

OVERLAND DRAINAGE RIGHT-OF-WAYS

Fences may not encroach overland drainage right-of-ways. If your property has an overland drainage right-of-way next to your property line, your fence must be built inside the property line or directly on it.

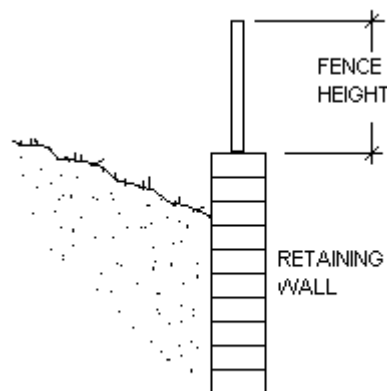
Access to the overland drainage right-of-ways **must not be restricted or encumbered by fences**. If you and your neighbour both want fences, and an overland drainage right-of-way separates the two properties, the fences must be built such that the right-of-way is still accessible.

RETAINING WALLS

A building permit issued by a certified Alberta Safety Codes Officer is required for retaining walls. A **professional engineer** must design the retaining wall if it is intended to retain 0.06m³ (2 ft³) or more of earth, and requires a minimum 1m (3 ft) railing if the height is greater than 0.6m (2 ft) and the wall is normally accessible to people.

Retaining walls may have fences built on top of them. The allowable height of the fence does not include the existing height of the retaining wall, except in front yards where visibility issues exist, and at the discretion of the Development Officer. Contact the Planning and Development office with questions prior to construction.

Figure 2. Retaining Wall and Fence



APPLICATION FEES

Up-to-date development and building permit application fees can be found:

Online: www.chestermere.ca

By phone: 403-207-7075

In person: Monday to Friday 9 AM – 4 PM

WARNING! It is the responsibility of the applicant to ensure that the work being carried out does not contravene the requirements of restrictive covenants, caveats, or any other restrictions that are registered against the property.

The Town of Chestermere
Planning and Development Department
105 Marina Road
Chestermere, AB T1X 1V7
Telephone: 403-207-7075
Facsimile: 403-207-2817

June 2005

BUILDING A FENCE OR RETAINING WALL

LAND USE BYLAW REQUIREMENTS

Town of Chestermere



This pamphlet is published as a public information service. It has no legal status and cannot be used as an official interpretation of the various codes and regulations currently in effect.

BUILDING A FENCE OR RETAINING WALL

The Town of Chestermere's *Land Use Bylaw 99-600*, as amended, establishes regulations for fences and the *Alberta Building Code* (current year) regulates the construction of retaining walls.

WHEN TO APPLY FOR A DEVELOPMENT PERMIT

A Development Permit from the Development Officer is required if you want a variance to build your fence higher than the *Land Use Bylaw* permits. If your request for a variance is denied, then application to the Subdivision Appeal Board may be made to appeal the decision of the Development Officer.

HOW HIGH CAN I BUILD MY FENCE?

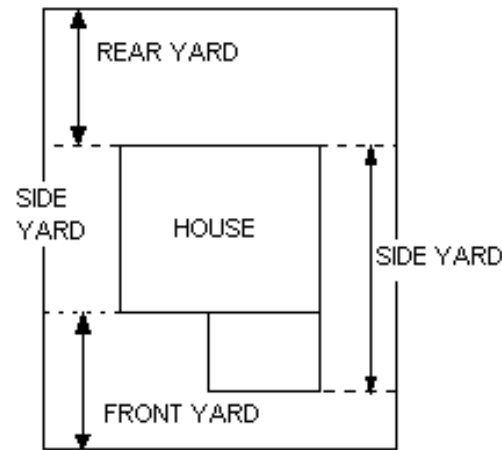
In **most** residential districts in the Town of Chestermere, you may construct a fence:

- 2 meters (6.6 ft) in height in the rear yard
- 2 meters (6.6 ft) in height in the side yard
- 1 meter (3.28 ft) in height in the front yard

Call Before You Dig!

**1-800-242-3447;
www.Alberta1call.com**

Figure 1. Yard Delineation



EXCEPTIONS TO ALLOWABLE FENCE HEIGHT & PLACEMENT

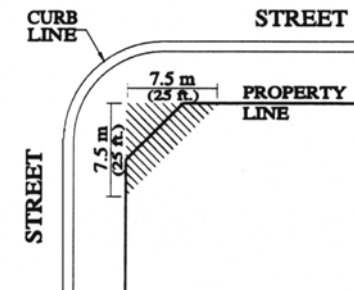
In the residential district **R-1L**, the Approving Authority may allow a higher fence within the front yard. A development permit from the Development Officer for a variance is required in this case.

On lots that have rear property lines on **Chestermere Lake**, a fence may not be higher than 1 meter (3.28 ft) within 8 meters (26 ft) of the rear property line.

On **corner lots**, you cannot build a fence on that part of the lot which lies within a "vision triangle" formed by a straight line drawn between two points on the exterior boundaries of the site, 7.5 meters (25 ft) from the point where they intersect, as the following figure illustrates.

The vision triangle is intended to provide motorists with adequate sight distance to vehicles approaching the intersection.

Figure 2. Corner Lot "Vision Triangle"



Fences are not allowed on Town property, including boulevards, municipal or environmental reserve, or on utility rights of way (including overland drainage).

NOTE: If you are the first owner of a home and a chain link fence or similar Developer's fence is present, it is recommended that the Developer and/or Town be contacted prior to changes being made to the fence, as any changes may contravene the approved subdivision plan or restrictive covenants registered against the property.