



Arwa Alzoor
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May 8, 2023

Dear Property Owner and Department/Agency:

RE: Variance Application: FVA2023-002
Subject Property: 77 Franklin St N
Owner: Anne Katie Stacey and Ivan Katic



Location Map

Description of Proposal

The City of Kitchener has received an application for a Fence by-law variance:

- 1) Requesting relief from Section 630.4.1 a) of the Fence By-law to allow a fence that projects 2.44 metres in the front yard to be a maximum of 1.83 metres in height on the right side of the property rather than the maximum required fence height of 0.91 metres in the front yard
- 2) Requesting relief from Section 630.2.4 to allow fence posts and post caps to be an additional 0.15 metres above the maximum fence height rather than the maximum required 0.1 metres.

The property is in the Stanley Park neighbourhood north of Weber Street East. The property is zoned RES-2 in Zoning By-law 2019-51 and designated Low Rise Residential in the City of Kitchener Official Plan. The property owner could not drill the new fence on the pool concrete deck; therefore, the fence was extended to the front yard, which create a variance due to the fence height.



Figure 1 Front view of the fence with the height dimensions



Figure 2 Front/ corner view of the fence encroachment into the front yard

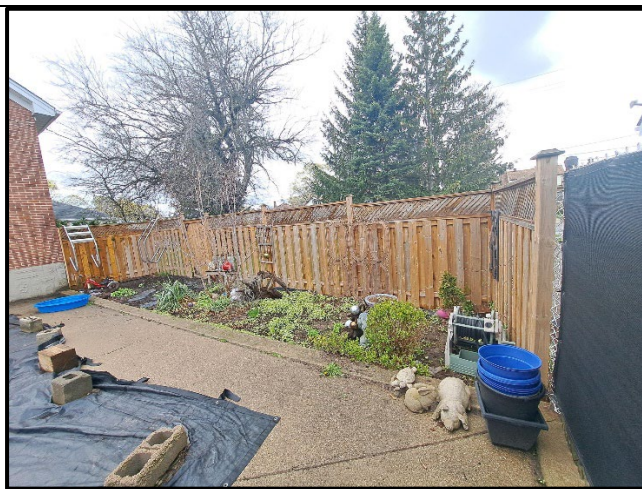


Figure 3 Inside view of the fence

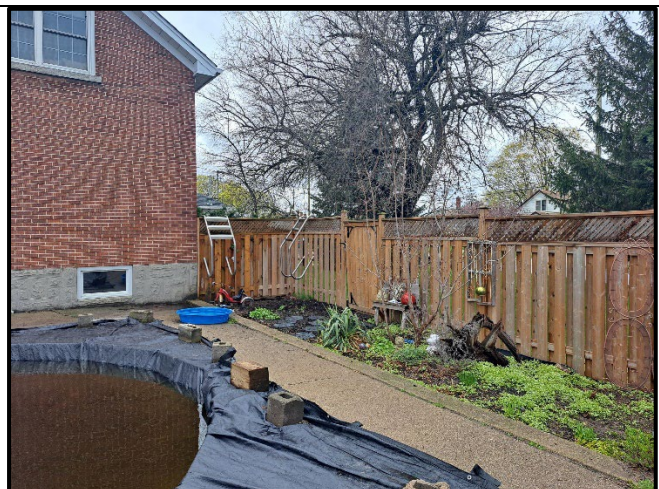


Figure 4 Inside view of the fence in relation to the existing concrete deck and swimming pool

Opportunity for Comment

Before a staff recommendation is prepared for this request, we are providing an opportunity for all adjacent property owners of the subject property and any required department/agencies to make comments. If you have any concerns with this application, please provide your written comments before May 15, 2023.

Notice of Staff Recommendation

Those responding in writing will be notified of the staff recommendation. If you do not submit written comments by the required date, we will assume you have no concerns, and you will not receive any further notice on this matter.

Appeal of Staff Recommendation

If you are not satisfied with the outcome of this application, you have the opportunity to appeal the staff recommendation to City Council. You will be required to register as a delegation and appear before City Council to address the issue. Staff will be in touch to advise of the next steps in this regard once your appeal is received. If you do not file an appeal by the prescribed deadline, the staff recommendation will become final.

Please feel free to contact me should you have any questions or require further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arwa Alzoor', with a long horizontal flourish extending to the right.

Arwa Alzoor
Planning Technician (Site Development)

cc: Robert Schipper, Building
Carrie Musselman, Environmental Planning
Sandro Bassanese, Urban Design
Steve Vrentzos, Bylaw Enforcement
Councillor Dave Schnider – Ward 2
Ivan Katic & Anne Katie Stacey, Property Owner