July 26, 2024

Attn.: Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Re: NOTICE OF HEARING
      MINOR VARIANCE APPLICATION A096/24

Dear Sir or Madam,

We would like to speak to the Committee of Adjustments and the Request to Speak Form is attached.

Please forward a copy of the application, including the plans and drawings submitted with the application (by mail and email or pickup) as offered to us.

We have outlined below our concerns regarding the pergola's setback requirements and reduced soft landscaping which has already been constructed and completed.

Upon the Completed construction of the Pergola:

1. Initially we noticed a couple of years ago, when the pergola was being built that it seemed very close to our fences. We noticed peoples' heads were towering over our fence, which felt like they were right in our backyard as they were walking around.
2. We resolved ourselves that it would be okay despite our concerns, as we did not want to create any tension with our backyard neighbors and therefore we did not pursue the issue. We actually would prefer to encourage a friendship with all our neighbors.
3. We noticed during the last couple of years that our lawn is often very, very wet and swampy. Sometimes our landscaper is unable to cut our lawn and/or has difficulty cutting our lawn and consequently there are mud streaks and holes all over the lawn.
4. We would have preferred that the neighbour had of sought out the proper setback requirements for the Pergola, as well as the requirements for the soft landscaping prior to their construction as this would have avoided our issues now.
5. Considering now that the Pergola was built so close to the property line, along with the raised elevations to the grade, and the significant reduction of soft Landscaping, this has caused increased water flow into our yard and now our lawn is often very, very wet and swampy.

6. In consideration of this Minor Variance being approved, and considering that the pergola has already been erected so close to the property line (affecting the privacy that we previously had with our privacy fence) we would like to ask the following: (at the least) if our neighbour could enclose the south side of their pergola facing our (north side of our backyard privacy fence), similar to their west side wall of their pergola. This may offer the privacy on both our parts considering that the pergola is so close to our fence and is now a non-functioning full privacy fence.
7. We never agreed to these variances and this is now encroaching on our privacy as well. If these conditions cannot be improved upon, we ask that the neighbour provide an additional foot or foot and a half of height on our shared fence.
8. It appears that their grade has been altered and that it changed the effectiveness of our privacy fence that is now non-functioning. We were not aware of their plans when this was being constructed and therefore had no idea that they were encroaching in violation of the zoning by-law.
9. Also we did not agree to the pergola being so close to our shared fence, and we had no idea that they were encroaching in violation of the zoning by-law.

Considering that the pergola is encroaching we ask that the pergola be relocated with the proper setback. If this is not acceptable, and we understand that the pergola has already been constructed then we are asking for consideration to any of the suggestions that we have proposed as possible options:

1. Relocate the pergola to the proper setbacks as required and use that space for soft landscaping.
2. Increase the height of our shared fence to allow for the same privacy that we had previously under the City of Vaughan by-laws.
3. Enclose the pergola on the south side facing our property.

We ask for an adjournment of the application to allow time for and amicable agreement to be finalized.

Thank you for this opportunity given to provide our concerns.

Sincerely,

Fiorella Amis
16 Grand Vellore Crescent
Vaughan, ON L4H0N8