385 @ \$ 34 / FT = \$ 13,124.00 9724
Unshared _____ @ \$ _____ / FT = \$ _____
of Gates _____ @ \$ _____ / FT = \$ _____
Dirt Rem. _____ @ \$ _____ / FT = \$ _____
Fence Removal _____ @ \$ _____ / FT = \$ _____
Extras / _____
Notes / 2X8 SCALLOP
FRAME

GST# 803 203 876 RT 0001

25% payment due
after post installation

Down Payment 500

/ TC = \$ 13,124.00 9724
H.S.T. = \$ 1,706.12 1264.12
/ TP = \$ 14,830.12 10788.12
Total = \$ 14,830.12

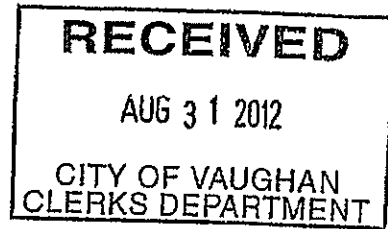
Date of Completion: _____ Method of Payment: _____

Date: SEPT 1/2011 Customer Signature: [Signature]



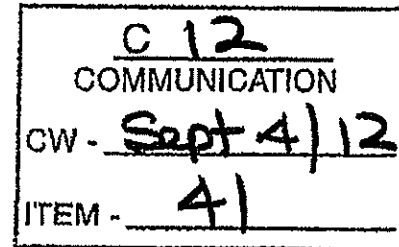
Innovation in Design™

August 31st, 2012



HAND DELIVERED

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1



ATTENTION: CLERKS DEPARTMENT

**RE: OBJECTION TO REQUEST FOR FENCE HEIGHT EXEMPTION
LOT 35 & 31 FIORELLO COURT REGISTERED PLAN 65M-4106**

Arista Homes is the builder of all the homes on Fiorello Court and of 50% of the homes in the Vaughan Valley Estates subdivision.

We oppose this fence height exemption based on the following:

We, along with the City have worked very hard to produce Architectural Design and Control Guidelines which would make this subdivision exclusive in its design and character in the City of Vaughan.

Within these architectural guidelines we further enhanced the subdivision's appearance by establishing the lots north of Stanton Avenue as an executive residential enclave. Both of the above mentioned homes are located within this enclave and have benefited by these stringent guidelines.

Section 7.6 of the Block 40 south Architectural Design Guidelines deals with corner lot privacy fencing and stipulates a maximum height of 6' or 1.8m. Also, as you know the City's current fence By-Law 80-90 stipulates the same maximum height.

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