

35 Adler Drive – Fence Variance

Current situation:

Owners at 7 Patton Drive are operating a commercial daycare.

Various clients pickup and drop-off children throughout the day M – Su.

Clients often loiter by the entrance waiting for their drop-off or pickup time presenting privacy and security concerns.

We have applied to raise 3 x segments of the fence to counter the change in privacy and security as a result of the daycare's operation



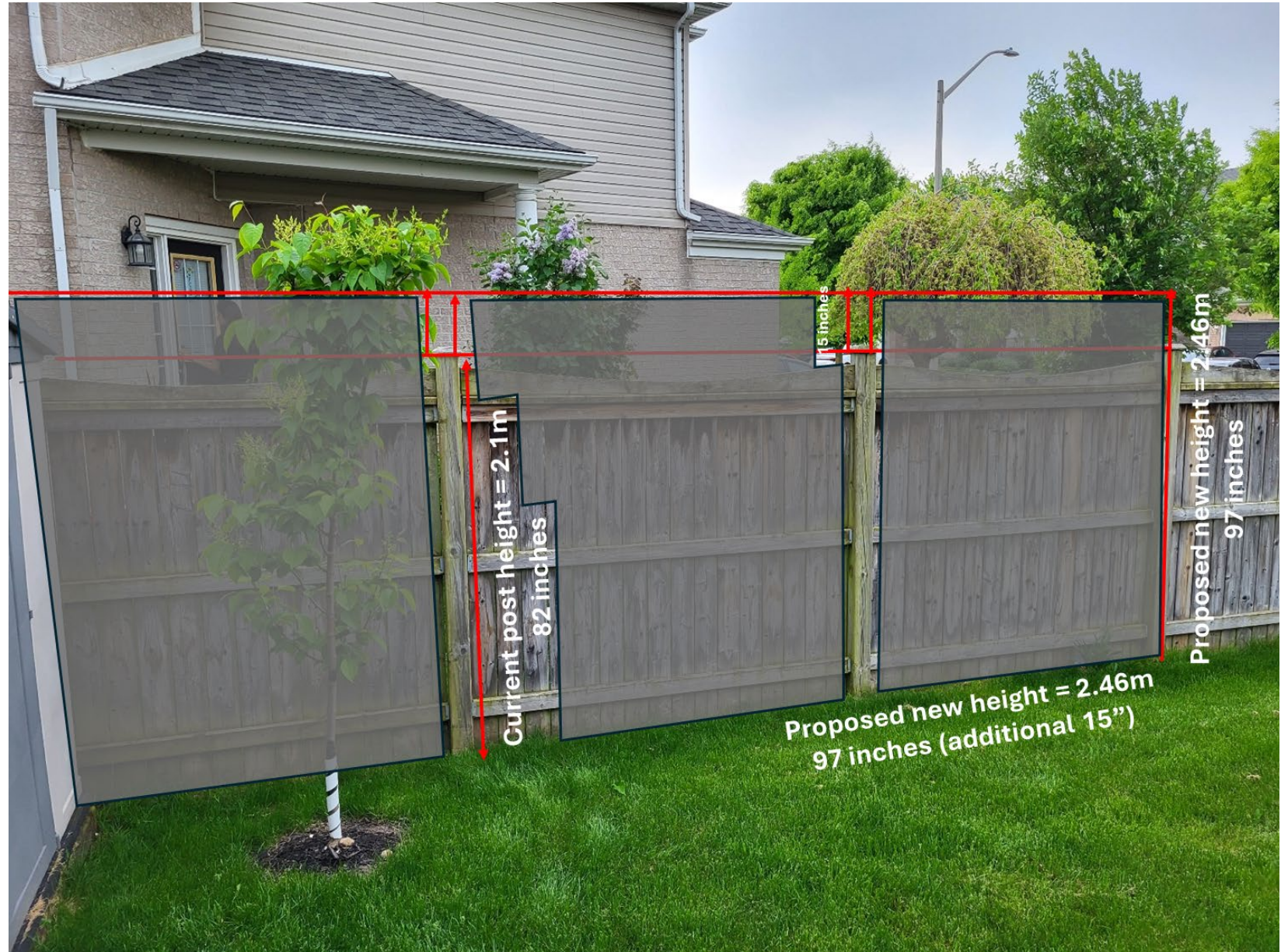
35 Adler Drive – Fence Variance

Current situation:

The proposed 15” increase, would, as seen in the rendering, will screen daycare clients from looking into the yard and, in fact, my home.

This is a privacy AND security concern as I have no visibility on who is waiting and what they are observing as they wait.

The daycare was put into operation without consultation of abutting properties. Before being authorized to operate, privacy concerns resulting from the daycare’s operations should have been addressed to ensure privacy was upheld.



35 Adler Drive – Fence Variance Appeals

1. The increased height is likely to cause safety concerns for backing out of the driveway for neighbouring properties.
2. Our street experiences high traffic at times and the fence height should be lowered for safety reasons.
3. The increased fence height will block the view from the main entrances of the neighbouring properties to Patton and Adler and insecure the intersection, hence causing visibility and safety concerns.
4. Inconsistent height will not foster a cohesive look along the streetscape. The tall fence will disrupt visual continuity and community character.
5. The tall fence will create an aesthetic issue for the abutting property's front view and affect the property value due to a potentially suffocating environment.
6. The inconsistent fence height will be detrimental to the visual to the visual [sic] appeal and will not complement the abutting property's architectural style.
7. As a community, we feel that this proposed fence by-laws variation may set a precedent for others to follow which is not desirable and time consuming for both the city and homeowners.

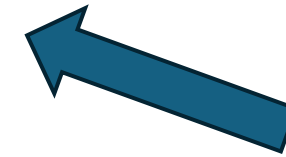
35 Adler Drive – Fence Variance – Appeals

1. The increased height is likely to cause safety concerns for backing out of the driveway for neighbouring properties.

A – Clearly as seen in the picture the proposed fence **in no way impacts the safety of anyone’s driveway** it cannot even be seen as it is screened by trees (dashed red area) and is *across* from the driveway and not in play with visibility.



Driveway and sidewalk
of 7 Patton Drive
The “abutting” property
looking north

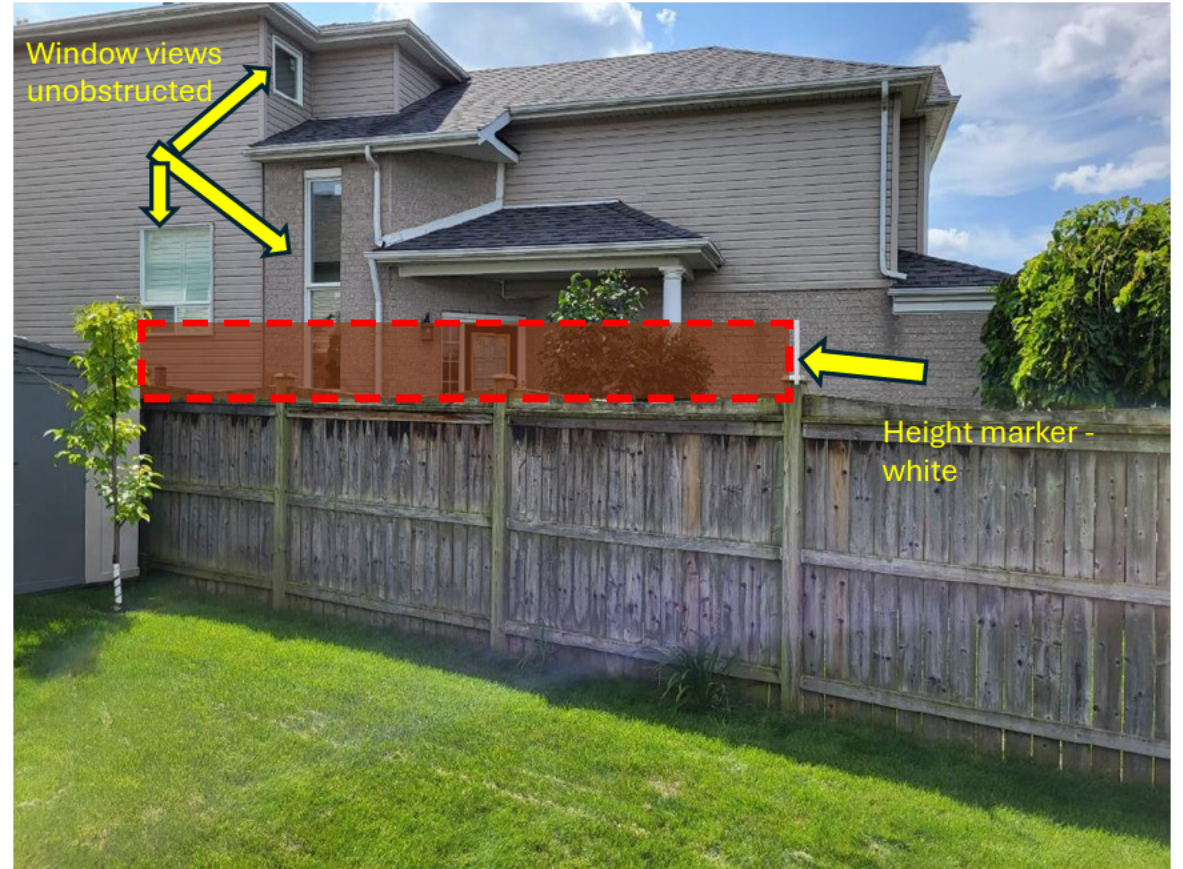


Fence variance location

35 Adler Drive – Fence Variance – Appeals

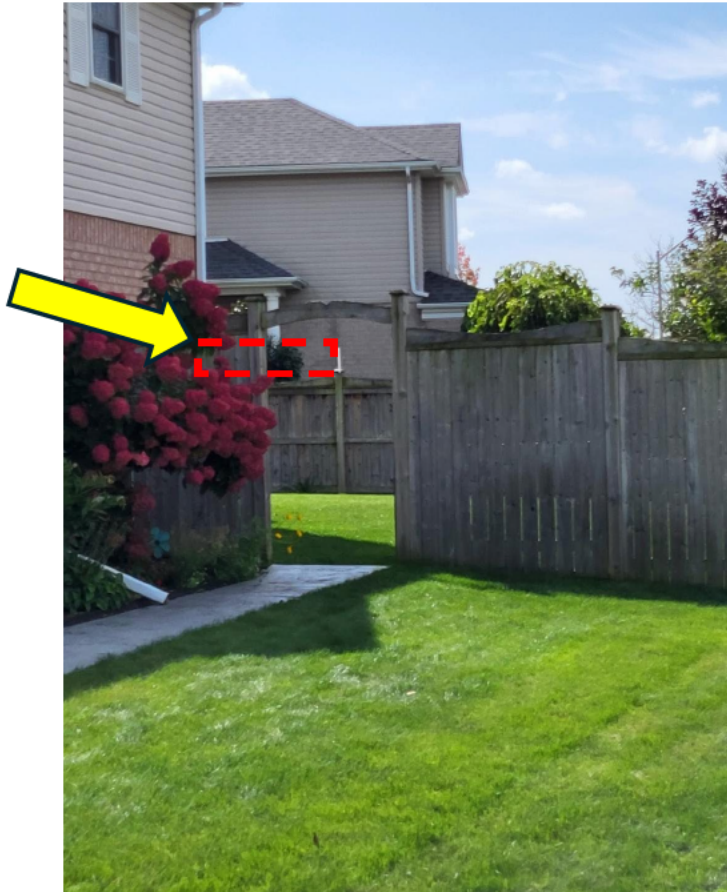
2. Our street experiences high traffic at times and the fence height should be lowered for safety reasons.

A – Which street is this appeal referring to? The fence is nowhere near any street – high traffic or not and so has **zero impact on street safety** – it can only be seen from the street (Adler) if my gate is open. The only place it would screen is the view from the 7 Patton Drive entrance where often stand people looking into the backyard. Privacy and related security are a much more real safety concern for me and my family.



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A – It can only be seen from the street if my gate is open. In fact, the only reason it *might* be seen is due to the aesthetics of the gate gap as the fence currently meets bylaw requirements.

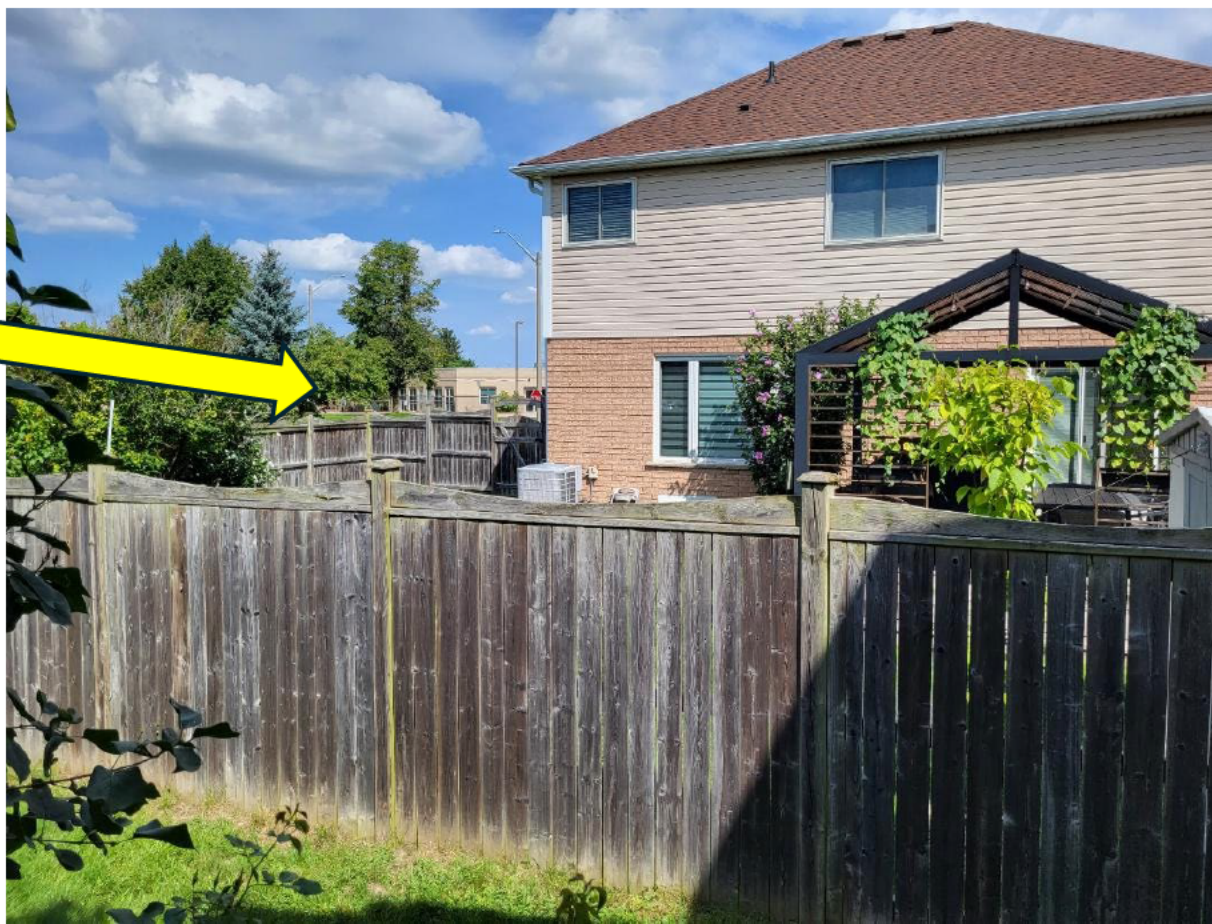


35 Adler Drive – Fence Variance – Appeals

3. The increased fence height will block the view from the main entrances of the neighbouring properties to Patton and Adler and insecure the intersection, hence causing visibility and safety concerns.

A – Clearly the only part of the neighbouring property's view that is blocked is the view into my yard from the front entrance where people loiter waiting pickup or drop off their children.

The neighbouring property cannot currently see Patton and Adler, as the northern part of my fence blocks the view. So, there would be no change to visibility and therefore zero safety changes or concerns



35 Adler Drive – Fence Variance – Appeals

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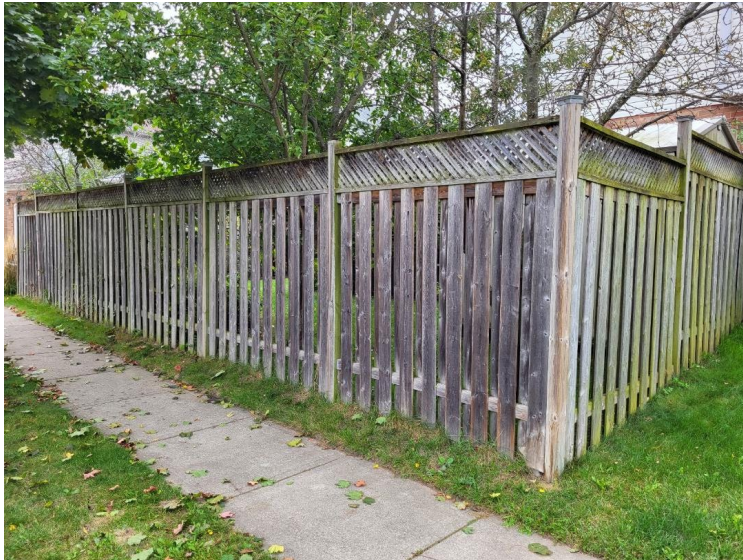
The neighbouring property cannot currently see Patton and Adler, as the northern part of my fence blocks the view. So, there would be no change to visibility and therefore zero safety changes or concerns



35 Adler Drive – Fence Variance

4. Inconsistent height will not foster a cohesive look along the streetscape. The tall fence will disrupt visual continuity and community character.

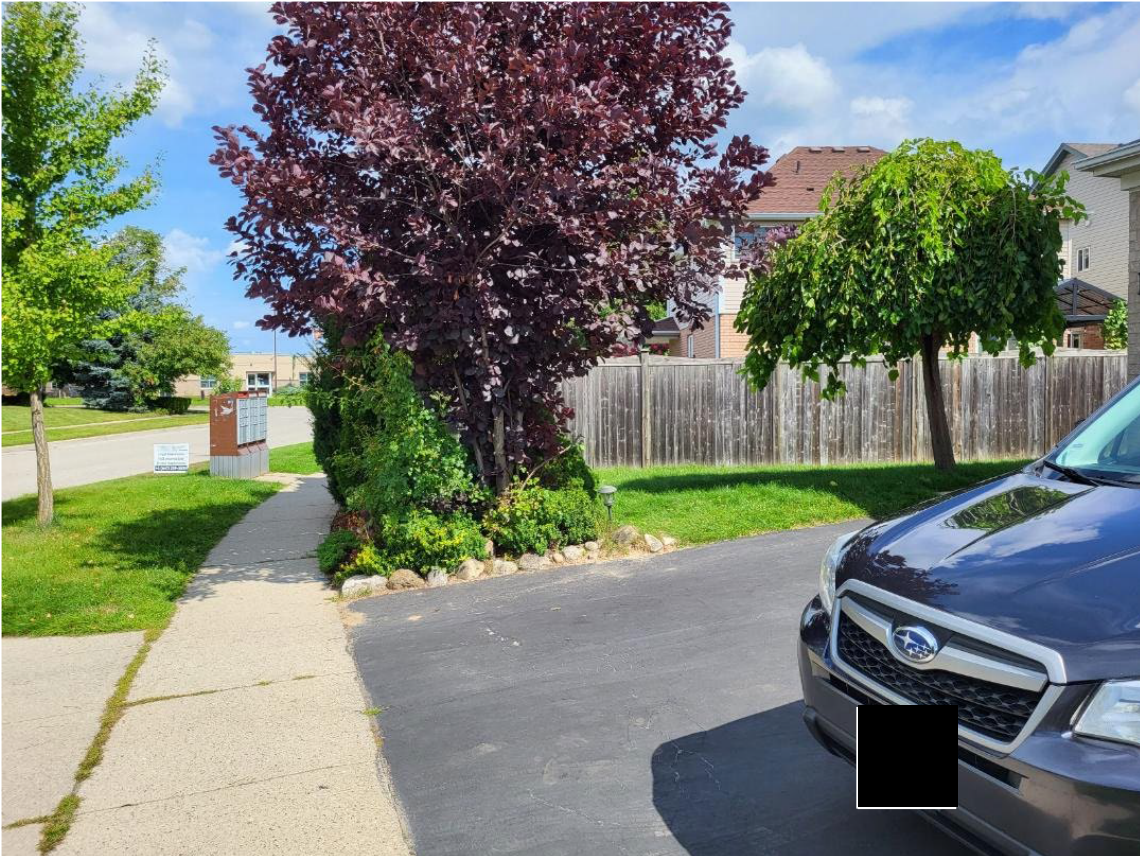
A – The proposed fence area, clearly, cannot be seen from the street – only from the neighbour’s entrance and will be modelled to be consistent with the existing fence at 35 Adler Drive. There are many fence variations in the neighbourhood – the fences are not condominium-like mandated designs so, ***there is no “community character”*** associated with fences. Again, the fence will be increased in height not style, type of wood, or colour.



35 Adler Drive – Fence Variance

5. The tall fence will create an aesthetic issue for the abutting property's front view and affect the property value due to a potentially suffocating environment.

A – It is not a tall fence – the increase is 15” just over 1 foot, which is *not stifling* as the pictures show. Regarding property value – *my property value* is currently diminished/ suffering due to the abutting property having a commercial daycare operating with loitering strangers staring down into my backyard.



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6. The inconsistent fence height will be detrimental to the visual to the visual [sic] appeal and will not complement the abutting property's architectural style.

A – Neighbourhood fences are not tied to a common architectural style and *the fence is not tied to the abutting property's architectural style*. As the pictures evidence, the style is tied to my (35 Adler Drive's) fence style around my *entire* backyard as the fence was established to screen for privacy. The style will be maintained.



35 Adler Drive – Fence Variance – Appeals

A – Furthermore, as seen in the picture, the proposed fence **in no way impacts the safety or aesthetics of anyone's property** as would not be seen, since it is screened by trees, save for a 1 second glimpse for someone walking north on Patton towards Adler. It does not in any way impact traffic or neighbourhood views.



Fence location

Fence location

1 second view during walk from south to north along Patton Drive in front of 7 Patton Drive.

35 Adler Drive – Fence Variance

7. As a community, we feel that this proposed fence by-laws variation may set a precedent for others to follow which is not desirable and time consuming for both the city and homeowners.

A – It is unclear who “we” is referring to, however, this variance application is in response to a situation that was not initiated by the homeowner of 35 Adler Drive.

If a home daycare was not being operated in the abutting property (7 Patton Drive) with loitering strangers continuously coming and going throughout the entire week (M – Su), there would be no privacy, safety, and security concerns necessitating a variance application.

This is not an application that was made for the convenience of the homeowner of 35 Adler Drive. To the contrary, the effort is, and has been, inconvenient.

If a similar situation occurred elsewhere in the community – the opening of a commercial daycare – it would be fair for a variance application to be granted for that property as well, and that community support for the safety and privacy of its members over that of a commercial business (initiated in the middle of a residential neighbourhood) be upheld.

In the future, perhaps consideration should be given to have persons initiating commercial daycares in the middle of residential neighbourhoods ensure the privacy of abutting properties be upheld (with a view to maintaining safety & security) as a requirement of operating a business in the affected neighbourhood.

35 Adler Drive – Fence Variance – Neighbourhood Support

● Fence by-law variance application 35 Adler Drive - File F3/24

Yahoo/35 Adler ☆



● **Mike K. Rigo, P.Eng., CGEIT**

From: [REDACTED]

To: denobregaj@cambridge.ca

Cc: [REDACTED]



Thu, Jul 25 at 9:55 a.m.



Good morning Jordan

We are Chris's neighbours and are writing to support his application for this variance. Chris is an excellent neighbour and is investing in many ways to improve his property. This change that will improve his backyard deck privacy from the neighbours daycare clients arriving / leaving with their children.

If you have any questions, reach back out.

Best regards ... Mike

Mike K. Rigo, P.Eng.

D3EH Inc.

