

Summary of Comments

A-056-2024

2370 Buchanan St



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-056-2024
MEETING DATE: June 19, 2025
TO: Sarah Burton Hopkins
Secretary Treasurer Committee of Adjustment
FROM: Savana Hasan
Assistant Development Planner
SUBJECT: Minor variance application A-056-2024 seeking relief from Section 3.2 of the Fence By-law (No. 052-05) to permit a maximum fence height of 2.49m.

PROPERTY INFORMATION:

Municipal Address	2370 Buchanan Street
Legal Description	PLAN 1108 LOT 3
Official Plan	Residential Low Density 1 (Schedule B1), Key Natural Heritage Features and Key Hydrologic Features (Schedule B1)
Zoning By-Law	Residential 1 (R1) Zone and Environmental Protection (EP) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-056-2024 subject to the following condition:

- 1.) That the variance only applies to the existing fence and any future fence development be subject to the Fence By-law.

REASON FOR APPLICATION:

The applicant has constructed a 2.49m tall fence, with a length of 18.28m, along a portion of the existing 1.82m tall fence on the west property line (rear lot line). The applicant is seeking relief from Section 3.2 of the Fence By-law (No. 052-05), which allows for a maximum fence height of 1.82m for fences located in the rear yard of residential zones.

Application Number	By-law Requirement	Proposed	Difference
A-056-2024	Maximum fence height of 1.82m	2.49m	0.67m

SURROUNDING LANDS:

North	Grass lot
East	Buchanan Street and single detached dwellings on residential lots (2370 and 2374 Tall Tree Lane)
South	Single detached dwelling on residential lot (2364 Buchanan Street)
West	Single detached dwelling on residential lot (677 Reid Street)

ANALYSIS:

Site Inspection Date	June 4, 2025
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are in the Primary Settlement of Alcona, as per Schedule A of the Official Plan, and are designated Residential Low Density 1 on Schedule B1 of the Official Plan, which permits uses including single detached dwellings and accessory structures. This would include fencing as an accessory permitted use.</p> <p>The Official Plan does not contain any specific policies regarding residential fencing, however in general the intent of fencing is to mark boundaries, provide adequate screening and privacy for amenity spaces, and to reduce potential conflicting land uses in terms of noise, lighting, and privacy.</p> <p>The applicant states the reason for the height of the fence is to reduce privacy impacts from neighbours by visually blocking sight into a portion of the backyard and windows of the primary structure. The additional height was constructed by adding 0.67m of lattice to the top of a portion of an existing fence at the rear lot line which does not impact sightlines from the street.</p> <p>The subject property is within the Natural Heritage System, as per Schedule B1 of the Official Plan. As per Section 17.1.10, site alteration including expansion to existing structures is permitted subject to Section 17.1.11 which states that it should be demonstrated that there is no other alternative and the expansion shall be limited in scope. In this instance, the applicant has increased the height of the fence for privacy purposes, and this variance is for a horizontal expansion, not a lateral expansion. –Staff consider the height increase limited in scope, and there are no other alternatives respecting the fence expansion other to increase fence height if the intention is to reduce privacy concerns into the yard. The intent of this policy is to protect the Natural Heritage System and it is not considered an increase in fence height would cause an issue in this regard.</p> <p>Since the proposed structure is a permitted use, it is considered to generally meet the purpose and intent of the Official Plan.</p>
Maintains the purpose and intent of the Zoning By-law and Fence By-law <input checked="" type="checkbox"/> Yes	<p>The subject lands are zoned Residential 1 (R1) Zone and Environmental Protection (EP) Zone. As per Section 3.54 d) of the Zoning By-law, fences are not required to follow any minimum yard setbacks. As such, the proposed fence does not violate the rear yard setbacks for the R1 and EP Zones. Since no other provisions in the Zoning By-law regulate fences, the Fence By-law (By-law No. 052-05) will be considered.</p>

<input type="checkbox"/> No	<p>Section 3.2 of the Fence By-law states that fences may not be taller than 0.9 m if they are built within 6.1 m of a residential property's front lot line. Any part of the fence that is beyond 6.1 m from the front lot line may reach a maximum height of 1.82 m. The general intent of this height is to allow for privacy while avoiding issues resulting from excessive height such as wind shear, shadowing, sightlines, and general visual impact.</p> <p>The applicant attached wooden lattice that is 0.67 m high across 18.8 m of the existing compliant fence on the rear lot line. The existing constructed fence is entirely wooden with vertical wood panels that reach a height of 1.82 m.</p> <p>Given the location of the lattice, there is minimal visual impact, shadowing, and wind shear, and no concern with respect to sightlines. Staff are of the opinion the variance is in keeping with the general purpose and intent of the Zoning By-law and Fence By-law, subject to the proposed conditions.</p>
<p>The variance is desirable for the appropriate/orderly development or use of the land:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Buchanan Street contains structures such as existing fencing on the side lot line of the property to the south of the subject land. The existing fence from the neighbouring property on the south lot line touches the proposed fence on the subject property and appears to be similar in height from the view on the subject property due to varying slopes. As such, the constructed fence is not considered to be out of character with the area.</p> <p>The applicant has designed a fence to add privacy to their amenity space that is enjoyable for the use of the property.</p>
<p>The variance is minor in nature:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The proposed variance of additional height is not expected to cause substantial impact to surrounding properties or the existing stream on the subject property. Although there is an open By-law Case regarding concerns over water pooling and flooding of the property to the west of the subject lands, the variance relates to the height of the fence and an increased height would not impact the stream. Staff are of the opinion that the proposed variance could be minor in nature, subject to the proposed conditions, given the length and location of the fence, the context of the lot and existing conditions along Buchanan Street including fencing.</p>

PREPARED BY:

Savana Hasan,
Assistant Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



BUILDING DEPARTMENT

MEMORANDUM TO FILE

DATE: June 10, 2025

FROM/CONTACT: Jocelyn Penfold ex 3506 jpenfold@innisfil.ca

FILE/APPLICATION: A-056-2024

SUBJECT: 2370 Buchanan Street

Comments to applicant/owner for information purposes (Comments help provide additional information regarding the development of the subject lands to the applicant. Comments are not conditions of approval):

1. Ensure the fence provides no visual obstruction, is in good repair and well maintained.

Condition of Approval (Conditions of Approval are specific enforceable conditions regarding the subject lands should the Committee of Adjustment approve the application. For example: The applicant/owner shall apply for a building permit for the construction of a new dwelling to the satisfaction of Building Department)



Engineering

MEMORANDUM TO FILE

DATE: June 12, 2025

FROM/CONTACT: Adil Khan ex 3244 akhan@innisfil.ca

FILE/APPLICATION: A-056-2024

SUBJECT: 2370 Buchanan Street

Comments to applicant/owner for information purposes (Comments help provide additional information regarding the development of the subject lands to the applicant. Comments are not conditions of approval):

1. No comment.

Condition of Approval (Conditions of Approval are specific enforceable conditions regarding the subject lands should the Committee of Adjustment approve the application. For example: The applicant/owner shall apply for a building permit for the construction of a new dwelling to the satisfaction of Community Development Standards Branch)

1. No comment.